

RIVER DELTA UNIFIED SCHOOL DISTRICT

Notice of a Regular Meeting of the Board of Trustees

By Order of the President of the Board of Trustees, this is a Call for the Regular Meeting of the Board of Trustees of the River Delta Unified School District to be held:

February 19, 2019

Isleton Elementary School • 412 Union Street, Isleton, CA

A copy of the full agenda (with backup documents but without confidential closed session items) is available for public review at the District Office, 445 Montezuma St., Rio Vista, California, at least 72 hours prior to the announced meeting of the Board of Trustees or online at <http://riverdelta.org> under the heading: Board of Trustees

REGULAR MEETING AGENDA

1. Call the Open Session to Order (@ 5:30 p.m.)
2. Roll Call
3. Review Closed Session Agenda (see attached agenda)
 - 3.1 Announce Closed Session Agenda
 - 3.2 Public Comment on Closed Session Agenda Items Only
4. Approve Closed Session Agenda and Adjourn to the **Closed Session** (@ 5:35 p.m.)

Motioned: _____ Second: _____ Ayes: _____ Noes: _____ Absent: _____ Time: _____
5. Reconvene to Open Session (@ approx. 6:30 p.m.) Time: _____
 - 5.1 Board Presidents shall announce that the meeting is being recorded by the direction of the Board and the recording may capture sounds of those attending the meeting.
 - 5.2 Retake Roll Call
Member Fernandez __; Member Olson __; Member Riley __; Member Stone __;
Member Elliott __; Member Casillas __; Member Mahoney __
 - 5.2 Pledge of Allegiance
6. Report of Action taken, if any, during the Closed Session (Government Code Section 54957.1) – Board President Fernandez
7. Review and Approve the **Open Session** Agenda

Motioned: _____ Second: _____ Ayes: _____ Noes: _____ Absent: _____
8. Public Comment: **Anyone may address the Board at this time regarding any subject that is within the Board's subject-matter jurisdiction which is not on this night's agenda** [Government Code Section 54954.3 and Education Code Sections 35145.5 and 72121.5]. **However, please hold your comments on a specific agenda item on this agenda until it is brought up for discussion.** To address the Board, raise your hand and when you have been called on, please step up to the podium and state your name. However, **understand the Board may not act on any item which is not actually listed on this agenda** (except as authorized by Government Code Section 54954.2). (BB9323) **Individual speakers shall be allowed three minutes to address the Board on any non-agendized item. The Board shall limit the total time for public presentation and input on all items to a maximum of 20 minutes.** With Board consent, the Board President may increase or decrease the time allowed for public comment, depending on the topic and the number of persons wishing to be heard and the overall length of the agenda. The Board President may take a poll of speakers for or against a particular issue and may ask that additional persons speak only if they have something new to add. (BB 9323) Anyone may appear at the Board meeting to testify in support of, or in opposition to, any item on this agenda being presented to the Board for consideration. {If you wish to have an item placed on the agenda for discussion and/or action by the Board, you must notify the Board Secretary/Superintendent in writing no later than ten working days prior to a regularly scheduled Board meeting requesting permission. After the Superintendent's Cabinet has met, you will be notified of their decision.}
9. **Reports, Presentations, Information**
 - 9.1 Board Member(s) and Superintendent Report(s) and/or Presentation(s) –
 - 9.1.1 Board Members' Report(s)
 - 9.1.2 Committee Report(s)
 - 9.1.3 Superintendent Beno's Report(s)

- 9.2 Business Services' Reports and/or Presentations on: Routine Restricted Maintenance; Deferred Maintenance; Maintenance and Operations; Transportation Department; Food Services Department; District Technology; and District Budget – Elizabeth Keema-Aston, Chief Business Officer and Ken Gaston, Director of MOT
 - 9.2.1 ADA/Enrollment Report - Elizabeth Keema-Aston
 - 9.2.2 Monthly Financial Report - Elizabeth Keema-Aston
 - 9.2.3 Summary of the Governor's Budget Report
 - 9.2.4 Maintenance, Operations & Transportation Update – Ken Gaston
- 9.3 Other – Educational Services' Reports and/or Presentation(s) – Kathy Wright, Director of Educational Services
 - 9.3.1 Educational Services and Special Education Updates – Kathy Wright
- 9.4 River Delta Unified Teacher's Association (RDUTA) Update
- 9.5 California State Employee's Association (CSEA) Chapter #319 Update and Public Notice to "Sunshine" the 2018-2019 Negotiation proposals to River Delta Unified School District – Don Beno
- 9.6 Delta High School Agricultural Leadership Presentation
- 9.7 Redistricting Board of Trustee Boundary Areas, Presentation given by Steve Demers
- 9.8 45 Day Notice of Intention to amend the Conflict of Interest Code of the River Delta Unified School District – Don Beno

10. **Consent Calendar**

- 10.1 Approve Board Minutes
 - Regular Meeting of the Board, January 8, 2019
- 10.2 Receive and Approve Monthly Personnel Reports
 - As of February 19, 2019
- 10.3 District's Monthly Expenditure Report
 - January 2019
- 10.4 Request to approve the out-of-state travel for Rio Vista High School students to travel to the Oregon Shakespeare Festival in Ashland, Oregon from April 17-19, 2019 – Vicky Turk
- 10.5 Request to approve Independent Contract for Services Agreement with Sacramento Theatre Company for the 2018-2019 school year at a cost not to exceed \$4,176 – Arts Grant Funds – Antonia Slagle
- 10.6 Request for out of state travel for Danielle Tharp, Nick Casey and Christina Esperson to attend the 2019 General & Special Education Conference in Seattle, WA from March 5-7, 2019 – Special Education and Site Funds – Kathy Wright and Nick Casey
- 10.7 Request to approve the Independent Contract for Services Agreement with Sara Garcia-Rodriguez to provide "folklorico dance" lessons at the Walnut Grove Beyond the Bell After School program for the 2018-2019 school year at a cost not to exceed \$576 - paid for with ASES Program Funds – Kathy Wright
- 10.8 Request to approve the General Agreement for Nonpublic, Nonsectarian School/Agency (Point Quest) to provide Instructional Assistants for the 2018-2019 school year at a cost not to exceed \$20,000 - Special Educational Funds – Kathy Wright
- 10.9 Request to acknowledge the "Sunshined" California Schools Employees' Association Chapter #319 negotiation proposals to the River Delta Unified School District for 2018-2019 – Mary Weathers
- 10.10 Request to approve the Independent Contract for Services Agreement with Darrien Srimongkol to provide a *basic self-defense skills seminar* for Beyond the Bell After School Program employees for the 2018-2019 school year at a cost not to exceed \$500 – ASES Program funds – Kathy Wright
- 10.11 Request to approve the Delta High School's Fundraising event "Butter Braids and Cookie Dough Sale" to benefit the Cheerleading Team – Laura Uslan
- 10.12 Request to approve the Delta High School's Fundraising event "Summer Youth Basketball Camp" to benefit the Varsity Boys and Girls Basketball Teams – Laura Uslan
- 10.13 Request to approve the agreement with Russ Peak, to provide a motivational speech at Riverview Middle School – Site Funds – Marcy Rossi

- 10.14 Request to approve Panorama Education to design and implement LCAP- aligned surveys for the students, parents, and staff for the 2018-2019 school year at a cost not to exceed \$6,295.30 – Educational Services Funds – Kathy Wright
- 10.15 Request to approve the Independent Contract for Services Agreement with Sara M. Hall, M.A., BCBA to provide Behavior Intervention Assessments and Plans for the 2018-2019 school year at a cost not to exceed \$10,000 – Special Educational Funds – Kathy Wright
- 10.16 Donations to Receive and Acknowledge:
 - D.H. White Elementary, Riverview Middle and Rio Vista High Schools**
Rio Vista Community Center - \$4,102.38 for Chromebooks
 - Rio Vista High School – In memory of Tony Martinez**
Jerry and Nadine Penick
 - Rio Vista High School – In memory of Dennis Penick**
Jerry and Nadine Penick
Danny and Delinda Bowers
 - Rio Vista High School – Art Department**
Chuck Wesley
American Legion Post 178
Trilogy Art Council
Dale Miller
 - Riverview Middle School – Cross Country Team**
Rio Vision - \$2,200

Motioned: _____ Second: _____ Ayes: _____ Noes: _____ Absent: _____

Action Items -- Individual speakers shall be allowed three minutes to address the Board on any agenda item. The Board shall limit the *total time* for public presentation and input on *all items* to a maximum of 20 minutes. With Board consent, the Board President may increase or decrease the time allowed for public comment, depending on the topic and the number of persons wishing to be heard and the overall length of the agenda. The Board President may take a poll of speakers for or against a particular issue and may ask that additional persons speak only if they have something new to add. (BB 9323) Anyone may appear at the Board meeting to testify in support of, or in opposition to, any item on this agenda being presented to the Board for consideration.

- 11. Request to approve the *second and final* reading and adoption of the updated or new Board Policies, Administrative Regulation and Exhibits due to new legislation or mandated language and citation revisions as of October 2018 – Don Beno

Motioned: _____ Second: _____ Ayes: _____ Noes: _____ Absent: _____

- 12. Request the Board to make a motion to approve one of the options presented by Mr. Demers to redraw the Trustee Area Boundaries using the 2010 census data and to redraw the Trustee Area Boundaries after the census data is available from the 2020 census or that the Board make a motion to redraw the Trustee Area Boundaries after the 2020 census – Don Beno

Motioned: _____ Second: _____ Ayes: _____ Noes: _____ Absent: _____

- 13. Request to approve the Low Performing Students Block Grant Plan for the 2018-2019 and 2019-2020 school years – Kathy Wright

Motioned: _____ Second: _____ Ayes: _____ Noes: _____ Absent: _____

- 14. Request to approve the Notice of Completions for the Roofing projects at Delta High, Walnut Grove Elementary, Isleton Elementary and Rio Vista High Schools – Elizabeth Keema-Aston

Motioned: _____ Second: _____ Ayes: _____ Noes: _____ Absent: _____

- 15. Request to approve the first reading of the updated or new Board Policies, Administrative Regulation and Exhibits due to new legislation or mandated language and citation revisions as of December 2018 – Don Beno

Motioned: _____ Second: _____ Ayes: _____ Noes: _____ Absent: _____

- 16. Request to review Board Policy 3290 regarding Gifts, Grants, and Bequests – Don Beno

Motioned: _____ Second: _____ Ayes: _____ Noes: _____ Absent: _____

17. Request to approve the 2019 Bus Transportation and Comprehensive Districtwide Safety Plans – Don Beno
 Motioned: _____ Second: _____ Ayes: _____ Noes: _____ Absent: _____
18. Request to approve the Independent Contract for Services Agreement with RGM & Associates to provide a Facilities Condition Assessment for River Delta Unified School District – Don Beno
 Motioned: _____ Second: _____ Ayes: _____ Noes: _____ Absent: _____
19. Request the Board to take whatever action they deem necessary to respond to the California School Boards Association (CSBA) Delegate Assembly Elections: Official 2019 Delegate Assembly Ballot for Sub-Region 6-B (Postmarked by March 15, 2019; results to be released by April 1, 2019) – Don Beno
 Motioned: _____ Second: _____ Ayes: _____ Noes: _____ Absent: _____
20. Re-Adjourn to continue Closed Session, if needed
21. Report of Action taken, if any, during continued Closed Session (Government Code Section 54957.1) – Board President Fernandez
22. Adjournment
 Motioned: _____ Second: _____ Ayes: _____ Noes: _____ Absent: _____ Time: _____

A copy of the full agenda is available for public review at each school site. A copy of the full agenda is available for public review at the District Office (with backup documents but without confidential closed session items), 445 Montezuma St., Rio Vista, California, at least 72 hours prior to the announced meeting of the Board of Trustees or online at <http://riverdelta.org>.

Americans with Disabilities Act Compliance: Any and all requests for “...any disability-related modification or accommodation, including auxiliary aids or services...” needed to access our agendas or to participate in the public meetings, must be received in writing by the Superintendent’s Office at 445 Montezuma Street, Rio Vista, CA 94571 at least annually before July 1 of each year -- or at least 5 calendar days prior to the individual meeting in question. All inquiries may be directed to the Superintendent’s Office c/o Jennifer Gaston at (707) 374-1711.

AFFIDAVIT OF NOTICING AND POSTING:

I, Jennifer Gaston, Executive Assistant to the Board of Trustees, declare that a copy of this Regular Meeting Agenda/Notice was posted in the bulletin board in front of the District Office and that the Board of Trustees Members, District administrative offices and schools, the community libraries and the River News Herald were provided notice or caused to be provided notice via fax, e-mail and/or hand delivery on or before Friday, February 15, 2019, by or before 5:30 p.m.

By: *Jennifer Gaston* Jennifer Gaston, Executive Assistant, to the Superintendent.

ATTACHMENT

RIVER DELTA UNIFIED SCHOOL DISTRICT

Notice of a Regular Meeting of the Board of Trustees

February 19, 2019

**Isleton Elementary School • 412 Union Street, Isleton, CA
CLOSED SESSION**

As provided by Government Code Section 54957, the Board is requested to meet in closed session for consideration of **personnel appointment, employment, discipline, complaint, evaluation or dismissal** [Government Code Section 54957], **possible or pending litigation** [Government Code 54956.9(a)(b)(c)], **student discipline** [Education Code Sections 49070 (c) and 76232 (c)], **employee/employer negotiations** [Government Code Section 3549.1 and 54957.6], **or real property transactions** [Government Code Section 54956.8].

A Closed Session will be held beginning at 5:35 p.m. on February 19, 2019, at the Isleton Elementary School, Isleton, California (which is prior to the full Open Session). Any formal action taken by the Board will be reported in the Open Session of this regular meeting of the Board of Trustees [Government Code Section 54957.1]. As needed, this Closed Session may be reconvened following the full Open Session. Any formal action taken by the Board will be reported in Open Session prior to adjournment.

4. CLOSED SESSION

4.1 **Student Discipline** [Education Code Sections 49070 (c) and 76232 (c)]. - None

4.2 **Possible or Pending Litigation** [Government Code 54956.9(a)(b)(c)]

Following Conference with Legal Counsel Following Conference with Legal Counsel (Parker & Covert, LLC; Girard, Edwards, Stevens & Tucker LLP) – Pending or Anticipated Litigation/Potential Case(s) Update(s)

4.2.1 Name(s) unspecified as disclosure would jeopardize the service of process and/or existing/possible settlement negotiations

4.3 **Personnel Evaluation, Searches, Appointment, Employment, Complaint, Discipline, Dismissal, Non-reelects and Releases** [Government Code Section 54957]

Following Conference with Legal Counsel (Girard, Edwards, Stevens & Tucker LLP)

Public Employee(s) Evaluation:

4.3.1 Superintendent

4.3.2 Certificated

4.3.3 Classified

4.3.4 Public Employee(s) Searches, Appointment, Employment conditions

4.3.5 Complaint, Discipline, Dismissal, Non-Reelects, & Releases

4.3.5.1 Resolution #758 Release and Non-Reelect of certificated employees hired under temporary contracts for the 2018-2019 school year – Don Beno

Motion: _____ Second: _____

Roll Call Vote:

Member Fernandez ___; Member Olson ___; Member Riley ___; Member Stone ___; Member Elliott ___; Member Casillas ___; Member Mahoney ___

4.3.5.2 Resolution #759 non-re-employment for the 2019-2020 school year for Probationary 0, I & II Certificated Staff – Don Beno

Motion: _____ Second: _____

Roll Call Vote:

Member Fernandez ___; Member Olson ___; Member Riley ___; Member Stone ___; Member Elliott ___; Member Casillas ___; Member Mahoney ___

4.3.6 **Employee/Employer Negotiations** [Government Code Section 3549.1 and 54957.6] Following negotiation meetings any/all units.

4.3.6.1 Administration

4.3.6.2 Confidential

4.3.6.3 RDUTA

4.3.6.4 CSEA

5. Adjourn to Open Session (@6:30 p.m.) Any formal action taken by the Board in the above items will be reported in Open Session of this regular meeting of the Board of Trustees [Government Code Section 54957.1]. The meeting may be reconvened as needed (i.e. following the end of Open Session).

Motioned: _____ Second: _____ Ayes: _____ Noes: _____ Absent: _____ Time: _____

BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT
445 Montezuma Street
Rio Vista, CA 94571-1651

BOARD AGENDA BRIEFING

| | | |
|----------------------|--|---|
| Meeting Date: | February 19, 2019 | Attachments: X |
| From: | Elizabeth Keema-Aston, Chief Business Officer | Item No.: 9.2.1 |
| SUBJECT: | Monthly Enrollment and ADA Report (January) | Action Item: Consent Action: Information Only: X |

Background: Each month district staff compiles attendance and enrollment data for all school sites. The attached summary shows comparative enrollment and ADA for *2017-2018 and 2018-2019*. The summary also shows the increase/decrease enrollment for current and prior months. The attached charts compare the ADA with Enrollment for the current year and five (5) prior years.

Status: District-wide enrollment *increased by 39 students* compared to the same month last year, *increasing* from 1,892 to 1,931. (Does not include Adult Ed)

District-wide enrollment *increased by 17 students* compared to **last month** (*December*), *increasing* from 1,914 to 1,931. (Does not include Adult Ed)

District-wide attendance *increased 5 ADA* compared to **last month** (*December*), *1,824 to 1,829*. (Does not include Adult Ed)

Prepared by: Elvia Navarro, Accounting Specialist

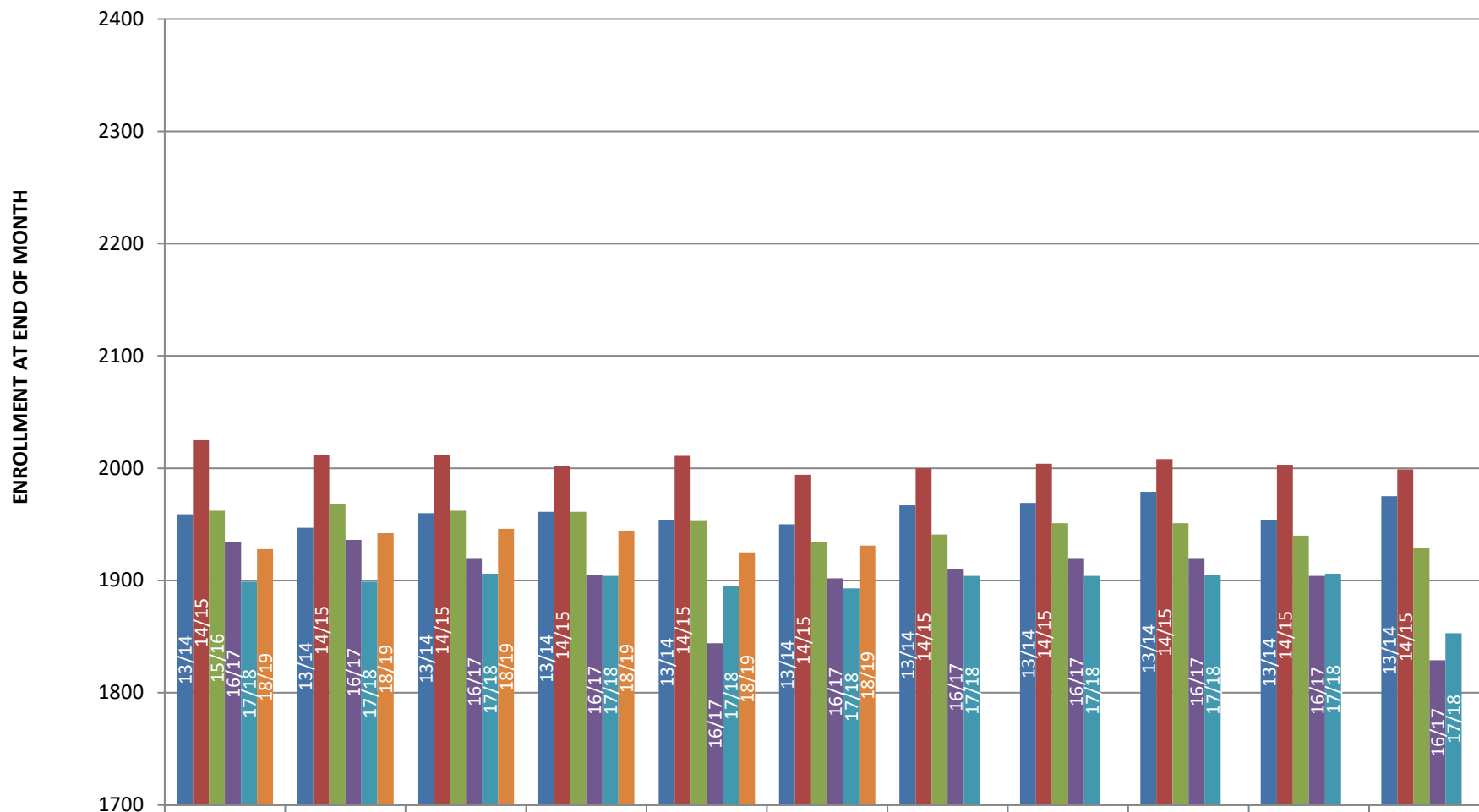
Presenter: Elizabeth Keema-Aston, Chief Business Officer

Recommendation:

That the Board receives the information presented.

| SITE | | AUG | AUG | % of ADA | | SEPT | SEPT | Incr/Decr From Pr Month | % of ADA | OCT | OCT | Incr/Decr From Pr Month | % of ADA | NOV | NOV | Incr/Decr From Pr Month | % of ADA | DEC | DEC | Incr/Decr From Pr Month | % of ADA | JAN | JAN | Incr/Decr From Pr Month | % of ADA |
|--|-----|-------|-------|----------|--|-------|-------|-------------------------------|-------------|-------|-------|-------------------------------|-------------|-------|-------|-------------------------------|-------------|-------|-------|-------------------------------|-------------|-------|-------|-------------------------------|-------------|
| | | 17-18 | 18-19 | | | 17-18 | 18-19 | | | 17-18 | 18-19 | | | 17-18 | 18-19 | | | 17-18 | 18-19 | | | 17-18 | 18-19 | | |
| BATES | ENR | 136 | 118 | 98.3% | | 132 | 121 | 3 | | 137 | 122 | 1 | | 137 | 127 | 5 | | 129 | 127 | 0 | | 136 | 125 | -2 | |
| | ADA | 133 | 116 | | | 132 | 117 | | | 96.7% | 130 | | | 117 | 95.9% | | | 134 | 121 | | | 95.3% | 132 | | |
| CLARKSBURG (7th & 8th Gr) | ENR | 197 | 193 | 97.4% | | 197 | 195 | 2 | | 197 | 191 | -4 | | 194 | 192 | 1 | | 197 | 192 | 0 | | 196 | 191 | -1 | |
| | ADA | 193 | 188 | | | 192 | 188 | | | 96.4% | 191 | | | 188 | 98.4% | | | 191 | 182 | | | 94.8% | 187 | | |
| ISLETON | ENR | 159 | 162 | 95.7% | | 158 | 158 | -4 | | 162 | 158 | 0 | | 161 | 158 | 0 | | 162 | 153 | -5 | | 164 | 159 | 6 | |
| | ADA | 153 | 155 | | | 151 | 153 | | | 96.8% | 155 | | | 152 | 96.2% | | | 155 | 151 | | | 95.6% | 152 | | |
| RIVERVIEW | ENR | 231 | 234 | 94.9% | | 230 | 233 | -1 | | 231 | 236 | 3 | | 231 | 235 | -1 | | 230 | 229 | -6 | | 230 | 229 | 0 | |
| | ADA | 226 | 222 | | | 221 | 222 | | | 95.3% | 218 | | | 226 | 95.8% | | | 221 | 224 | | | 95.3% | 220 | | |
| WALNUT GROVE | ENR | 163 | 165 | 95.8% | | 164 | 168 | 3 | | 166 | 168 | 0 | | 165 | 166 | -2 | | 162 | 167 | 1 | | 167 | 173 | 6 | |
| | ADA | 158 | 158 | | | 158 | 160 | | | 95.2% | 159 | | | 163 | 97.0% | | | 158 | 161 | | | 97.0% | 156 | | |
| D.H. WHITE | ENR | 352 | 333 | 95.8% | | 353 | 346 | 13 | | 349 | 350 | 4 | | 356 | 350 | 0 | | 335 | 333 | -17 | | 348 | 346 | 13 | |
| | ADA | 331 | 319 | | | 337 | 327 | | | 94.5% | 332 | | | 332 | 94.9% | | | 334 | 335 | | | 95.7% | 331 | | |
| ELEMENTARY SUB TOTAL | ENR | 1,238 | 1,205 | | | 1,234 | 1,221 | 16 | | 1,242 | 1,225 | 4 | | 1,244 | 1,228 | 3 | | 1,215 | 1,201 | -27 | | 1,241 | 1,223 | 22 | |
| | ADA | 1,194 | 1,158 | | | 1,191 | 1,167 | | | 1,185 | 1,178 | | | 1,193 | 1,174 | | | 1,178 | 1,154 | | | 1,170 | 1,161 | | |
| CLARKSBURG (9th Grade) | ENR | 80 | 83 | 97.6% | | 80 | 83 | 0 | | 79 | 84 | 1 | | 79 | 83 | -1 | | 81 | 82 | -1 | | 80 | 83 | 1 | |
| | ADA | 79 | 81 | | | 78 | 80 | | | 96.4% | 78 | | | 79 | 94.0% | | | 74 | 78 | | | 94.0% | 77 | | |
| DELTA HIGH | ENR | 162 | 191 | 95.8% | | 164 | 191 | 0 | | 165 | 192 | 1 | | 164 | 190 | -2 | | 166 | 190 | 0 | | 161 | 184 | -6 | |
| | ADA | 160 | 183 | | | 157 | 184 | | | 96.3% | 157 | | | 183 | 95.3% | | | 158 | 183 | | | 96.3% | 156 | | |
| RIO VISTA HIGH | ENR | 386 | 414 | 96.1% | | 385 | 412 | -2 | | 387 | 407 | -5 | | 381 | 407 | 0 | | 368 | 409 | 2 | | 376 | 408 | -1 | |
| | ADA | 372 | 398 | | | 368 | 395 | | | 95.9% | 367 | | | 393 | 96.6% | | | 366 | 391 | | | 96.1% | 365 | | |
| HIGH SCHOOL SUB TOTAL | ENR | 628 | 688 | | | 629 | 686 | -2 | | 631 | 683 | -3 | | 624 | 680 | -3 | | 615 | 681 | 1 | | 617 | 675 | -6 | |
| | ADA | 611 | 662 | | | 603 | 659 | | | 602 | 655 | | | 598 | 652 | | | 598 | 640 | | | 578 | 643 | | |
| Mokolumne High (Continuation) | ENR | 15 | 14 | | | 14 | 14 | 0 | | 12 | 14 | 0 | | 14 | 12 | -2 | | 12 | 12 | 0 | | 14 | 11 | -1 | |
| | ADA | 12 | 11 | | | 12 | 12 | | | 10 | 11 | | | 12 | 11 | | | 12 | 9 | | | 11 | 7 | | |
| River Delta High/Elem (Alternative) | ENR | 14 | 18 | | | 18 | 18 | 0 | | 17 | 21 | 3 | | 18 | 20 | -1 | | 17 | 15 | -5 | | 17 | 17 | 2 | |
| | ADA | 11 | 16 | | | 11 | 16 | | | 13 | 16 | | | 14 | 18 | | | 16 | 18 | | | 13 | 14 | | |
| Community Day | ENR | 4 | 3 | | | 4 | 3 | 0 | | 4 | 3 | 0 | | 4 | 3 | 0 | | 3 | 5 | 2 | | 3 | 5 | 0 | |
| | ADA | 3 | 3 | | | 4 | 3 | | | 4 | 3 | | | 4 | 4 | | | 4 | 3 | | | 2 | 4 | | |
| TOTAL K-12 LCFF Funded | ENR | 1,899 | 1,928 | | | 1,899 | 1,942 | 14 | | 1,906 | 1,946 | 4 | | 1,904 | 1,943 | -3 | | 1,862 | 1,914 | -29 | | 1,892 | 1,931 | 17 | |
| | ADA | 1,831 | 1,850 | | | 1,821 | 1,857 | | | 1,814 | 1,863 | | | 1,821 | 1,859 | | | 1,808 | 1,824 | | | 1,774 | 1,829 | | |
| Wind River- Adult Ed | ENR | 0 | 0 | | | 40 | 30 | 30 | | 48 | 27 | -3 | | 53 | 39 | 12 | | 53 | 42 | 3 | | 55 | 45 | 3 | |
| TOTAL DISTRICT | ENR | 1,899 | 1,928 | | | 1,939 | 1,972 | 44 | | 1,954 | 1,973 | 1 | | 1,957 | 1,982 | 9 | | 1,915 | 1,956 | -26 | | 1,947 | 1,976 | 20 | |

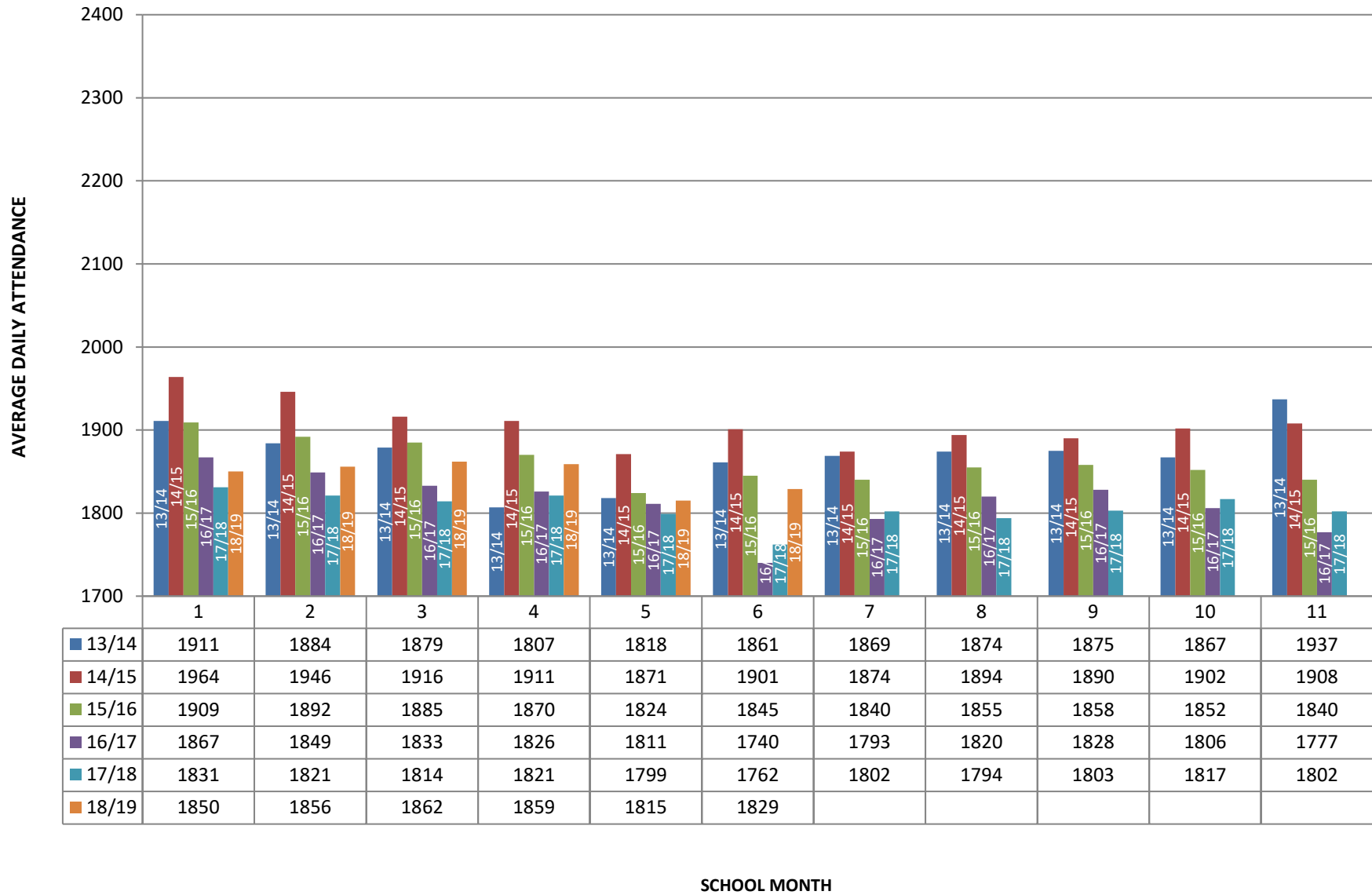
ENROLLMENT



| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
|-------|------|------|------|------|------|------|------|------|------|------|------|
| 13/14 | 1959 | 1947 | 1960 | 1961 | 1954 | 1950 | 1967 | 1969 | 1979 | 1954 | 1975 |
| 14/15 | 2025 | 2012 | 2012 | 2002 | 2011 | 1994 | 2000 | 2004 | 2008 | 2003 | 1999 |
| 15/16 | 1962 | 1968 | 1962 | 1961 | 1953 | 1934 | 1941 | 1951 | 1951 | 1940 | 1929 |
| 16/17 | 1934 | 1936 | 1920 | 1905 | 1844 | 1902 | 1910 | 1920 | 1920 | 1904 | 1829 |
| 17/18 | 1899 | 1899 | 1906 | 1904 | 1895 | 1893 | 1904 | 1904 | 1905 | 1906 | 1853 |
| 18/19 | 1928 | 1942 | 1946 | 1944 | 1925 | 1931 | | | | | |

SCHOOL MONTH

ACTUAL ATTENDANCE



**BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT**

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 19, 2019

Attachments: X

From:

Item Number: 9.2.2

Type of item: (Action, Consent Action or Information Only): Information Only

SUBJECT:

Monthly Financial Report

BACKGROUND:

Each month the Chief Business Officer prepares a monthly financial summary report, showing both budgeted and actual revenues and expenditures for each district fund for the prior month. The report includes: the percentage of the districts ending fund from the prior month, the percentage of the districts ending fund balance (reserves) at the end of the reported month.

This report does not include any encumbered expenditures.

STATUS:

PRESENTER:

Elizabeth Keema-Aston, Chief Business Officer

OTHER PEOPLE WHO MIGHT BE PRESENT:

COST AND FUNDING SOURCES:

Not Applicable

RECOMMENDATION:

That the Board receives the Monthly Financial report as submitted.

Time allocated: 5 minutes

River Delta Unified School District
 2018-19 Working Budget vs. Actuals Report
 January 31, 2019

| Working Budget | | | | | Actuals thru: 1/31/2019 | | | | | |
|-------------------------------------|-------------------------|--|----------------------------------|----------------------|-------------------------|---------------------------------|-----------------------|---------------------------|-------------------|------------------------|
| | Beginning Balance (A) | Net Income/ Contributions in (B) | Expense/ Contributions out (C) | Ending Balance (D) | YTD Income (E) | YTD Paid to Delta Charter (F) | YTD Net Revenue (G) | Percentage Received (H) | YTD Expense (I) | Percentage Spent (J) |
| | | | | | | | | (G/B=H) | | (I/C=J) |
| General Fund: (01) | | | | | | | | | | |
| Unrestricted | 5,136,358 | 16,826,855 | 17,303,314 | 4,659,899 | 11,631,413 | 1,027,326 | 10,604,087 | 63.02% | 9,523,476 | 55.04% |
| Restricted | 726,556 | 7,534,110 | 8,209,811 | 50,855 | 1,783,005 | | 1,783,005 | 23.67% | 2,998,917 | 36.53% |
| Combined | 5,862,914 | 24,360,965 | 25,513,125 | 4,710,754 | 13,414,418 | 1,027,326 | 12,387,092 | 50.85% | 12,522,393 | 49.08% |
| Dry Period Financing | | | | | - | | - | | | |
| General Fund - Fund Balance % | 18.46% | <i>Represents Ending Balances divided by Budget Expenses (D/C)</i> | | | | | | | | |
| Other Funds | | | | | | | | | | |
| Adult Ed. (11) | 25,474 | 78,930 | 104,404 | - | 41,860 | | 41,860 | 53.03% | 37,750 | 36.16% |
| Child Development (12) | - | 293,765 | 293,765 | - | 156,798 | | 156,798 | 53.38% | 136,260 | 46.38% |
| Cafeteria (13) | 95,748 | 1,074,110 | 1,100,684 | 69,174 | 171,491 | | 171,491 | 15.97% | 477,969 | 43.42% |
| Sp. Res-Other than Cap. Outlay (17) | 69,107 | 900 | - | 70,007 | 345 | | 345 | 38.33% | - | 0.00% |
| Bond Fund (21) | 1,011,135 | 41,600 | 911,660 | 141,075 | 21,515 | | 21,515 | 51.72% | 750,348 | 82.31% |
| Bond Fund- SFID #1 South (22) | 113,137 | 250 | 110,292 | 3,095 | 448 | | 448 | 179.20% | 99,332 | 90.06% |
| Bond Fund - SFID #2 North (23) | 47,012 | 100 | 46,371 | 741 | 207 | | 207 | 207.00% | 36,321 | 78.33% |
| Developer Fees (25) | 357,898 | 735,876 | 252,476 | 841,298 | 711,594 | | 711,594 | 96.70% | 232,621 | 92.14% |
| County School Facilities (35) | 3,232 | 2 | - | 3,234 | 16 | | 16 | 800.00% | - | 0.00% |
| Capital Projects (49) | 20,248 | 1,089 | 21,165 | 172 | 469 | | 469 | 43.07% | 17,196 | 81.25% |

**BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT**

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 19, 2019

Attachments: X

From: Elizabeth Keema-Aston, Chief Business Officer

Item Number: 9.2.3

Type of item: (Action, Consent Action or Information Only): Information Only

SUBJECT:

A Summary Analysis of the Governor's Proposed 2019-20 State Budget for California's Schools

BACKGROUND:

Every year in January, Schools Services of California holds a meeting to explain the implications of the Governor's Budget Act to California's public schools. This is schools first glimpse into the projections of funding for the coming year. We use these projections as the basis for the Proposed Budget in June.

STATUS:

Attached is a summary of the key items in the Governor's proposed budget. This information will possibly change and be presented in May at the Governor's May Revise Conference.

PRESENTER:

Elizabeth Keema-Aston, Chief Business Officer

OTHER PEOPLE WHO MIGHT BE PRESENT:

COST AND FUNDING SOURCES:

Not Applicable

RECOMMENDATION:

That the Board receives the information

Time allocated: 5 minutes

The 2019-20 State Budget Proposal

On Thursday, January 10, 2019, Governor Gavin Newsom unveiled his first proposed State Budget for the upcoming 2019-20 fiscal year. Governor Newsom enjoys a much more positive financial and economic environment at the release of his first State Budget than his predecessor. Governor Newsom inherits a state that is enjoying a strong economy and an historic budget surplus due primarily to the prudent policies of former Governor Jerry Brown. During Brown's tenure as Governor, public education experienced a massive philosophical and practical shift that has involved significant infusions of revenue over a relatively short period of time, but with equally significant cost pressures. The question on everyone's mind has been: what will our new Governor do with his good fortune?

In Governor Newsom's first State Budget proposal, we see a continued commitment to the Local Control Funding Formula (LCFF) by providing the statutory cost-of-living adjustment (COLA), but nothing more like we saw during the gap closure years and this year's augmented COLA. The additional ongoing Proposition 98 dollars above that required amount are proposed to address specified purposes, and not at the complete discretion of the local educational agencies (LEAs).

Proposition 98

Proposition 98 minimum guarantee has declined from the enacted 2018-19 State Budget for both 2017-18 and 2018-19 due to lower-than-anticipated average daily attendance (ADA) and a year-over-year decline in General Fund revenue growth from 2017-18 to 2018-19.

For 2019-20, the State Budget proposes a Proposition 98 guarantee of \$80.7 billion, an increase of \$2.8 billion year over year. The guarantee is projected to be based on

Test 1—funding based on education's proportion of the General Fund in 1986-87.

Cost-of-Living Adjustments and ADA

The estimated statutory COLA for K-12 education programs in 2019-20 is 3.46% and is applied to the LCFF base grant targets, as well as other education programs that are funded outside of the LCFF. Those programs include Special Education, Child Nutrition, Preschool, Foster Youth, American Indian Education Centers, the American Indian Early Childhood Education program, and the Mandate Block Grant, all of which are proposed to receive the statutory COLA.

Statewide, ADA is expected to continue declining—from \$5.935 million in 2018-19 to \$5.928 million in 2019-20.

Local Control Funding Formula

The Governor's 2019-20 State Budget proposal includes an increase of \$2 billion in Proposition 98 for the LCFF reflecting the 3.46% COLA. This brings LCFF funding to \$63 billion.

LCFF Target Base Grant for School Districts and Charter Schools

The target base grants by grade span for 2019-20 are increased over 2018-19 by 3.46% to reflect the estimated statutory COLA:

| Grade Span | 2018-19 Target Base Grant per ADA | 3.46% COLA | 2019-20 Target Base Grant per ADA |
|------------|-----------------------------------|------------|-----------------------------------|
| TK-3 | \$7,459 | \$258 | \$7,717 |
| 4-6 | \$7,571 | \$1262 | \$7,833 |
| 7-8 | \$7,796 | \$270 | \$8,066 |
| 9-12 | \$9,034 | \$313 | \$9,347 |

Special Education

Acknowledging the rising cost of Special Education services, Governor Newsom proposes \$576 million (of which \$186 million is one-time) to support expanded Special Education services and school readiness supports at LEAs with high percentages of both students with disabilities and unduplicated students. Eligible LEAs may use these grants to fund supplemental services not currently included in an individualized education program for a student with disabilities and for preventative services that may reduce the need for additional services in future years.

Noting that school districts were most likely to be identified as needing support because of poor performance on student outcome indicators for students with disabilities, this funding can also be used to adopt strategies to improve Special Education student outcomes identified through the statewide system of support and/or other activities to build upon or expand local multi-tiered systems of support efforts.

CalSTRS Payments

Governor Newsom's proposed State Budget recognizes the growing burden of pension rate increases that LEAs face. A total of \$3 billion in one-time non-Proposition 98 funds will be used to buy down California State Teachers' Retirement System (CalSTRS) employer contribution rates in 2019-20 and beyond and to reduce employers' long-term unfunded liability. Based on current assumptions, a \$700 million investment would be used to decrease the statutory CalSTRS employer contributions in 2019-20 of 18.13% to 17.1% and in 2020-21 from 19.1% to 18.1%. The remaining \$2.3 billion would be applied toward employers' long-term unfunded liability (which is expected to translate to an estimated reduction in the employer contribution rate beyond 2020-21 of approximately half a percentage point).

The proposed State Budget also includes additional payments to address the state's share of the CalSTRS liability. In addition to the statutorily required \$3.3 billion state CalSTRS contribution, \$1.1 billion will go toward the state's share of the CalSTRS Defined Benefit Program. This is expected to be the first installment of an estimated \$2.9 billion to be paid to CalSTRS through 2022-23 for the state's portion of the unfunded liability.

Finally, Governor Newsom proposes an infusion of \$3 billion into the California Public Employees' Retirement System (CalPERS) as a supplemental pension payment in 2018-19, which follows on a \$6 billion supplemental payment made to the system in 2017-18.

Early Childhood Education: Child Care, Preschool, and Kindergarten

Governor Newsom's first State Budget includes significant new investments in children and young learners as a critical part of his "California for All" vision. Many of his proposals leverage one-time funding as a way to ensure that the state does not overcommit itself while building the essential components of the early care and education (ECE) infrastructure. Governor Newsom's ECE budget includes the following key investments:

- **Universal Preschool:** The State Budget proposes instituting universal preschool for all low-income four-year-olds over a three-year period, and includes a first-year investment of \$124.9 million in non-Proposition 98 funding for new full-day preschool slots for community-based providers. The State Budget also proposes to shift \$297.1 million in non-LEA part-day slots from Proposition 98 to the non-Proposition 98 portion of the State Budget to enable community-based providers greater flexibility to draw down full-day, full-year funding for state preschool slots. Finally, the State Budget proposes to remove a barrier for

families to access full-day wraparound services under the State Preschool Program by eliminating the requirement to demonstrate that the need for care stems from employment or postsecondary enrollment.

- **Full-Day Kindergarten:** To incentivize the provision of full-day kindergarten throughout the state, the Governor’s State Budget invests \$750 million in one-time (non-Proposition 98) funding to build new kindergarten facilities, which LEAs have identified as the biggest barrier to providing full-day programs. This investment builds upon the 2018-19 State Budget’s \$100 million investment for the same purpose and administered by the Office of Public School Construction (OPSC).
- **Birth to Three:** The Governor proposes to spend over \$200 million (non-Proposition 98) in state and federal funds on home visiting programs and child developmental and health screenings as a way to bridge the child readiness gap and ensure positive health and life outcomes for all children.
- **Child Care:** The State Budget proposes one-time funding (non-Proposition 98) of \$490 million for child care facilities (\$245 million) and the professional development of child care workers (\$245 million, non-Proposition 98) to improve the overall quality of child care.

As part of long-term visioning, the Governor proposes to invest \$10 million to develop a child care and universal preschool roadmap for California. The roadmap will address systems capacity issues, workforce development needs, and identify funding options. Additionally, the roadmap may contemplate changes to Transitional Kindergarten (TK) due to its intersection with universal preschool. This work will augment California’s federal preschool development grant for which the California Department of Education is conducting a state needs analysis.

School Facilities

The State Budget proposal includes the sale of an additional \$1.5 billion in Proposition 51 bonds in 2019-20 to support the State Facility Program, including New Construction, Modernization, Career Technical Education, and the Charter School Facilities programs.

Discretionary Funds

Breaking with his predecessor, Governor Newsom’s 2019-20 State Budget does not propose any one-time Proposition 98 discretionary funding for school districts, charter schools, or county offices of education (COEs).

Longitudinal Data System

Governor Newsom is proposing \$10 million one-time non-Proposition 98 to plan for and develop a longitudinal data system that would connect student data from early education providers, K-12 schools, higher education institutions, employers, other workforce entities, and health and human services agencies. The funding would be used for initial planning purposes and the initial stages of implementation, once an implementation plan is adopted by the Administration and the Legislature.

Systems of Support

With the latest release of the California School Dashboard in December 2018, 374 school districts have been identified for differentiated assistance. The proposed 2019-20 State Budget provides \$20.2 million in additional funding for COEs to work with these identified districts as required by statute. These funds will be distributed consistent with the formula adopted in the 2018-19 State Budget.

Federal Programs

The 2019 federal budget includes minimal increases for federally funded programs. In October 2018, President Donald Trump signed the fiscal year 2019 spending bill that increased education funding nationally by \$581 million to an all-time high of \$71.5 billion. Title I and Special Education each received a \$100 million increase while Head Start was increased by \$240 million. Generally, California receives one-tenth of these national figures making the increases insignificant for a state with six million students.

Dartboard Factors

The SSC Financial Projection Dartboard factors presented below are developed by SSC with input from independent state agencies and private economic consulting firms based on the latest information available. These factors are provided to assist school agencies in preparing their upcoming budgets and multiyear projections.

| Factor | 2018-19 | 2019-20 | 2020-21 | 2021-22 | |
|---------------------------------|----------|---------|---------|---------|-------|
| LCFF Gap Closure | 100% | — | — | — | |
| Statutory COLA | 2.71% | 3.46% | 2.86% | 2.92% | |
| Ten-Year Treasuries | 2.87% | 3.19% | 3.19% | 3.20% | |
| California Consumer Price Index | 3.58% | 3.18% | 3.05% | 2.92% | |
| Lottery | Base | \$151 | \$151 | \$151 | \$151 |
| | Prop. 20 | \$53 | \$53 | \$53 | \$53 |

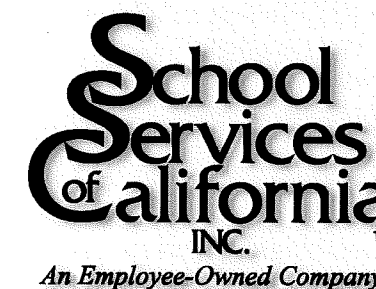
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1121 L Street, Suite 1060 | Sacramento, CA 95814
(916) 446-7517 | Fax (916) 446-2011 | Email: ssc@sscal.com

POCKET BUDGET 2019-20

A Summary Analysis of the Governor’s Proposed 2019-20 State Budget for California’s Schools

Prepared by:



January 2019

*Public Education’s Point of Reference
for Making Educated Decisions*

**BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT**

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: 2-19-19

Attachments: X

From: Ken Gaston, Director of MOT

Item Number: 9.2.4

Type of item: (Action, Consent Action or Information Only): Information Only

SUBJECT:

Monthly MOT Information Report

BACKGROUND:

To provide a monthly update on the activities of the Maintenance, Operations & Transportation Departments

STATUS:

See attached monthly report for the period of January 2019

PRESENTER:

Ken Gaston

OTHER PEOPLE WHO MIGHT BE PRESENT:

COST AND FUNDING SOURCES:

RECOMMENDATION:

That the Board receives this information

Time allocated: 5 minutes

Maintenance, Operations & Transportation
Monthly Report for Board Meeting
February 19, 2019

Routine maintenance, repairs and custodial duties at all school sites and district office were completed. Other non-routine projects have been captured below.

Maintenance & Operations:

- **Bates Elementary School**
 - Installed a new continuous hinge on outside kitchen door - \$153.39

- **Clarksburg Middle School**
 - Repaired tile floor in Secretary's office - \$466.07
 - Repaired Staff Lounge heater - \$100.00

- **Delta High School**
 - Create door between classrooms A701 and A702 - \$514.87
 - Changed bulbs and ballasts in big gym - \$200.00
 - Installed new LED emergency light fixture in Girls Locker Room - \$187.50
 - Installed new door closing mechanisms on West end doors to cafeteria - \$133.90
 - Installed new water pressure valve on cafeteria boiler - \$574.90
 - Installed new leach pump in small gym - \$308.82

- **Isleton Elementary School**
 - Cleaned coil and adjusted temp unit on milk cooler - \$100.00
 - Installed 3 new soap dispensers; 3 new paper towel dispensers; new hands free faucet in restroom; touchless fixtures on kitchen sink and restroom sink - \$181.80

- **Rio Vista High School**
 - Lined soccer field - \$115.00
 - Repaired urinal in Boys Restroom - \$186.72
 - Replaced burned out lights in Boys Locker Room - \$182.00
 - Repaired and painted walls around new drinking fountains - \$125.00

- **Riverview Middle School**
 - Repaired leak in upstairs staff women's restroom - \$102.52
 - Welded two new down spouts to the drain - \$260.98
 - Added additional fencing around the muddy tree area near cafeteria - \$487.06
 - Replaced old 3 handle water fountain with new 3 handle fountain - \$226.64

- **Walnut Grove Elementary School**
 - Installed new valve to stop leak on blacktop area - \$140.00
 - Repaired heater in Room 3 - \$125.00

- **District Office**
 - Replaced window sill on outside of building - \$191.89

- **Transportation Dept.**
 - North: Filled large mud holes with load of gravel - \$625.00
 - South: Removed almond tree and pulled fence back to proper location - \$100.00

**BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT**

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 19, 2019

Attachments: X

From: Carol Black, CSEA Labor Relations Representative

Item Number: 9.5

Type of item: (Action, Consent Action or Information Only): Consent Action

SUBJECT:

Pursuant to the agreement between the California School Employees Association and its River Delta Chapter #319 ("CSEA") and River Delta Unified School District, the initial proposal for amendments and modifications. This document is for public notice provisions pursuant to Governmental Code Section 3547(a).

CSEA proposes to discuss:

ARTICLE 3 – Organization Security

Discuss changes consistent with the law

ARTICLE 17 – Health and Welfare Benefits

17.1.1 Discuss an increase in cap

APPENDIX B – Wage increase t step and column

Discuss an increase in wages

ARTICLE 19 – District Use of Volunteers

Discuss the use of volunteers

ARTICLE 20 – Duration

Discuss the term, three-year agreement with reopener language

(NEW) – Bilingual Compensation

Discuss language which would provide compensation to employees who use their bilingual skills to assist the district

BACKGROUND:

STATUS:

Board to take action by acknowledging the union's proposals

PRESENTER:

Don Beno, Superintendent

OTHER PEOPLE WHO MIGHT BE PRESENT:

CSEA members

COST AND FUNDING SOURCES:

None

RECOMMENDATION:

That the Board posts this public notice of the California Schools Employees Association – River Delta Chapter #319 negotiation proposals to the River Delta Unified School District for 2018-2019

Time allocated: 3 minutes



AFL-CIO

California
School
Employees
Association

5375 West Lane
Stockton, CA 95210

(209) 472-2170
(800) 757-4229
FAX: (209) 472-2089

www.csea.com

Member of the AFL-CIO

The nation's largest
independent classified
employee association



January 28, 2019

VIA EMAIL SCAN & U.S. MAIL
dbeno@riverdelta.k12.ca.us

Don Beno, Superintendent
River Delta Unified School District
445 Montezuma
Rio Vista, CA 94571-1651

Re: River Delta Chapter #319 Initial Proposal for Successor Agreement

Dear Superintendent Beno:

Pursuant to the agreement between the California School Employees Association and its River Delta Chapter #319 ("CSEA") and River Delta Unified School District, please find enclosed the initial proposal for amendments and modifications.

Please consider this document for public notice provisions pursuant to Government Code Section 3547(a). CSEA desire to commence negotiations as soon as possible after the completion of the public notice provisions.

Sincerely,

CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION

Carol Black
Labor Relations Representative

CB/jk

Enclosure: 2018 Initial Proposal for Successor Agreement
c: Mary Weathers, Chapter President 319
Debra Ladwig, Regional Representative 42
Carmen Alessandro, Area Director E
Roderick Gaulman, Senior Labor Relations Representative
Janet Jones Sterling, Field Director
319 file

**PROPOSAL
FROM
CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION
AND IT'S
RIVER DELTA CHAPTER #319
TO
RIVER DELTA UNIFIED SCHOOL DISTRICT
Successor Agreement
2018**

ARTICLE 3 – Organizational Security

Discuss changes consistent with the law.

ARTICLE 17 – Health and Welfare Benefits

17.1.1 Discuss an increase in cap.

APPENDIX B – Wage increase to step and column

Discuss an increase in wages.

ARTICLE 19 – District Use of Volunteers

Discuss the use of volunteers.

ARTICLE 20 – Duration

Discuss the term, three-year agreement with reopener language.

(NEW) Bilingual Compensation

Discuss language which would provide compensation to employees who use their bilingual skills to assist the District.

**BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT**

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 19, 2019

Attachments: X

From: Laura Uslan, Principal

Item Number: 9.6

Shanan Spears – Delta HS Agriculture Dept./ FFA Advisor

Type of item: (Action, Consent Action or Information Only): Information only

SUBJECT:

Mrs. Spears and members of the Delta FFA would like to give a 10 minute informational presentation to the Board.

BACKGROUND:

The Delta High School Agricultural Leadership students and teacher Shanan Spears would like to make their annual report to the Board about activities and successes of the chapter this school year.

STATUS:

PRESENTER:

Shanan Spears, CMS/DHS Agriculture Teacher

OTHER PEOPLE WHO MIGHT BE PRESENT:

Laura Uslan, Principal at Delta High School and Clarksburg Middle School

COST AND FUNDING SOURCES:

There is no cost for the presentation; the Delta High School Floral Department will be providing floral arrangements.

RECOMMENDATION:

That the Board receive the information given from the Delta High School's Agricultural Leadership students

Time allocated: 5 minutes

**BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT**

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 19, 2019

Attachments: X_____

From: Don Beno, Superintendent

Item Number: 9.7_____

Type of item: (Action, Consent Action or Information Only): Information Only_____

SUBJECT:

Steve Demers, a county demographer, will present scenarios to redraw the RDUSD Board Trustee Boundary Areas using the last census data from April 1, 2010.

BACKGROUND:

At the conclusion of the discussion at the December Board meeting, there was a motion which was approved to "move forward in reconfiguring the Trustee Boundary Areas immediately, with an invitation to Mr. Demers to provide the Board with a presentation."

Mr. Demers agreed to present options of reconfiguring the member areas based on the 2010 census, at the February Board meeting.

STATUS:

Attached are maps of new Trustee Boundary Areas configured by Steve Demers to create areas that have similar populations and include representation from Trustees from throughout the whole district.

PRESENTER:

Steve Demers, County Demographer

OTHER PEOPLE WHO MIGHT BE PRESENT:

Staff and community members






COST AND FUNDING SOURCES:

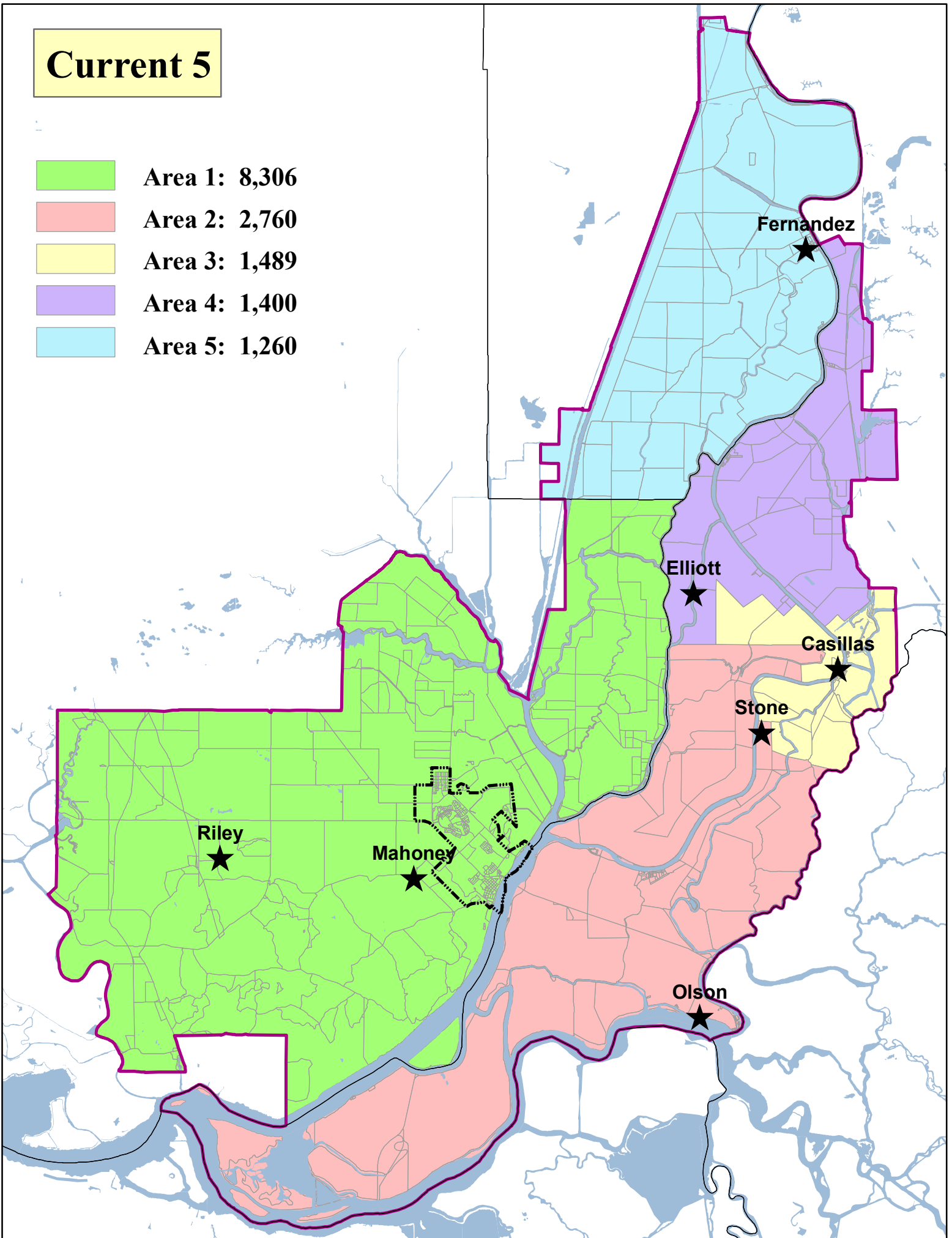
RECOMMENDATION:

That the Board receives the information provided by the presentation








Time allocated: 15 minutes

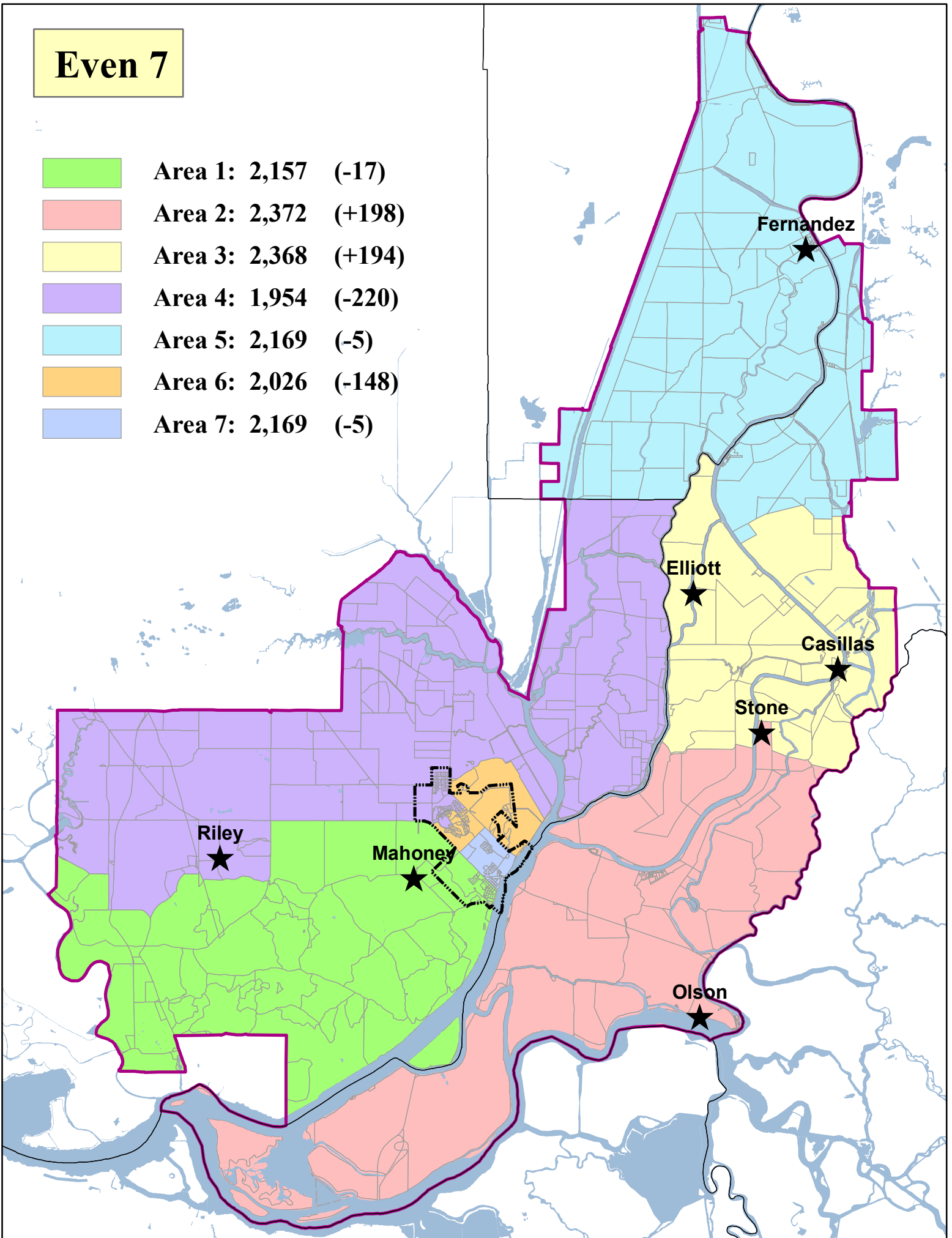
Current 5

-  Area 1: 8,306
-  Area 2: 2,760
-  Area 3: 1,489
-  Area 4: 1,400
-  Area 5: 1,260










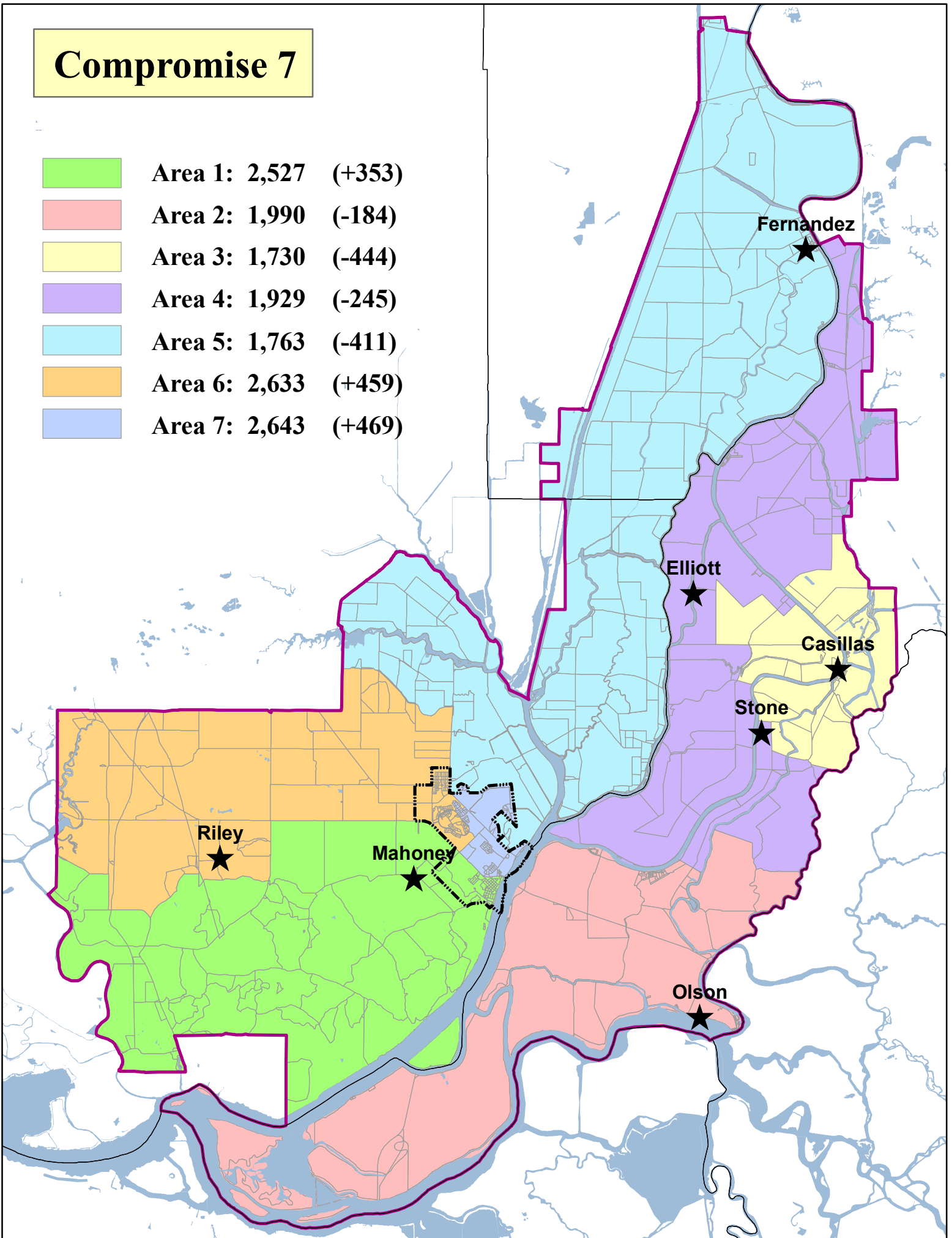
Even 7

| | |
|---|-----------------------------|
|  | Area 1: 2,157 (-17) |
|  | Area 2: 2,372 (+198) |
|  | Area 3: 2,368 (+194) |
|  | Area 4: 1,954 (-220) |
|  | Area 5: 2,169 (-5) |
|  | Area 6: 2,026 (-148) |
|  | Area 7: 2,169 (-5) |



Compromise 7

| | |
|---|----------------------|
|  | Area 1: 2,527 (+353) |
|  | Area 2: 1,990 (-184) |
|  | Area 3: 1,730 (-444) |
|  | Area 4: 1,929 (-245) |
|  | Area 5: 1,763 (-411) |
|  | Area 6: 2,633 (+459) |
|  | Area 7: 2,643 (+469) |



BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 19, 2019

Attachments: X

From: Don Beno, Superintendent

Item Number: 9.8

Type of item: (Action, Consent Action or Information Only): Information Only

SUBJECT:

Request the Board to hold a 45 Day comment period of the Notice of Intension to amend the Conflict of Interest Code of River Delta Unified School District.

BACKGROUND:

It is essential and legally-required for the conflict of interest code for River Delta Unified School District reflect the current structure of its organization. Part of the processes in amending the conflict of interest code is identifying the proper officials who should be filing statements of Economic Interests (Form 700) is to hold a 45-day public comment period, and to notify all employees of the 45 comment period.

STATUS:

Attached is a draft copy of the Notice of intention to amend the conflict of interest code of the River Delta Unified School District. A comment period has been established commencing on February 19, 2019 and closing on April 5, 2019. Any interested person may submit written comments relating to the proposed amendment by submitting them no later than the April 5, 2019 deadline or at the conclusion of the public hearing, if requested, whichever comes later. A hearing must be requested no later than March 21, 2019.

PRESENTER:

Don Beno, Superintendent

OTHER PEOPLE WHO MIGHT BE PRESENT:

Staff

COST AND FUNDING SOURCES:

None

RECOMMENDATION:

That the Board holds a 45 Day comment period of the Notice of Intension to amend the Conflict of Interest Code of River Delta Unified School District.

Time allocated: 3 minutes

NOTICE OF INTENTION TO AMEND THE CONFLICT OF INTEREST CODE
OF THE **River Delta Unified School District**

NOTICE IS HEREBY GIVEN that the **River Delta Unified School District** pursuant to the authority vested in it by section 87306 of the Government Code, proposes amendment to its conflict of interest code. A comment period has been established commencing on February 19, 2019 and closing on April 5, 2019. All inquiries should be directed to the contact listed below.

The **River Delta Unified School District** proposes to amend its conflict of interest code to include employee positions that involve the making or participation in the making of decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of section 87302 of the Government Code. The amendment carries out the purposes of the law and no other alternative would do so and be less burdensome to affected persons.

Changes to the conflict of interest code include: **Members of the Board of Trustees and Chief Business Officer are mandated to file pursuant to Government Code Section 87200; Coordinator, Healthy Start Program, Director, Transportation Dept.; Director, Food Services Dept. have been deleted from the designated positions to file; Supervisor, Maintenance, Operations & Transportation Dept. and Consultants/New Positions have been added to the list of designated positions to file.**

Information on the code amendment is available on the agency's intranet site and/or attached to this email.

Any interested person may submit written comments relating to the proposed amendment by submitting them no later than **April 5, 2019**, or at the conclusion of the public hearing, if requested, whichever comes later. At this time, no public hearing is scheduled. A person may request a hearing no later than **March 21, 2019**.

The **River Delta Unified School District** has determined that the proposed amendments:

1. Impose no mandate on local agencies or school districts.
2. Impose no costs or savings on any state agency.
3. Impose no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
4. Will not result in any nondiscretionary costs or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, businesses or small businesses.

All inquiries concerning this proposed amendment and any communication required by this notice should be directed to: **Jennifer Gaston, Executive Assistant to the Superintendent, (707) 374-1711, jgaston@rdusd.org**

CONFLICT OF INTEREST CODE FOR THE
RIVER DELTA JOINT UNIFIED SCHOOL DISTRICT

The Political Reform Act (Government Code 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 CCR 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 CCR 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendices designating positions and establishing disclosure categories shall constitute the conflict of interest code of the River Delta Joint Unified School District (“District”).

Individuals holding designated positions shall file their statements of economic interests with the District, which will make the statements available for public inspection and reproduction. (Government Code 81008.) All statements will be retained by the District.

CONFLICT OF INTEREST CODE FOR THE
RIVER DELTA JOINT UNIFIED SCHOOL DISTRICT

APPENDIX A

Designated Positions

| <u>Position</u> | <u>Disclosure Category</u> |
|--|----------------------------|
| Superintendent | 1 |
| Athletic Director (2 positions) | 2 |
| Coordinator, After School Program | 2 |
| Coordinator, First 5 Readiness Program | 2 |
| Coordinators, Secondary Education (VP) | 2 |
| Director, Accounting Dept. | 2 |
| Director, Personnel Dept. | 2 |
| Director, Special Education and Educational Services | 2 |
| Director, Maintenance, Operations & Transportation Dept. | 2 |
| Supervisor, Maintenance, Operations & Transportation Dept. | 2 |
| District Nurses | 2 |
| Executive Assistant to the Superintendent | 2 |
| School Principals | 2 |
| Transportation Assistant, Transportation Dept | 2 |
| Consultants/New Positions | * |

* Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in this code subject to the following limitation:

The Superintendent may determine in writing that a particular consultant or new position, although a "designated position", is hired to perform a range of duties that are limited in scope and thus is not required to comply fully with the disclosure requirements described in this Section. Such written determination shall include a description of the consultant's or new position's duties and, based on that description, a statement of the extent of disclosure requirements. The Superintendent's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Government Code 81008)

Public Officials Who Manage Public Investments:

The following positions are not covered by the conflict of interest code because they must file a statement of economic interests pursuant to Government Code Section 87200 and, therefore, are listed for informational purposes only:

Members of the Board of Trustees
Chief Business Officer

An individual holding one of the above listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by Government Code Section 87200.

APPENDIX B

CONFLICT OF INTEREST CODE FOR THE
RIVER DELTA JOINT UNIFIED SCHOOL DISTRICT

Disclosure Categories

Category 1

Designated persons in this category must report:

- a. Interests in real property which are located entirely or partly within district boundaries, or within two miles of district boundaries or of any land owned or used by the district. Such interests include any leasehold, beneficial or ownership interest or option to acquire such interest in real property.
- b. Investments or business positions in or income, including receipt of gifts, loans, and travel payments, from sources which:
 - (1) Are engaged in the acquisition or disposal of real property within the district.
 - (2) Are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the district, or
 - (3) Manufacture or sell supplies, books, machinery or equipment of the type used by the district.

Category 2

Designated persons in this category must report investments or business positions or income, including receipt of gifts, loans, and travel payments, from sources which:

- a. Are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs; or,
- b. Manufacture or sell supplies, books, machinery or equipment of the type used by the department which the designated person manages or directs. For the purposes of this category, a principal's department is his/her entire school.

FPCC Adopted: 9/2010

Exhibit
version:

RIVER DELTA UNIFIED SCHOOL DISTRICT
December 14, 2010 Rio Vista, California

**BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT**

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 19, 2019

Attachments: X

From: Don Beno, Superintendent

Item Number: 10.1

Type of item: (Action, Consent Action or Information Only): Consent Action

SUBJECT:

Request to approve the minutes from the Board of Trustee's meeting held on January 8, 2019

BACKGROUND:

Attached are the minutes from the Board of Trustee's meeting held on January 8, 2019

STATUS:

The Board is to review for approval

PRESENTER:

Don Beno, Superintendent

OTHER PEOPLE WHO MIGHT BE PRESENT:

Jennifer Gaston, Recorder

COST AND FUNDING SOURCES:

None

RECOMMENDATION:

That the Board approves the minutes a submitted

Time allocated: 3 minutes

RIVER DELTA UNIFIED SCHOOL DISTRICT

MINUTES

REGULAR MEETING

January 8, 2019

1. **Call Open Session to Order** – Board Vice President Olson called the Open Session of the meeting of the Board of Trustees to order at 5:31 p.m. on January 8, 2019 at Rio Vista High School, Rio Vista, California.
2. **Roll Call of Members:**
 - Alicia Fernandez, President (Absent)
 - Don Olson, Vice President
 - Marilyn Riley, Clerk
 - Jennifer Stone, Member
 - Chris Elliott, Member (Arrived 6:03pm)
 - Rafaela Casillas, Member
 - Dan Mahoney, Member

Also present: Don Beno, Superintendent
3. **Review, Approve the Closed Session Agenda and Adjourn to Closed Session**
 - 3.1 Board Vice President Olson announced items on the Closed Session Agenda.
 - 3.2 Public Comment on Closed Session Agenda Items. – *None to report*
 - 3.3 Approve Closed Session Agenda and Adjourn to the **Closed Session**
4. Vice Board President Olson asked for a motion to adjourn the meeting to Closed Session @ 5:32 pm
Member Mahoney moved to approve, Member Riley seconded. Motion carried 5 (Ayes: Olson, Riley, Stone, Casillas, Mahoney): 0 (Nays): 2 (Absent: Fernandez, Elliott)
5. **Open Session was reconvened at 6:30 pm**
 - 5.1 Roll was retaken, Member Fernandez was absent; and all members were present.
Also present: Don Beno, Superintendent; Elizabeth Keema-Aston, Chief Business Officer and Jennifer Gaston, Recorder.
 - 5.2 The Pledge of Allegiance was led by Aiden Mayhood, Rio Vista High School student
6. **Report of Action taken, if any, during the Closed Session** (Government Code Section 54957.1)
Board Vice President Olson reported that during, closed session the Board received information, no action was taken.
7. **Review and Approve the Open Session Agenda**
Board Vice President Olson asked for a motion to approve the Open Session Agenda.
Member Riley moved to approve, Member Mahoney seconded. Motion carried 6 (Ayes: Olson, Riley, Stone, Elliott, Casillas, Mahoney): 0 (Nays): 1 (Absent: Fernandez)
8. **Public Comment:** Rio Vista High School's Principal Vicky Turk invited the Board members to attend the Rio Vista High School's Booster Club Dinner Dance to be held on Saturday, January 26, 2019 at the Portuguese Hall. Member Olson presented a flyer for the occasion stating that it was designed by Rio Vista High School student Brooke Okamura. The proceeds from the fundraising event will be used for lockers in the boy's locker room.
9. **Reports, Presentations, Information**
 - 9.1 Board Member(s) and Superintendent Report(s) and/or Presentation(s) –
 - 9.1.1 Board Members' report(s) Member Stone reported that she had attended Bates, Isleton and Walnut Grove Elementary School's Winter Programs. She mentioned that the students worked very hard and each of the programs were fantastic. Member Stone mentioned that she also attended Walnut Grove Elementary's Toy Give Away where each student had their picture taken and received hot chocolate, an ornament, and a wrapped gift.

Member Olson gave an update on the grant he obtained for Rio Vista High School students. The grant allowed students to take part in process of creating a product that

was made with locally grown fruit. The students expressed the desire to see more of the USDA facility and have a greater hand on approach to the process. Member Olson will work with the administration of the facility to see if this can be achieved for future endeavors. He plans to bring samples of the product made to the next meeting. Mrs. Turk shared that this opportunity was greatly appreciated by the students at Rio Vista High School and thanked Member Olson for the experience.

9.1.2 Committee Report(s): None to Report

9.1.3 Superintendent Beno's report(s) Mr. Beno stated that he had two topics for discussion for his reports: Superintendent Search and Redistricting of the Trustee Boundary Areas. **Superintendent Search:** Mr. Beno introduced Dave Gordon, Superintendent of Schools in the Sacramento County Office of Education (SCOE) and Tracy Stinson, Chief Legal Counsel at SCOE who will be facilitating the Superintendent Search. Mr. Gordon introduced himself to the Board of Trustees and mentioned they had the privilege of assisting the district in hiring the current superintendent six years ago and are honored to be assisting again in the search for a new superintendent. Mr. Gordon introduced Teresa "Tracy" Stinson, Chief Legal Counsel, who will be working alongside Mr. Gordon and Coleen Johnson the Director of Human Resources in the search. Mrs. Johnson was unable to attend this evening's meeting due to a scheduling conflict. Mr. Gordon walked the Board through the process of how the search will proceed. First, several forum meetings with constituent groups (staff and community members) will be held to gather desirable characteristics they would like to have in a new superintendent. The meetings will be held in Rio Vista, Walnut Grove and Clarksburg. The recruitment team will contact each Board member individually for an interview to obtain their opinion on desired characteristics in a superintendent. Input from all stakeholders will be reviewed and revisions will be made to the recruitment brochure. Once the brochure is finalized, the advertising process can begin. The position will be advertised on Ed Join (nationwide industry job board), as well as the California Association of School Administrators publication. Mr. Gordon and the recruitment team will reach out to targeted applicants around the state through a network of superintendents. After the applications have been received, the team will pre-screen, complete reference and background checks on viable candidates. The Board will receive a complete list of all the applicants. However, to expedite the timeline, the recruitment team will recommend four to eight candidates for the Board to move forward and interview. Mr. Gordon informed the Board that his team has performed a salary analysis and his recommendation is to increase the current salary range to match comparable salaries in the county of like districts. Mr. Gordon provided the Board members with his reasoning behind the recommendation. He will provide the analysis to the Board for review. Mr. Gordon stated that typically interviews are held on a Saturday due to the work schedules of the Board members and the candidates. If needed, it is possible that the interviews may continue to Sunday to determine a final selection. In some cases, a Board may choose to have a validation visit to the district where the candidate is coming from. Once the final candidate has been selected and a contact has been agreed upon, the candidate must attend a regularly scheduled Board meeting to be formally approved and have the contract signed. The desired timeline would be to approve the candidate as the new superintendent and have the contract signed at the May 15th Board meeting with a July 1, 2019 start date. This timeline would allow overlap time for the new superintendent to work with Mr. Beno in a transition period. Mr. Gordon stated that SCOE charged the district \$7,000 for the last superintendent search and would be agreeable in keeping the fee at the same rate.

Redistricting of the Trustee Boundary Areas

Mr. Beno's reported that on December 11, 2018 Member Mahoney amended his motion to move forward with redistricting the Board trustee boundary areas and to invite Mr. Demers the demographer from the county to represent the trustee area scenarios he had delivered in 2013. The invitation was extended to Mr. Demers. However, he was unable to attend this evening's meeting, committing to attend the February 19th meeting. Mr. Beno stated that later in the evening he will convey the information he received from

the meeting he had with Mr. Demers. At the December meeting there was also interest from a few members in having the district's attorney attend a board meeting to answer questions and make clarification regarding past actions and future decisions about redistricting. Mr. Beno introduced the district's legal counsel Eric Stevens to the Board. Mr. Stevens provided a brief presentation on the process and legal knowledge of redistricting, as well as the electoral process. He explained the hybrid electoral system in which our district currently using. A trustee member is eligible to run for office within the trustee area in which he/she resides. However, they are elected by voters in all trustee areas within the district's boundaries. After the 2010 census and the certified results in 2011, the District received advice that it was not mandatory to redistrict at that time. The county Board did not step in given the fact that RDUSD is a hybrid district under 50019.5 was not mandated to do so. Mr. Stevens commented that our district has grown, and the imbalance in the boundary area has increased since the last census. This is why the district is considering redistricting at this time even though Ed. Code doesn't require it. Mr. Stevens provided options for consideration: redistrict now before the next election using the old 2010 data; redistrict now using old data from 2010 and again after the 2020 census results have been received; or wait to redistrict until after the 2020 census results have been released. Mr. Stevens provided the Board with additional options to take into consideration: changing the number of Trustee Areas, moving from a five Trustee Area to a seven Trustee Area, or change the number of trustees. He noted that it is not as simple as changing the number of trustees to balance the current areas. Other considerations when redistricting is the Voting's Rights Act and the equal protection clause of the 14th amendment of the constitution. These are key concerns when talking about the electoral system we put into place. When we speak of one person one vote, we need to keep in mind that when this law was put into place they were concerned that our electoral system was not disenfranchising minority voters. Mr. Stevens reminds all his clients that anyone could sue anyone for any reason at any time, even if it does not have validity. He also mentioned that even if our electoral system was perfectly balanced it may not stop a lawsuit. Therefore, a good rule to follow when balancing the Trustee Areas is to ensure a 10% deviation from the lowest populated area to the highest populated area. In answering a question from the Board, Mr. Stevens noted that it is not uncommon to have Trustee Areas that run unopposed if a voting area has been reduced to balance the voter population. The outcome of this action results in fewer voters in each area and decreases the chance of finding people that have a desire to run for office. On Member Fernandez's behalf, Member Olson asked if the Board's decision in 2013 to refrain from redistricting was a legal issue. Mr. Stevens explained that he did not believe the district was required to redistrict based on the provisions of Ed. Code 5019.5 (requiring redistricting). This code is referring to traditional Trustee Areas where the candidates are elected solely by the voters in their Trustee Area. Mr. Stevens' professional opinion was that the Board was on solid grounds by not redistricting at that time.

Mr. Beno informed the Board that he had met with Mr. Demers and he has agreed to attend the February 19th Board meeting. Mr. Demers explained to Mr. Beno that, in 2013 when the recommendation for the seven-area solution was presented it was to accommodate the members of the existing Board. Using the same concept, Mr. Demers would like to work on a seven-area solution to present at the next meeting. Member Olson stated that he would like to see trustee areas that have representation for each community. Members Elliott and Stone expressed their opinion that all the communities of the district need to be represented. Member Mahoney expressed that he believes it should be equal representation based on population.

Mr. Beno explained the traditional timeline of redistricting after a census. Mr. Beno explained that Mr. Demers communicated to him that the census will be held in April of 2020, the numbers will be verified and submitted to the demographer by February of 2021, all redistricting will be completed by the fall of 2021. If the Board chooses to redistrict after the 2020 census, there will be no cost to the district. If the Board decides to redistrict prior to the 2020 census, the estimated cost will be \$1,840. Mr. Beno

confirmed that if the Board decides to redistrict now, the data used to redistrict will be from the 2010 census.

Mr. Elliott made comment that he has been on the Board for two years. In that time he has never seen an action brought before the Board or acted upon by the Board that was biased in any direction for or against any campuses. He also stated that all campuses throughout the district have needs. However, he has not seen evidence that bias has skewed the voting in any way.

9.2 Business Services' Reports and/or Presentations on: Routine Restricted Maintenance; Deferred Maintenance; Maintenance and Operations; Transportation Department; Food Services Department; District Technology; and District Budget – Elizabeth Keema-Aston, Chief Business Officer and Ken Gaston, Director of MOT

9.2.1 ADA/Enrollment Report - Elizabeth Keema-Aston reported that in comparison to prior month the overall ADA districtwide has a decrease of 43 and enrollment has a decreased of 19. Each year at this time we tend to have a decrease in ADA due the to holiday vacations. The enrollment for December was 1,925 and the ADA was 1,815.

9.2.2 Monthly Financial Report - Elizabeth Keema-Aston reported as submitted

9.2.2.1 Timeline for preparation of the 2019-2020 District Budget and LCAP. Ms. Keema-Aston reported that the timeline for the 2019-20 Budget and LCAP preparation starts with this meeting and are finalized at the June 25, 2019 Board meeting. The timeline provides the highlights and estimated dates for having each task completed in preparation of the LCAP and Budget adoptions.

9.2.3 Maintenance, Operations & Transportation Update – Ken Gaston reported that December was a slow month due to the employee vacation schedules. Mr. Gaston noted that over the winter break it was determined that the thermostats have been out of date for the past three years. All thermostats districtwide have been or will be reprogramed, the project is currently about 93% completed. The district received a grant a few years ago to replace all the 32-watt overhead lightbulbs replacing them with 25-watt bulbs. After this project was completed an energy audit was performed. The results of the audit showed an 8% reduction in energy use. It also indicated that one of the district's smallest schools has the highest use of energy. Mr. Gaston noted his team will be investigating the use of energy at that site. Mr. Gaston also reported that after the last storm there were a few fallen trees and branches that needed to be addressed. An inquiry was made by the Board Member Stone regarding the playground repairs at Walnut Grove Elementary School. Mr. Gaston stated that an agreement was reached by the district and the contractor for the damages created during the roofing project. The repairs to the playground will need to be delayed until after the rainy season is over and the ground has had a chance to dry. The grounds must to be completely dry to hold weight of the heavy equipment needed to make the repairs. Mr. Gaston does not foresee how the repairs being complete during the school year.

Later in the evening Mr. Beno commended and thanked Mr. Gaston for transforming the MOT department by finding ways to maximize productivity, increasing efficiency with minimal cost to the district, all in the short time he has been employed by the district.

9.2.4 Review the Annual Developer Fee Report – Elizabeth Keema-Aston reported that the Developer Fee Report was submitted for review at the December 11, 2018 Board meeting, which is prior to the 180-day deadline. The Developer Fee Report is now open for discussion. However, there is no action required by the Board, either to accept or approve the report submitted. Ms. Keema-Aston noted the highlights in the report. Total fees collected - \$492,607; Total amount expensed - \$253,361 with \$201,000 of those funds expense was the Shea Homes payment; a contribution made from the general

fund (01) of \$77,054 for the Shea Homes payment and portable rentals; and the fees collected from the Encore Liberty Development (LGI) have been put in reserve for future student housing needs. Board Member Mahoney asked for clarification regarding the Shea Homes payment. Ms. Keema Aston explained that the payments will be finalized in 2024 and a refund of \$2,047.50 was made to a current owner of record for excess of what was required to complete the improvements.

9.3 Other – Educational Services’ Reports and/or Presentation(s) – Kathy Wright, Director of Educational Services and Special Education reported that

9.3.1 Every Student Succeeds Act (ESSA) Accountability Information and CA Dashboard Update – Kathy Wright provided a brief background of the California School Dashboard to Board explaining how to read the results and how it measures a school’s success. Mrs. Wright also explained that ESSA requires each state to identify schools in the district that either qualify for, or exit from, the different levels of support, which are: Comprehensive Support and Improvement (CSI); Target Support and Improvement (TSI) and Additional Targeted Support and Improvement (ATSI). Mrs. Wright provided documentation that specifies the district’s performance levels for all students on each of the state indicators as well as each school sites performance levels. Based on the 2018 CA Dashboard results, River Delta Unified School District has no school that qualifies for CSI. The district has two elementary school and both middle schools that quality for TSI and there are no schools in the district that quality for ATSI.

Mr. Beno thanked Mrs. Wright for explaining the accountability system, the district’s data and for working with the Leadership team to find the areas that need improvement as well as a plan to address these needs.

9.3.2 Sacramento County Office of Education First Quarterly Williams Review Report for 2018-2019 – Kathy Wright reported that each year the district has three areas for review: textbooks, facilities and credentialing. Ken Gaston, Bonnie Kauzlarich and Kathy Wright work to provide the county with the information for the review. The county also performs an on-site visit of the facilities and textbooks. After the visit is completed the county prepares a report of its findings. The Fall report indicates all textbooks were sufficient in all classrooms and all credentialing was verified. In regards to the facilities inspection visit, Clarksburg Middle School earned ‘Exemplary’ status and Walnut Grove Elementary earned ‘Good’ status.

9.3.3 Williams’ Settlement Public Notification regarding sufficiency of teachers, facilities, and textbook and instructional materials – Second Quarter (October – December 2018) – Kathy Wright reported that the district had no insufficiencies during the quarter.

9.4 A Representative from Crowe LLP to present River Delta Unified School District’s 2017- 2018 Audit Reports – Ms. Keema-Aston introduced one of the district’s auditors, Jennifer Aras,a representative of Crowe LLP. Ms. Aras provided information of the audit outcomes for River Delta Unified School District’s 2017-2018 general and Bond Audits. Both the General and Bond audits ranked or were found to have unmodified or clean audits without findings. Ms. Aras thanked business services, commenting they are a pleasure to work with.

9.5 River Delta Unified Teacher’s Association (RDUTA) Update – Paul Delgado, the RDUTA President noted that when the teachers return from Winter Break they will be working on grading the Independent Study contracts given out prior to the break. He stated he has 16 contracts of his own to review and grade. Mr. Delgado asked for clarification on after the contracts have been completed and ADA is obtained where does the money go and how does the money come back to the teachers patting them on the back for a job well done. Ms. Keema-Aston explained that, after the Independent Study contracts have been completed, the attendance reports are revised to reflect the additional ADA. Mr. Delgado would like everyone to realize how much time it takes to complete these contracts. Mr. Beno stated that all funds associated with the recovered ADA are deposited into the district’s General Fund as revenue. He thanked Mr. Delgado for the time spent grading the Independent Study work, adding that without the recovered ADA this revenue is not possible.

9.6 California State Employee’s Association (CSEA) Chapter #319 Update – None to report

10. **Consent Calendar**
- 10.1 Approve Board Minutes
Regular Meeting of the Board, December 11, 2018
 - 10.2 Receive and Approve Monthly Personnel Reports
As of January 8, 2019
 - 10.3 District's Monthly Expenditure Report
December 2018
 - 10.4 Request to approve Rio Vista High School's FFA students to travel and attend the Annual California State FFA Convention in Anaheim, CA from April 24-29, 2019 – Vicky Turk, Maureen Reis & Holly Chesnut
 - 10.5 Request approval for out-of-state travel for Rio Vista High School's American Field Service students domestic exchange visit to Mattapoisett, Massachusetts from March 21-25, 2019
 - 10.6 Request to approve Rio Vista High School's Class of 2019 graduation trip to Universal Studios Hollywood in Universal City, CA on May 30-31, 2019 – Vicky Turk
 - 10.7 Request to approve out of state travel for Delta High School's American Field Service students domestic exchange visit to Fairfield, Connecticut from March 21-25, 2019 – Laura Uslan
 - 10.8 Request to approve the Delta High School's FFA students to travel and attend the Annual California State FFA Convention in Anaheim, CA from April 25-29, 2019 – Funding by Ag Boosters, Ag Incentive Funding, fundraising and by students – Shanan Spears and Laura Uslan
 - 10.9 Request to approve Delta High School's Senior Class of 2019 graduation trip to Universal Studios Hollywood in Universal City, CA on May 30-31, 2019 – Laura Uslan
 - 10.10 Request approval to move the Executive Assistant on the Classified Management Salary Schedule from range 11 to 15 – Don Beno
 - 10.11 Request to approve the Independent Contract for Services Agreement with Hanoch McCarty for the 2018-2019 school year at a cost not to exceed \$5,000 – Special Education Funds – Kathy Wright
 - 10.12 Donations to Receive and Acknowledge:
 - Walnut Grove Elementary School – Summer STREAM Program**
Apple, Inc. \$12,000
 - Bates Elementary School – College Day T-Shirts**
Miguel A. Barragan - \$125
 - Riverview Middle School**
Rio Vista Youth Services – Water Hydration Station - \$3,000
Rio Vista Foundation - Chromebooks \$4,000
 - Isleton Elementary School – Sweatshirts for students**
Isleton Lions Club - \$320
 - Rio Vista High School**
Page and Sara Baldwin – Weight machines (Value at \$3500)
Rio Vista Women's Golf Club – funds towards a printer in the media center
 - D.H. White Elementary School**
Meredith Bird-Marinucci - \$100 (Humphry's Harbor – School Store)
Beth Brockhouse-PG&E - \$153.84
- Member Riley moved to approve, Member Elliott seconded. Motion carried 6 (Ayes: Olson, Riley, Stone, Elliott, Casillas, Mahoney): 0 (Nays): 1 (Absent: Fernandez)*
- Board Vice President Olson acknowledged those who donated and thanked them for their support.
- 11. Request to accept and approve the Audit Report of Crowe LLP, Independent Auditor, for Fiscal Year 2017-2018 – Elizabeth Keema-Aston and a representative from Crowe LLP.
Member Mahoney moved to approve, Member Elliott seconded. Motion carried 6 (Ayes: Olson, Riley, Stone, Elliott, Casillas, Mahoney): 0 (Nays): 1 (Absent: Fernandez)
 - 12. Request to accept and approve the Audit reports of Crowe LLP, Independent Auditor, for Fiscal Year 2017-2018 for SFID#1 and SFID#2 – Elizabeth Keema-Aston and a representative from Crowe LLP.

Member Mahoney moved to approve, Member Elliott seconded. Motion carried 6 (Ayes: Olson, Riley, Stone, Elliott, Casillas, Mahoney): 0 (Nays): 1 (Absent: Fernandez)

13. Request to approve the first reading of the updated or new Board Policies, Administrative Regulations and or Exhibits due to new legislations or mandated language and citation revisions as of October 2018 – Don Beno

Member Olson moved to approve, Member Riley seconded. Motion carried 6 (Ayes: Olson, Riley, Stone, Elliott, Casillas, Mahoney): 0 (Nays): 1 (Absent: Fernandez)

14. During Closed Session the Board reviewed the student stipulated expulsion case #1819-311-001. The Board's decision is as follows –Vice President Olson

Member Riley moved to approve the stipulated agreement as presented, Member Olson seconded. Motion carried 5 (Ayes: Olson, Riley, Stone, Casillas, Mahoney): 0 (Nays): 1 (Abstained: Elliott): 1 (Absent: Fernandez)

15. Request to approve the Emergency Attendance Waiver to regain lost ADA for November 16, 2018 due to the Camp Fire in Paradise, CA. The Air Quality Index (AQI) placed the schools in River Delta Unified School District in the Very Unhealthy to Hazardous Range – Elizabeth Keema-Aston

Member Riley moved to approve, Member Olson seconded. Motion carried 6 (Ayes: Olson, Riley, Stone, Elliott, Casillas, Mahoney): 0 (Nays): 1 (Absent: Fernandez)

16. Re-Adjourn to continue Closed Session was not necessary.

17. Re-Adjourning to continue Closed Session was not necessary – no actions to report. Adjournment: There being no further business before the Board, Board Vice President Olson asked for a motion to adjourn.

Member Riley moved to approve, Member Stone seconded. Motion carried 6 (Ayes: Olson, Riley, Stone, Elliott, Casillas, Mahoney): 0 (Nays): 1 (Absent: Fernandez)

18. The meeting was adjourned at 8:29 p.m.

Submitted:

Approved:

Don Beno, Superintendent and
Secretary to the Board of Trustees

Marilyn Riley, Clerk, Board of Trustees

By: Jennifer Gaston, Recorder
End

**BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT**

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 19, 2019

Attachments: X

From: Bonnie Kauzlarich, Director of Personnel

Item Number: 10.2

Type of item: (Action, Consent Action or Information Only): _____ Consent Action _____

SUBJECT: MONTHLY PERSONNEL TRANSACTION REPORT

BACKGROUND:

STATUS:

PRESENTER:

Don Beno, Superintendent

OTHER PEOPLE WHO MIGHT BE PRESENT:

Staff

COST AND FUNDING SOURCES:

RECOMMENDATION:

That the Board approves the Monthly Personnel Transaction Report as submitted

Time allocated: 2 minutes

RIVER DELTA UNIFIED SCHOOL DISTRICT
PERSONNEL TRANSACTION AND REPORT
DATE: February 19, 2019

| NAME | SCHOOL OR DEPARTMENT | NEW OR CURRENT POSITION | TRANSACTION, EFFECTIVE AT |
|----------------------------------|------------------------------|-----------------------------|---|
| | | | *CLOSE OF THE DAY |
| | | | **BEGINNING OF THE DAY |
| **ADMINISTRATIVE** | | | |
| | | | |
| **CERTIFICATED** | | | |
| Salina Sisemore | Riverview Middle School | RSP Teacher 1.0 FTE | Resigned effective *6/7/19 |
| Naomi Elliott | Clarksburg Middle/Delta High | Science Teacher 1.0 FTE | Resigned effective *6/7/19 |
| | | | |
| | | | |
| | | | |
| | | | |
| **CLASSIFIED MANAGEMENT** | | | |
| Jeffrey Souza | District | Supervisor of MOT 1.0 FTE | Hired effective **2/1/19 (NEW) |
| | | | |
| | | | |
| **CLASSIFIED** | | | |
| | | | |
| Michelle Alcaraz | D.H. White | Inst. Asst. IV 6.5 hrs/day | Resigned effective *1/18/19 |
| Jillian Bittle | D.H. White | Inst. Asst. IV 6.5 hrs/day | Hired effective **2/4/19 (Vice Sarah Rendon) |
| Carpio (Al) Guintu | District Maintenance | Gardener 1.0 FTE | Hired effective **1/14/19 (Vice Eric Solden) |
| Jeremy Stone | D.H. White | Custodian I 1.0 FTE | Hired effective **1/14/19 (Vice Carpio (Al) Guintu) |
| William Guggemos | Roving Rio Vista Schools | Custodian I 1.0 FTE | Hired effective ** 1/14/19 (Vice Jeremy Stone) |
| Ana Fernandez Munguia | RVHS ILS Class | Inst. Asst. III 7.0 hrs/day | Hired effective **1/11/19 (Vice Gloria Lane Ricafrent |
| | | | |
| | | | |
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**BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT**

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 19, 2019

Attachments: X

From: Elizabeth Keema-Aston, Chief Business Officer

Item Number: 10.3

Type of item: (Action, Consent Action or Information Only): Consent Action

SUBJECT:

Approve the Monthly Expenditure Summary

BACKGROUND:

The Staff prepares a report of expenditures for the preceding month

STATUS:

PRESENTER:

Elizabeth Keema-Aston, Chief Business Officer

OTHER PEOPLE WHO MIGHT BE PRESENT:

COST AND FUNDING SOURCES:

Not Applicable

RECOMMENDATION:

That the Board approves the monthly expenditure summary reports as submitted

Time allocated: 2 minutes

Cutoff amount: \$1.00

Select vendors with 1099 flags: of any setting.

Select payments with 1099 flags: of any setting.

Input file: Unknown Updated:

Report prepared: Mon, Feb 04, 2019, 10:56 AM

| | | | | | |
|---------------------|------------|----------|-----------|--------|---|
| MIG ED SUPPLIES | 01/17/2019 | 19448251 | PO-190846 | 173.96 | N |
| DHW SMARTBOARD BULB | 01/17/2019 | 19448243 | PO-190850 | 77.98 | N |
| DHW SMARTBOARD BULB | 01/17/2019 | 19448243 | PO-190850 | 6.34 | N |
| DHW SMARTBOARD BULB | 01/17/2019 | 19448243 | PO-190850 | 6.34- | N |
| DHS WATER FILTERS | 01/17/2019 | 19448243 | PO-190862 | 12.19- | N |
| DHS WATER FILTERS | 01/17/2019 | 19448243 | PO-190862 | 150.00 | N |
| DHS WATER FILTERS | 01/17/2019 | 19448243 | PO-190862 | 12.19 | N |

| Vendor Name/Address | Total | Description | Date | Warrant Reference | Amount | 1099 |
|---------------------------------------|-----------|----------------------------|------------|--------------------|----------|------|
| ----- | | | | | | |
| 014367 BANK OF AMERICA (Continued...) | | DHS WATER FILTERS | 01/17/2019 | 19448243 PO-190862 | 198.99 | N |
| | | RMS WATER FILLING STATION | 01/17/2019 | 19448243 PO-190865 | 94.53 | N |
| | | RMS WATER FILLING STATION | 01/17/2019 | 19448243 PO-190865 | 1,163.45 | N |
| | | RMS WATER FILLING STATION | 01/17/2019 | 19448243 PO-190865 | 94.53 | N |
| | | MAINT SUPPLIES | 01/17/2019 | 19448251 PO-190867 | 115.51 | N |
| | | MAINT SUPPLIES | 01/17/2019 | 19448251 PO-190867 | 290.18 | N |
| ----- | | | | | | |
| 012586 BAY ALARM | 14,993.40 | RMS CAMERA | 01/03/2019 | 19445270 PO-190124 | 475.65 | N |
| 60 BERRY DRIVE | | DW ALARM | 01/03/2019 | 19445291 PV-190345 | 1,345.11 | N |
| PACHECO, CA 94553 | | RVHS ALARM | 01/03/2019 | 19445291 PV-190345 | 429.99 | N |
| | | RMS FIRE MONITORING | 01/03/2019 | 19445291 PV-190345 | 4,944.72 | N |
| (209) 465-1986 | | RVHS ALARM | 01/24/2019 | 19449416 PV-190394 | 342.96 | N |
| N BALCO HOLDINGS | | RVHS FIRE MONITORING | 01/24/2019 | 19449416 PV-190394 | 1,922.18 | N |
| | | RVHS ALARM | 01/24/2019 | 19449416 PV-190394 | 231.57 | N |
| | | BATES ALARM | 01/24/2019 | 19449416 PV-190394 | 236.16 | N |
| | | DO ALARM | 01/24/2019 | 19449416 PV-190394 | 431.75 | N |
| | | DW ALARM | 01/24/2019 | 19449416 PV-190394 | 3,726.26 | N |
| | | RMS ALARM | 01/24/2019 | 19449416 PV-190394 | 393.81 | N |
| | | RVHS ALARM | 01/24/2019 | 19449416 PV-190394 | 153.15 | N |
| | | BATES ALARM | 01/24/2019 | 19449416 PV-190394 | 360.09 | N |
| ----- | | | | | | |
| 011165 BAY ALARM COMPANY | 196.82 | ISLE CAMERA | 01/03/2019 | 19445269 PO-190186 | 98.41 | N |
| ACCOUNT #13410 | | ISLE ALARM | 01/24/2019 | 19449401 PO-190186 | 98.41 | N |
| P.O. BOX 7137 | | | | | | |
| SAN FRANCISCO, CA 94120-7137 | | | | | | |
| () - | | | | | | N |
| ----- | | | | | | |
| 012147 BECERRA, LUCIA | 11.43 | ASP SUPPLIES | 01/29/2019 | 19450286 PO-190688 | 11.43 | N |
| P.O. BOX 64 | | | | | | |
| RYDE, CA 95680 | | | | | | |
| (0) - 0 | | | | | | N |
| ----- | | | | | | |
| 013642 BLACK POINT ENVIRONMENTAL INC | 457.50 | 1944 PROJ #247 MAGNOLIA169 | 01/29/2019 | 19450303 PV-190408 | 457.50 | N |
| 930 SHILOH RD BLDG 40F | | | | | | |
| WINDSOR, CA 95492 | | | | | | |
| (707) 837-7407 | | | | | | N |

| Vendor Name/Address | Total | Description | Date | Warrant Reference | Amount | 1099 |
|--|--------|--|--|--|-------------------------------------|------------------|
| 014614 BUCKMASTER 623 W. STADIUM LANE SACRAMENTO, CA 95834 (916) 923-0500 N | 691.26 | 363050 DHS SERV CONTRACTS 363123 CMS SERV CONTRACT 364636 DHS SERV CONTRACTS 354579/362314/364637 CMS CONTR | 01/03/2019 01/03/2019 01/17/2019 01/17/2019 | 19445271 PO-190285 19445271 PO-190288 19448252 PO-190285 19448252 PO-190288 | 223.57 51.94 300.08 115.67 | N N N N |
| 001288 CAGE, AMY 15020 REYNOSA DR. RANCHO MURIETA, CA 95683 () - N | 47.50 | BATES SUPPLIES | 01/17/2019 | 19448253 PO-190815 | 47.50 | N |
| 003681 CALIFORNIA AMERICAN WATER P.O. BOX 7150 PASADENA, CA 91109-7150 (888) 237-1333 N | 570.13 | ISLE WATER ISLE WATER ISLE WATER | 01/08/2019 01/08/2019 01/08/2019 | 19446211 PV-190361 19446211 PV-190361 19446211 PV-190361 | 123.67 221.34 225.12 | N N N |
| 002324 CALIFORNIA CHAMBER OF COMMERCE BUSINESS SERVICES DIVISION PO BOX 398336 SAN FRANCISCO, CA 94139-8336 (0) - 0 N | 740.73 | 236950 LABOR LAW POSTERS | 01/03/2019 | 19445292 PV-190346 | 740.73 | N |
| 012079 CALIFORNIA CLEAR BOTTLED P.O. BOX 981 14410 W.G. THORNTON RD WALNUT GROVE, CA 95690 (916) 776-1544 Y | 98.00 | ZM0002 MOKE WATER ZBA006 BATES WATER ZRI007 RMS DRINKING WATER | 01/17/2019 01/17/2019 01/24/2019 | 19448254 PO-190367 19448254 PO-190510 19449402 PO-190126 | 35.75 27.00 35.25 | 7 7 7 |
| 002344 CALIFORNIA LABORATORY SERVICES 3249 FITZGERALD ROAD RANCHO CORDOVA, CA 95742 (800) 638-7301 N GLOBAL LABS IN | 284.00 | MAINT WATER TESTING MAINT WATER TESTING | 01/08/2019 01/29/2019 | 19446195 PO-190138 19450287 PO-190138 | 56.00 228.00 | N N |

| Vendor Name/Address | Total | Description | Date | Warrant Reference | Amount | 1099 |
|---|----------|--------------------------|------------|--------------------|----------|------|
| 012268 CALIFORNIA WASTE RECOVERY SYSTEMS 175 ENTERPRISE CT STE #A GALT, CA 95632-9047 (209) 369-6887 N | 1,134.68 | ISLE WASTE | 01/08/2019 | 19446212 PV-190362 | 1,134.68 | N |
| 014877 CAMACHO, MARIA PO BOX 553 COURTLAND, CA 95615 (0) - 0 N | 204.50 | SP ED CONF REIMB | 01/15/2019 | 19447673 TC-190172 | 204.50 | N |
| 010576 CAMACHO, REFUJIO 200 PRIMASING AVE P.O. BOX 553 COURTLAND, CA 95615 (0) - 0 N | 65.40 | WG MILEAGE | 01/15/2019 | 19447674 TC-190173 | 65.40 | N |
| 014804 CAMARGO NUNEZ, ROSA 511 N. FILBERT ST STOCKTON, CA 95205 (0) - 0 N | 23.54 | DHW CONF REIMB | 01/08/2019 | 19446233 TC-190166 | 23.54 | N |
| 011595 CAPITAL AUTISM SERVICES 6400 FREEPORT BLVD SACRAMENTO, CA 95822 (916) 427-2273 N ADVANCE EDUCAT | 2,598.82 | 1639018/1639017 NPS DUES | 01/17/2019 | 19448255 PO-190416 | 2,598.82 | N |
| 013882 CAPITAL CLUTCH & BRAKE 3100 DULUTH STREET WEST SACRAMENTO, CA 95691 (916) 371-5970 N | 331.05 | TRANS SUPPLIES | 01/03/2019 | 19445272 PO-190087 | 331.05 | N |

| Vendor Name/Address | Total | Description | Date | Warrant Reference | Amount | 1099 |
|---|----------|--|--|--|---------------------------------------|------------------|
| 013175 CASAS 5151 MURPHY CANYON RD STE 220 SAN DIEGO, CA 92123-4339 (0) - 0 N | 163.23 | 109467 WIND RIVER SUPPLIES | 01/03/2019 | 19445267 PO-190800 | 163.23 | N |
| 013347 CASBO PROFESSIONAL DEVELOPMENT 1001 K STREET, 5TH FLOOR SACRAMENTO, CA 95814 (0) - 0 N | 255.00 | 15325 DO GONZALES WORKSHOP | 01/24/2019 | 19449395 PO-190890 | 255.00 | N |
| 014547 CASEY, NICHOLAS 2318 Windy Springs LN BRENTWOOD, CA 94513 (0) - 0 N | 41.09 | DHW SUPPLIES | 01/29/2019 | 19450288 PO-190209 | 41.09 | N |
| 002616 CDT INC 250 N GOLDEN CIRCLE DRIVE SUITE 210 SANTA ANA, CA 92705 (562) 986-4200 N | 167.00 | 46156 DOT DRUG TESTING | 01/24/2019 | 19449419 PV-190395 | 167.00 | N |
| 003380 CENTRAL VALLEY WASTE SERVICE INC P.O. BOX 78251 PHOENIX, AZ 85062-8251 (0) - 0 N | 2,246.97 | TRANS WASTE BATES WASTE WG WASTE MOKE WASTE | 01/08/2019 01/08/2019 01/08/2019 01/08/2019 | 19446213 PV-190363 19446213 PV-190363 19446213 PV-190363 19446213 PV-190363 | 128.17 1,161.73 880.19 76.88 | N N N N |
| 014130 CHARTER BROS PO BOX 505 PLEASANTON, CA 94566 (925) 497-2376 N | 1,500.00 | 181019LR RVHS TRANS FOOTBALL | 01/03/2019 | 19445258 PO-190428 | 1,500.00 | N |

| Vendor Name/Address | Total | Description | Date | Warrant Reference | Amount | 1099 |
|---|----------|---|--------------------------|--|--------------------|--------|
| 013908 CIT TECHNOLOGY FINANCING SERVICES INC PO BOX 1638 LIVINGSTON, NJ 07039 (0) - 0 N | 262.76 | 32903519 CMS XEROX LEASE | 01/03/2019 | 19445273 PO-190362 | 262.76 | N |
| 000201 CITY OF ISLETON P.O. BOX 716 101 SECOND STREET ISLETON, CA 95641 (916) 777-7770 N | 411.05 | 71425 ISLE SEWER | 01/03/2019 | 19445274 PO-190246 | 411.05 | N |
| 010687 CLASSROOM DIRECT W6316 DESIGN DRIVE GREENVILLE, WI 54942 (800) 248-9171 N SCHOOL SPECIAL | 630.00 | 208121864847 WG SUPPLIES | 01/03/2019 | 19445259 PO-190623 | 630.00 | N |
| 014088 CLINE, SUZANNE 501 CALIFORNIA ST RIO VISTA, CA 94571 (0) - 0 N | 42.41 | ISLE PRESCL SUPPLIES ISLE PRE SCL SUPPLIES | 01/08/2019 01/24/2019 | 19446238 TC-190167 19449435 TC-190182 | 24.87 17.54 | N N |
| 013196 COMMERCIAL APPLIANCE SERVICE INC 281 LATHROP WAY #100 SACRAMENTO, CA 95815-4200 (916) 567-0203 N | 2,699.75 | 140959 CAFE REPAIRS 141774 CAFE REPAIR | 01/24/2019 01/29/2019 | 19449427 PV-190406 19450313 PV-190415 | 599.55 2,100.20 | N N |
| 014575 COMPANION CORPORATION 1831 FORT UNION BLVD SALT LAKE CITY, UT 84121 (800) 943-6439 N | 2,300.00 | 111159 RVHS SUPPLIES | 01/03/2019 | 19445260 PO-190799 | 2,300.00 | N |

| Vendor Name/Address | Total | Description | Date | Warrant Reference | Amount | 1099 |
|--|------------|---|--|--|--|---|
| 014215 CONTERRA ULTRA BROADBAND PO BOX 281357 ATLANTA, GA 30384-1357 (704) 936-1722 | 1,800.22 | 30523 DISTRICT NETWORK 30523 DISTRICT NETWORK | 01/08/2019 01/08/2019 | 19446214 PV-190364 19446214 PV-190364 | 16,905.07 15,104.85- | N N |
| 001621 COURTLAND MARKET INC 11711 HWY 160 PO BOX 156 COURTLAND, CA 95615 (0) - 0 | 113.95 | MOKE SUPPLIES BATES SUPPLIES | 01/17/2019 01/17/2019 | 19448256 PO-190370 19448256 PO-190396 | 107.00 6.95 | N N |
| 011107 COURTLAND TRUCK WORKS 12019 HWY 160 COURTLAND, CA 95615 (916) 775-1633 | 80.81 | 8824 TRANS SUPPLIES | 01/08/2019 | 19446196 PO-190089 | 80.81 | N |
| 013302 D & S PRESS 1105 "A" AIRPORT ROAD RIO VISTA, CA 94571 (707) 374-2442 | 1,075.84 | 3507 RVHS COURSE CATALOG | 01/29/2019 | 19450278 PO-190869 | 1,075.84 | N |
| 011516 D7 ROOFING SERVICES INC 2851 GOLD TAILINGS COURT RANCHO CORDOVA, CA 95670 (916) 447-2175 | 382,136.08 | 180148 PAY# 2 RVHS PROJECT 180149 PAY#2 ISLE PROJECT 180149 PAY#2 ISLE PROJECT 180150 PAY #2 WG PROJECT 180147 PAY#2 DHS PROJECT | 01/17/2019 01/17/2019 01/17/2019 01/17/2019 01/17/2019 | 19448272 PO-190717 19448273 PO-190718 19448274 PO-190718 19448270 PO-190719 19448271 PO-190720 | 77,117.15 70,557.15 21,097.20 161,390.60 51,973.98 | N N N N N |
| 013876 DATAPATH PO BOX 396009 SAN FRANCISCO, CA 94139 (888) 693-2827 | 17,727.89 | 140161 CISCO SWITCH DEPLOYMENT 140248 DW MONTHLY SERVICES 140248 DW MONTHLY SERVICES 140248 DW MONTHLY SERVICES 140248 DW MONTHLY SERVICES 140248 DW MONTHLY SERVICES 140248 DW MONTHLY SERVICES 140248 DW MONTHLY SERVICES 140185 SP ED CHROMEBOOK | 01/03/2019 01/08/2019 01/08/2019 01/08/2019 01/08/2019 01/08/2019 01/08/2019 01/08/2019 01/08/2019 | 19445275 PO-190757 19446197 PO-190202 19446197 PO-190202 19446197 PO-190202 19446197 PO-190202 19446197 PO-190202 19446197 PO-190202 19446208 PO-190202 19446188 PO-190794 | 1,633.33 8,361.08 2,229.67 111.50 111.50 111.50 111.50 223.00 346.40 | N N N N N N N N N |

| | | | | | | |
|--------|------------------------|------------|----------|-----------|----------|---|
| 140193 | CTEIG LAPTOP | 01/08/2019 | 19446188 | PO-190858 | 1,493.80 | N |
| 140203 | CISCO SWITCH DEPLOYMNT | 01/17/2019 | 19448244 | PO-190757 | 1,633.34 | N |
| 140487 | RVHS COMPUTER | 01/29/2019 | 19450279 | PO-190870 | 1,472.77 | N |

| Vendor Name/Address | Total | Description | Date | Warrant Reference | Amount | 1099 |
|---|------------|---|--|--|---|---|
| 013722 DE LAGE LANDEN PUBLIC FINANCE 1111 OLD EAGLE SCHOOL ROAD WAYNE, PA 19087 (800) 736-0220 N | 2,416.85 | 61886117 ED SV COPIER LEASE 61886117 ED SV COPIER LEASE 61879505 WG LEASE 61879540 F5 LEASE 62008143 BUS OFF SAVIN LEASE 61979841 DO SAVIN LEASE 61979841 DO SAVIN LEASE 62051626 MOKE LEASE 62252216 ED SV COPIER LEASE 62252216 ED SV COPIER LEASE 62199697 WG COPIER LEASE 62199722 F5 COPIER LEASE | 01/03/2019 01/03/2019 01/03/2019 01/03/2019 01/17/2019 01/17/2019 01/17/2019 01/17/2019 01/24/2019 01/24/2019 01/29/2019 01/29/2019 | 19445276 PO-190045 19445276 PO-190045 19445276 PO-190190 19445276 PO-190272 19448257 PO-190039 19448257 PO-190040 19448257 PO-190040 19448257 PO-190371 19449403 PO-190045 19449403 PO-190045 19450289 PO-190190 19450289 PO-190272 | 260.00 126.68 167.01 80.81 176.51 200.00 469.36 373.36 250.00 65.30 167.01 80.81 | N N N N N N N N N N N N N |
| 012807 DELTA ELEMENTARY CHARTER SCHOOL 36230 N SCHOOL ST CLARKSBURG, CA 95612 (916) 995-1335 N | 164,372.00 | JANUARY 2018 TAX IN LIEU | 01/03/2019 | 19445293 PV-190359 | 164,372.00 | N |
| 014046 DEPARTMENT OF HEALTH CARE SV 1501 CAPITOL AVENUE MS 4603 SACRAMENTO, CA 95899-7413 (0) - 0 N | 2,737.00 | REIMBURSE/REFUND FY 13/14 | 01/08/2019 | 19446215 PV-190365 | 2,737.00 | N |
| 013446 DEPARTMENT OF INDUSTRIAL OCCUPATIONAL SAFETY & HEALTH 2424 ARDEN WAY, SUITE 320 SACRAMENTO, CA 95825 (916) 263-2830 N STATE OF CALIF | 250.00 | E1599454 SA CONVEYANCE INVOICE | 01/29/2019 | 19450304 PV-190409 | 250.00 | N |
| 014466 DIESEL EMISSIONS SERVICE 4522 PARKER AVE #200 MCCLELLAN, CA 95652 (916) 473-7393 N | 399.42 | 3-40251 TRANS SUPPLIES | 01/17/2019 | 19448258 PO-190091 | 399.42 | N |

| Vendor Name/Address | Total | Description | Date | Warrant Reference | Amount | 1099 |
|---|-----------|--|--|--|--|-----------------------|
| 014067 DISCOVERY OFFICE SYSTEMS 1269 CORPORATE CENTER PARKWAY SANTA ROSA, CA 95407 (707) 570-1000 N | 269.06 | 55E1477939 BATES MAINT AGRMNT 55E14811521 WG SERV CONTRACT 55E1485275 ISLE MAINT CONTRACT 55E1481521 WG MAINT CONTRACT 55E1483653 BATES MAINT AGRMNT | 01/03/2019 01/08/2019 01/24/2019 01/24/2019 01/24/2019 | 19445277 PO-190372 19446198 PO-190260 19449404 PO-190253 19449404 PO-190260 19449404 PO-190372 | 91.05 31.70 80.87 31.70 33.74 | N N N N N |
| 000188 DOLK TRACTOR COMPANY 242 N. FRONT STREET RIO VISTA, CA 94571 (0) - 0 N | 1,361.54 | 7761/3331 TRANS SUPPLIES | 01/17/2019 | 19448245 PO-190092 | 1,361.54 | N |
| 000116 DS WATERS OF AMERICA INCS 5660 NEW NORTHSIDE DRIVE SUITE 500 ATLANTA, GA 30328 (0) - 0 N DS WATERS OF A | 97.08 | 5005834 DO WATER | 01/08/2019 | 19446210 PV-190360 | 97.08 | N |
| 010469 E.F. KLUDT & SONS INC P.O. BOX 166 LODI, CA 95241-0166 (0) - 0 N | 14,363.94 | 246413/246173 TRANS FUEL 246374 TRANS FUEL 245848/244569 TRANS FUEL 244569/24018/247068 FUEL | 01/03/2019 01/08/2019 01/10/2019 01/29/2019 | 19445278 PO-190035 19446199 PO-190035 19446728 PO-190035 19450290 PO-190035 | 4,364.43 1,624.39 3,569.75 4,805.37 | N N N N |
| 014867 EDCLUB INC 1701 PENNSYLVANIA AVENUE NW SUITE 300 WASHINGTON, DC 20006 (202) 609-9919 N | 99.75 | 138931 SP ED TYPING LICENSE | 01/08/2019 | 19446189 PO-190841 | 99.75 | N |
| 012673 EDUCATIONAL RESOURCE SERVICES 3529 WOODRUFF AVENUE LOUISVILLE, KY 40215 (800) 579-1085 N | 1,270.00 | F1127WG WG WORKSHOP | 01/03/2019 | 19445261 PO-190517 | 1,270.00 | N |

| | | | | | |
|--------------|------------|----------|-----------|--------|---|
| DO | 01/10/2019 | 19446736 | PV-190383 | 615.53 | N |
| FOOD SERVICE | 01/10/2019 | 19446739 | PV-190383 | 109.53 | N |
| FOOD SERVICE | 01/10/2019 | 19446739 | PV-190383 | 140.62 | N |

| Vendor Name/Address | Total | Description | Date | Warrant Reference | Amount | 1099 |
|--|-----------|--|--|--|---|--|
| 014828 GASTON, KEN 329 SACRAMENTO STREET RIO VISTA, CA 94571 | 317.91 | 190750 MAINT SUPPLIES | 01/08/2019 | 19446200 PO-190750 | 317.91 | N |
| (0) - 0 | | | | | | N |
| 014600 GIGAKOM, INC 3615 KEARNY VILLA RD #201 SAN DIEGO, CA 92123 (858) 769-5417 | 51,725.97 | M8008XA2 DW RUCKUS/ERATE EQUIP M8008XA2 DW RUCKUS/ERATE EQUIP M8008XA3 DW RUCKUS/ERATE EQUIP M8008XA1 DW RUCKUS/ERATE EQUIP M8008XA1 DW RUCKUS/ERATE EQUIP M8008XA2 DW RUCKUS/ERATE EQUIP M8008XA3 DW RUCKUS/ERATE EQUIP M8008XA3 DW RUCKUS/ERATE EQUIP M8008XA3 DW RUCKUS/ERATE EQUIP M8008XA1 DW RUCKUS/ERATE EQUIP | 01/15/2019 01/15/2019 01/15/2019 01/15/2019 01/15/2019 01/15/2019 01/15/2019 01/15/2019 01/15/2019 01/15/2019 | 19447668 PV-190391 19447668 PV-190391 19447668 PV-190391 19447668 PV-190391 19447668 PV-190391 19447668 PV-190391 19447668 PV-190391 19447668 PV-190391 19447668 PV-190391 19447668 PV-190391 | 32,448.32 3,166.72 5,062.64 29,355.30 21,963.24 25,958.66 52,972.94 66,105.90 16,481.93 | N N N N N N N N N N |
| 014234 GIRARD EDWARDS STEVENS & TUCKER LLP., ATTORNEYS AT LAW 8801 FOLSOM BLVD STE 285 SACRAMENTO, CA 95826 (916) 706-1255 | 3,480.00 | 1694 ATTY FEES 1694 ATTY FEES 1694 ATTY FEES 1694 ATTY FEES | 01/08/2019 01/08/2019 01/08/2019 01/08/2019 | 19446217 PV-190367 19446217 PV-190367 19446217 PV-190367 19446217 PV-190367 | 1,280.00 300.00 1,467.50 432.50 | Y Y Y Y |
| 014838 GONZALES, RAYMOND 50 RIVER ROAD #26 RIO VISTA, CA 94571 (0) - 0 | 61.88 | BUS OFF CONF REIMB | 01/17/2019 | 19448269 PV-190392 | 61.88 | N |
| 014483 GOSS, HEATHER PO BOX 420 DUNNIGAN, CA 95937 (0) - 0 | 216.69 | F5 MILEAGE | 01/24/2019 | 19449430 TC-190177 | 216.69 | N |
| 003111 GOVERNMENT FINANCIAL STRATEGIES INC. 1228 N STREET, SUITE 13 SACRAMENTO, CA 95814-5609 | 3,000.00 | 1323147 PROF SERVICES | 01/15/2019 | 19447669 PV-190387 | 3,000.00 | N |

(916) 444-5100

N



| Vendor Name/Address | Total | Description | Date | Warrant Reference | Amount | 1099 |
|---|----------|--|--|--|--------------------------|-------------|
| 003598 GRAINGER 3691 INDUSTRIAL BLVD WEST SACRAMENTO, CA 95691-3479 | 225.88 | MAINT SUPPLIES 9045659787 MAINT SUPPLIES | 01/10/2019 01/17/2019 | 19446729 PO-190143 19448259 PO-190143 | 83.56 142.32 | N N |
| (916) 372-7800 N W.W. GRAINGER | | | | | | |
| 014573 GREAT AMERICA FINANCIAL SVCS PO BOX 660831 DALLAS, TX 75266-0831 | 1,028.53 | 23921356 CMS COPY LEASE 24057944 DHS LEASE | 01/03/2019 01/24/2019 | 19445279 PO-190435 19449405 PO-190283 | 653.15 375.38 | N N |
| (877) 311-4422 N | | | | | | |
| 014868 HALL, SARA PO BOX 9586 TRUCKEE, CA 96162 | 5,125.00 | SP ED ASSESSMENTS 11/18-12/18 SP ED ASSESSMENTS | 01/08/2019 01/24/2019 | 19446201 PO-190822 19449406 PO-190822 | 3,600.00 1,525.00 | Y Y |
| (916) 640-3533 Y | | | | | | |
| 014500 HAND IN HAND THERAPEUTICS 214 ELMWOOD AVE MODESTO, CA 95354 | 2,350.00 | SP ED OCC THERAPY 01/16 SP ED OCC THERAPY 11/23 | 01/24/2019 01/29/2019 | 19449407 PO-190342 19450291 PO-190342 | 1,150.00 1,200.00 | Y Y |
| (209) 604-8533 Y WAYNE STEVENSO | | | | | | |
| 000472 HENRY GO MD INC P.O. BOX 338 COURTLAND, CA 95615 | 170.00 | 10623 DMV EXAMS | 01/03/2019 | 19445294 PV-190347 | 170.00 | 6 |
| () - Y | | | | | | |
| 003538 HOME DEPOT CREDIT SERVICES DEPT 32-2500439736 P.O. BOX 78047 PHOENIX, AZ 85062-8047 | 413.42 | MAINT SUPPLIES DHS AG SUPPLIES DHS AG SUPPLIES | 01/10/2019 01/10/2019 01/10/2019 | 19446730 PO-190144 19446730 PO-190456 19446730 PO-190456 | 272.01 70.71 70.70 | N N N |
| (0) - 0 N | | | | | | |

| Vendor Name/Address | Total | Description | Date | Warrant Reference | Amount | 1099 |
|--|----------|--|--|--|---|----------------------------|
| 014682 JONES, ZAIDA 10267 CROYDON WAY RANCHO CORDOVA, CA 95670 (0) - 0 N | 62.89 | SP ED MILEAGE | 01/08/2019 | 19446234 TC-190168 | 62.89 | N |
| 011311 LA RUE COMMUNICATIONS 521 E. MINER AVE STOCKTON, CA 95202 (209) 463-1900 Y LA RUE, KNOX J | 330.00 | 5844 TRANS SERVICES | 01/03/2019 | 19445282 PO-190097 | 330.00 | 7 |
| 014878 LAND BASED LEARNING 5265 PUTAH CREEK ROAD WINTERS, CA 95694 (530) 795-1520 N | 750.00 | 18-428 CTE SLEWS PROGRAM | 01/24/2019 | 19449397 PO-190895 | 750.00 | N |
| 000548 LIRAS SUPERMARKET 609 HWY 12 RIO VISTA, CA 94571 (707) 374-5399 N | 1,690.77 | #175 DHW SUPPLIES 135 ED SV SUPPLIES #55 RVHS SUPPLIES #55 RVHS SUPPLIES #55 RVHS SUPPLIES #55 RVHS CULINARY SUPPLIES | 01/08/2019 01/08/2019 01/24/2019 01/24/2019 01/24/2019 01/29/2019 | 19446202 PO-190236 19446218 PV-190368 19449398 PO-190069 19449398 PO-190069 19449409 PO-190775 19450292 PO-190516 | 66.32 114.73 332.56 500.00 358.45 318.71 | N N N N N N |
| 014426 LOVE & LOGIC INSTITUTE ATTN: SUE KENNEDY 2207 JACKSON STREET GOLDEN, CO 80401-2300 (800) 338-4065 N | 109.00 | 169998 DHW REGISTR | 01/17/2019 | 19448246 PO-190864 | 109.00 | N |
| 013206 LOWE'S 8369 POWER INN ROAD ELK GROVE, CA 95624-3464 (866) 232-7443 N | 1,053.27 | MAINT SUPPLIES RVHS SUPPLIES | 01/17/2019 01/17/2019 | 19448260 PO-190148 19448260 PO-190798 | 571.15 482.12 | N N |

| Vendor Name/Address | Total | Description | Date | Warrant Reference | Amount | 1099 |
|--|----------|---|--|--|----------------------------|-------------|
| 000711 LYMAN PARTS DEPOT 14301 RAILROAD AVE WALNUT GROVE, CA 95690- (916) 776-1744 | 18.96 | 13112 MAINT SUPPLIES | 01/10/2019 | 19446731 PO-190149 | 18.96 | N |
| | | N THE LYMAN GROU | | | | |
| 013064 MAC BEATH HARDWOODS CO 930 ASHBY AVE BERKELEY, CA 94710 (415) 401-7046 | 583.57 | 1114605 RVHS WOOD | 01/03/2019 | 19445264 PO-190788 | 583.57 | N |
| | | N | | | | |
| 014144 MARTINEZ, SANDRA PO BOX 298 ISLETON, CA 95641 (0) - 0 | 232.72 | F5 MILEAGE | 01/24/2019 | 19449431 TC-190178 | 232.72 | N |
| | | N | | | | |
| 014811 MCCARTY, HANOCH 12970 SELF ESTEEM LANE GALT, CA 95632 (209) 601-2940 | 879.94 | 3003 SP ED ASST TECH | 01/08/2019 | 19446190 PO-190323 | 879.94 | Y |
| | | Y | | | | |
| 011392 MCGRAW HILL SCHOOL PUBLISHING 220 E DANIELDALE ROAD DESOTO, TX 75115 (614) 755-4151 | 6,675.65 | 106310467001 ED SV BOOKS | 01/17/2019 | 19448249 PO-190832 | 6,675.65 | N |
| | | N | | | | |
| 012735 MCKINLEY ELEVATOR CORP. 555 FULTON ST SUITE 202 SAN FRANCISCO, CA 94102 (415) 626-9951 | 1,200.00 | A112728 MAINT INSPECT A112726 MAINT INSPECT A112727 MAINT INSPECT | 01/17/2019 01/17/2019 01/17/2019 | 19448261 PO-190150 19448261 PO-190150 19448261 PO-190150 | 300.00 600.00 300.00 | N N N |
| | | N | | | | |
| 012837 MOBILE MODULAR 5700 LAS POSITAS ROAD | 1,070.00 | 1825114 MODULAR LEASE 1850209 MODULAR LEASE | 01/03/2019 01/29/2019 | 19445304 PV-190355 19450315 PV-190417 | 535.00 535.00 | N N |

LIVERMORE, CA 94551

(925) 606-9000

N MCGRATH RENTCO

| Vendor Name/Address | Total | Description | Date | Warrant Reference | Amount | 1099 |
|--|----------|---|--|--|-------------------------------------|------------------|
| 014383 MW BATES SAFETY CONST 6650 RIVERSIDE BLVD SACRAMENTO, CA 95831 (916) 812-1080 | 810.00 | 180312 OPACITY TESTS | 01/03/2019 | 19445295 PV-190348 | 810.00 | N |
| 014359 NORTH STATE TIRE CO 1610 KATHLEEN AVE SACRAMENTO, CA 95815 (916) 922-1075 | 3,908.14 | K95041 TRANS SUPPLIES | 01/29/2019 | 19450293 PO-190098 | 3,908.14 | N |
| 014016 O'REILLY AUTO PARTS 233 S PATTERSON SPRINGFIELD, MO 65802 (0) - 0 | 83.69 | 1468127 TRANS SUPPLIES | 01/10/2019 | 19446732 PO-190100 | 83.69 | N |
| 014833 OAKLEY SCHOOL DISTRICT 91 MERCEDES LANE OAKLEY, CA 945614617 (925) 625-5079 | 4,030.00 | 61137 SP ED STUDENT TRANS 61179 SP ED STUDENT TRANS | 01/08/2019 01/29/2019 | 19446220 PV-190369 19450306 PV-190410 | 2,080.00 1,950.00 | N N |
| 000193 OILWELL MATERIALS & HARDWARE CO INC 506 STATE HIGHWAY 12 RIO VISTA, CA 94571 (0) - 0 | 535.78 | #822 RVHS SUPPLIES #676 MAINT SUPPLIES #1608 RVHS AG SUPPLIES #1608 RVHS AG SUPPLIES | 01/03/2019 01/15/2019 01/24/2019 01/24/2019 | 19445283 PO-190061 19447666 PO-190151 19449410 PO-190607 19449410 PO-190607 | 128.41 384.43 11.47 11.47 | N N N N |
| 003218 ORIENTAL TRADING CO INC 4206 SOUTH 108TH STREET OMAHA, NE 68137 (800) 228-0475 | 617.89 | 694118477 MIG ED SUPPLIES 693562893 ASP SUPPLIES 694000810 ASP SUPPLIES 693521077 ASP SUPPLIES | 01/08/2019 01/10/2019 01/17/2019 01/24/2019 | 19446191 PO-190830 19446733 PO-190524 19448262 PO-190522 19449411 PO-190522 | 69.02 231.61 111.46 205.80 | N N N N |
| 011634 OTO'S CAR CARE & REPAIR | 355.25 | TRANS SERVICES | 01/10/2019 | 19446734 PO-190101 | 355.25 | 7 |

8110 FREEPORT BLVD
SACRAMENTO, CA 95832

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| Vendor Name/Address | Total | Description | Date | Warrant Reference | Amount | 1099 |
|---|-----------|--|--|--|--|---|
| 014465 PARKER & COVERT LAW OFFICE 17862 EAST SEVENTEENTH ST#204 EAST BUILDING TUSTIN, CA 92780 | 2,347.30 | 70620 ATTY FEES 70620 ATTY FEES 70620 ATTY FEES 70620 ATTY FEES | 01/29/2019 01/29/2019 01/29/2019 01/29/2019 | 19450307 PV-190411 19450307 PV-190411 19450307 PV-190411 19450307 PV-190411 | 22.50 1,229.80 575.00 520.00 | Y Y Y Y |
| (714) 573-0900 | | Y PARKER & COVE | | | | |
| 013692 PATIN, ANGELA 633 MADERE WAY RIO VISTA, CA 94571 | 77.39 | ISLE MILEAGE | 01/08/2019 | 19446235 TC-190169 | 77.39 | N |
| (0) - 0 | | N | | | | |
| 014392 PAULS, HOLLY PO BOX 511 WALNUT GROVE, CA 95690 | 67.58 | WG MILEAGE | 01/15/2019 | 19447675 TC-190174 | 67.58 | N |
| (916) 776-1215 | | N | | | | |
| 013086 PEARSON EDUCATION INC 501 BOLYSTON STREET SUITE 900 BOSTON, MA 02116 | 1,692.91 | 4025718317 ED SV BOOKS 4025728601 ED SV BOOKS | 01/10/2019 01/29/2019 | 19446726 PO-190833 19450281 PO-190874 | 201.60 1,491.31 | N N |
| (800) 848-9500 | | N | | | | |
| 003270 PG&E 685 EMBARCADERO DRIVE SACRAMENTO, CA 95605 | 51,675.86 | LT'S LT'S RVHS RVHS GARAGE SHOP DO LIFT PUMP N. NETH DO CMS RMS DHW DHW | 01/03/2019 01/03/2019 01/03/2019 01/03/2019 01/03/2019 01/03/2019 01/03/2019 01/03/2019 01/03/2019 01/03/2019 01/03/2019 01/03/2019 01/03/2019 01/03/2019 01/03/2019 | 19445296 PV-190349 19445296 PV-190349 19445296 PV-190349 19445296 PV-190349 19445296 PV-190349 19445296 PV-190349 19445296 PV-190349 19445296 PV-190349 19445296 PV-190349 19445296 PV-190349 19445296 PV-190349 19445296 PV-190349 19445296 PV-190349 19445296 PV-190349 19445296 PV-190349 | 11.46 20.36 415.71 7,108.64 206.34 65.52 58.82 27.85 40.71 785.69 1,334.60 2,128.74 3,757.05 195.90 | N N N N N N N N N N N N N N N |
| (0) - 0 | | N PACIFIC GAS AN | | | | |

| | | | | | |
|-----------------|------------|----------|-----------|----------|---|
| GARAGE | 01/03/2019 | 19445296 | PV-190349 | 24.39 | N |
| ISLE | 01/03/2019 | 19445296 | PV-190349 | 2,255.00 | N |
| DHS | 01/03/2019 | 19445296 | PV-190349 | 3,288.96 | N |
| DHS | 01/03/2019 | 19445296 | PV-190349 | 1,399.49 | N |
| DHS | 01/03/2019 | 19445296 | PV-190349 | 4,784.39 | N |
| LT'S | 01/03/2019 | 19445296 | PV-190349 | 31.81 | N |
| RADIO RIO ELECT | 01/08/2019 | 19446221 | PV-190370 | 21.29 | N |

| Vendor Name/Address | Total | Description | Date | Warrant Reference | Amount | 1099 |
|---|-----------|--------------------------------|------------|--------------------|-----------|------|
| 003270 PG&E (Continued...) | | DHW ELECT | 01/15/2019 | 19447670 PV-190388 | 26.54 | N |
| | | GARAGE | 01/29/2019 | 19450308 PV-190419 | 211.19 | N |
| | | SHOP | 01/29/2019 | 19450308 PV-190419 | 70.58 | N |
| | | DO | 01/29/2019 | 19450308 PV-190419 | 58.67 | N |
| | | LIFT PUMP | 01/29/2019 | 19450308 PV-190419 | 10.51 | N |
| | | N.NETH | 01/29/2019 | 19450308 PV-190419 | 40.50 | N |
| | | LT'S | 01/29/2019 | 19450308 PV-190419 | 11.41 | N |
| | | DO | 01/29/2019 | 19450308 PV-190419 | 814.49 | N |
| | | LT'S | 01/29/2019 | 19450308 PV-190419 | 20.26 | N |
| | | RVHS FIELD | 01/29/2019 | 19450308 PV-190419 | 166.62 | N |
| | | RVHS | 01/29/2019 | 19450308 PV-190419 | 6,472.18 | N |
| | | CMS | 01/29/2019 | 19450308 PV-190419 | 1,049.04 | N |
| | | RMS | 01/29/2019 | 19450308 PV-190419 | 1,753.61 | N |
| | | DHW | 01/29/2019 | 19450308 PV-190419 | 3,136.38 | N |
| | | DHW | 01/29/2019 | 19450308 PV-190419 | 176.55 | N |
| | | GARAGE | 01/29/2019 | 19450308 PV-190419 | 33.05 | N |
| | | LT'S | 01/29/2019 | 19450308 PV-190419 | 31.65 | N |
| | | ISLE | 01/29/2019 | 19450308 PV-190419 | 2,034.32 | N |
| | | DHS | 01/29/2019 | 19450308 PV-190419 | 3,241.45 | N |
| | | SCH PUMP | 01/29/2019 | 19450308 PV-190419 | 147.18 | N |
| | | GYM | 01/29/2019 | 19450308 PV-190419 | 4,206.96 | N |
| 013554 POINT QUEST 6600 44TH STREET SACRAMENTO, CA 95823 (916) 422-0571 N | 16,247.31 | 346/345 SP ED INST ASSISTS | 01/08/2019 | 19446203 PO-190348 | 11,815.00 | N |
| | | 31611 SP ED NPS FEES | 01/08/2019 | 19446203 PO-190349 | 300.00 | N |
| | | 31544 SP ED NPS FEES | 01/08/2019 | 19446203 PO-190349 | 1,067.76 | N |
| | | 31517 SP ED NPS FEES | 01/08/2019 | 19446203 PO-190349 | 2,954.55 | N |
| | | 31587 SP ED NPS FEES | 01/08/2019 | 19446203 PO-190349 | 110.00 | N |
| 012857 PRISTINE REHAB CARE 706 N. DIAMOND BAR BLVD STE #B DIAMOND BAR, CA 91765 (317) 371-3866 Y | 29,763.20 | 5811/5871/5872/5873 SP THERAPY | 01/15/2019 | 19447667 PO-190058 | 24,603.20 | 7 |
| | | 5906 SP ED SPCH THERAPY | 01/29/2019 | 19450294 PO-190058 | 5,160.00 | 7 |
| 011770 QUALITY SOUND SYSTEMS P.O. BOX 5501 2010 EAST FREMONT ST STOCKTON, CA 95205 () - N | 4,148.99 | 52192 DHS BOYS LOCKER ROOM | 01/29/2019 | 19450309 PV-190412 | 4,148.99 | N |

| Vendor Name/Address | Total | Description | Date | Warrant Reference | Amount | 1099 |
|--|----------|--|--|--|----------------------------------|------------------|
| 001048 QUILL CORPORATION 100 SCHELTER ROAD LINCOLNSHIRE, IL 60094-0600 (800) 789-8965 | 1,661.30 | 4158400 CMS SUPPLIES | 01/29/2019 | 19450295 PO-190286 | 1,661.30 | N |
| 011565 RALEY'S P.O. BOX 15618 SACRAMENTO, CA 95852 (0) - 0 | 128.98 | 5000034 DHS AG SUPPLIES 5000034 DHS AG SUPPLIES 5000034 DHS AG SUPPLIES 5000034 DHS AG SUPPLIES | 01/03/2019 01/03/2019 01/29/2019 01/29/2019 | 19445284 PO-190292 19445284 PO-190292 19450296 PO-190292 19450296 PO-190292 | 40.21 40.22 24.27 24.28 | N N N N |
| 014268 RICO DE ROMERO, MARISOL 12645 SUTTER ISLAND ROAD COURTLAND, CA 95615 (0) - 0 | 348.80 | PARENT MILEAGE | 01/24/2019 | 19449432 TC-190179 | 348.80 | N |
| 014071 RIO VISTA BEACON PO BOX 726 BRENTWOOD, CA 94513 (925) 550-7811 | 60.00 | 257862 ADVERTISING | 01/08/2019 | 19446222 PV-190371 | 60.00 | N |
| 010239 RIO VISTA SANITATION P.O. BOX 607 RIO VISTA, CA 94571-0607 (0) - 0 | 2,164.29 | DO WASTE RVHS WASTE DHW WASTE | 01/08/2019 01/10/2019 01/10/2019 | 19446219 PV-190372 19446737 PV-190384 19446737 PV-190384 | 118.88 935.67 1,109.74 | N N N |
| 000729 RIVER NEWS HERALD 21 S FRONT STREET RIO VISTA, CA 94571 (0) - 0 | 39.00 | 7563 ADVERTISING | 01/08/2019 | 19446223 PV-190373 | 39.00 | N |
| 010670 RIVERVIEW-INTERNATIONAL TRUCKS 2445 EVERGREEN AVE | 1,622.30 | 61671 TRANS SUPPLIES | 01/29/2019 | 19450297 PO-190104 | 1,622.30 | 7 |

P.O. BOX 716
WEST SACRAMENTO, CA 95691

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| Vendor Name/Address | Total | Description | Date | Warrant Reference | Amount | 1099 |
|--|-----------|--------------------------------|------------|--------------------|----------|------|
| 013655 ROSS, JENNIFER 920 ROLLING GREEN DR. RIO VISTA, CA 94571 | 10.00 | STALEDATE #406948 | 01/29/2019 | 19450310 PV-190420 | 10.00 | N |
| () - | | | | | | N |
| 012796 ROSSI, MARCY 128 N SECOND STREET RIO VISTA, CA 94571 | 100.03 | RMS SUPPLIES | 01/29/2019 | 19450298 PO-190424 | 100.03 | N |
| (0) - 0 | | | | | | N |
| 000095 S M U D P.O. BOX 15555 SACRAMENTO, CA 95852 | 10,201.77 | WG ELECT | 01/08/2019 | 19446224 PV-190375 | 20.30 | N |
| | | TRANS ELECT | 01/08/2019 | 19446224 PV-190375 | 115.01 | N |
| | | BATES ELECT | 01/08/2019 | 19446224 PV-190375 | 499.46 | N |
| | | BATES ELECT | 01/08/2019 | 19446224 PV-190375 | 4,289.88 | N |
| (0) - 0 | | WG ELECT | 01/08/2019 | 19446224 PV-190375 | 27.04 | N |
| | | WG ELECT | 01/08/2019 | 19446224 PV-190375 | 614.78 | N |
| | | WG ELECT | 01/08/2019 | 19446224 PV-190375 | 4,635.30 | N |
| 014060 SACRAMENTO BEE 2100 Q STREET SACRAMENTO, CA 95852 | 623.06 | 339472 WG PUBLIC NOTICE | 01/29/2019 | 19450311 PV-190413 | 623.06 | N |
| () - | | | | | | N |
| 012225 SACRAMENTO COUNTY COUNTY OF SACRAMENTO 700 H STREET ROOM 1710 SACRAMENTO, CA 95814 | 850.30 | 18/19 1ST QUARTER FISCAL AGENT | 01/03/2019 | 19445302 PV-190354 | 170.06 | N |
| | | 18/19 1ST QUARTER FISCAL AGENT | 01/03/2019 | 19445302 PV-190354 | 170.06 | N |
| | | 18/19 1ST QUARTER FISCAL AGENT | 01/03/2019 | 19445303 PV-190354 | 170.06 | N |
| | | 18/19 1ST QUARTER FISCAL AGENT | 01/03/2019 | 19445303 PV-190354 | 170.06 | N |
| (916) 874-8250 | | | | | | N |
| 000090 SACRAMENTO COUNTY UTILITIES 9700 GOETHE ROAD SUITE C SACRAMENTO, CA 95827 | 350.19 | BATES SEWER | 01/08/2019 | 19446225 PV-190376 | 166.00 | N |
| | | WG SEWER | 01/08/2019 | 19446225 PV-190376 | 184.19 | N |
| (0) - 0 | | | | | | N |

| Vendor Name/Address | Total | Description | Date | Warrant Reference | Amount | 1099 |
|--|----------|-----------------------------|------------|--------------------|--------|------|
| 014411 SAMMIS, MICHAEL 6300 HOLSTEIN WAY SACRAMENTO, CA 95831 | 19.70 | RMS SUPPLIES | 01/08/2019 | 19446236 TC-190170 | 19.70 | N |
| (0) - 0 | | | | | | N |
| 011069 SCHOOL NURSE SUPPLY INC PO BOX 68968 SCHAUMBURG, IL 60168 | 281.67 | 717363 NURSE SUPPLIES | 01/10/2019 | 19446727 PO-190828 | 281.67 | N |
| (800) 485-2737 | | | | | | N |
| 003318 SCHOOL SPECIALTY INC W6316 DESIGN DRIVE GREENVILLE, WI 54942 | 3,159.80 | 308103239489 RMS SUPPLIES | 01/03/2019 | 19445265 PO-190795 | 92.09 | N |
| | | 308103239489 RMS SUPPLIES | 01/03/2019 | 19445265 PO-190795 | 61.40 | N |
| | | 208122157189 RMS SUPPLIES | 01/03/2019 | 19445265 PO-190805 | 539.72 | N |
| | | 208122157189 RMS SUPPLIES | 01/03/2019 | 19445265 PO-190805 | 359.80 | N |
| (0) - 0 | | 208122148867 RMS SUPPLIES | 01/03/2019 | 19445265 PO-190806 | 81.24 | N |
| | | 208122138261 RMS SUPPLIES | 01/03/2019 | 19445265 PO-190806 | 54.17 | N |
| | | 308103238892 RMS SUPPLIES | 01/03/2019 | 19445265 PO-190807 | 88.22 | N |
| | | 308103238892 RMS SUPPLIES | 01/03/2019 | 19445265 PO-190807 | 58.82 | N |
| | | 208122148867 RMS SUPPLIES | 01/03/2019 | 19445265 PO-190808 | 88.57 | N |
| | | 208122148867 RMS SUPPLIES | 01/03/2019 | 19445265 PO-190808 | 59.04 | N |
| | | 308103226714 DHS SUPPLIES | 01/17/2019 | 19448263 PO-190281 | 185.88 | N |
| | | 308103240043 RMS SUPPLIES | 01/17/2019 | 19448247 PO-190797 | 90.84 | N |
| | | 308103240043 RMS SUPPLIES | 01/17/2019 | 19448247 PO-190797 | 60.56 | N |
| | | 208122184031 RMS SUPPLIES | 01/17/2019 | 19448247 PO-190825 | 342.37 | N |
| | | 208122184031 RMS SUPPLIES | 01/17/2019 | 19448247 PO-190825 | 228.24 | N |
| | | 208122195050 RMS SUPPLIES | 01/17/2019 | 19448247 PO-190849 | 119.11 | N |
| | | 208122195050 RMS SUPPLIES | 01/17/2019 | 19448247 PO-190849 | 79.41 | N |
| | | 308103241004 BATES SUPPLIES | 01/24/2019 | 19449412 PO-190376 | 158.96 | N |
| | | 308103242060 RMS SUPPLIES | 01/24/2019 | 19449399 PO-190824 | 89.08 | N |
| | | 308103242060 RMS SUPPLIES | 01/24/2019 | 19449399 PO-190824 | 59.38 | N |
| | | 208122204892 RMS SUPPLIES | 01/24/2019 | 19449399 PO-190852 | 90.08 | N |
| | | 208122204892 RMS SUPPLIES | 01/24/2019 | 19449399 PO-190852 | 60.06 | N |
| | | 208122252825 RMS SUPPLIES | 01/29/2019 | 19450282 PO-190847 | 67.65 | N |
| | | 208122252825 RMS SUPPLIES | 01/29/2019 | 19450282 PO-190847 | 45.11 | N |
| 000316 SCHOOLS INSURANCE AUTHORITY P.O. BOX 276710 SACRAMENTO, CA 95827-6710 | 717.50 | EAP012019.13 EAP | 01/08/2019 | 19446226 PV-190377 | 351.57 | N |
| | | EAP012019.13 EAP | 01/08/2019 | 19446226 PV-190377 | 365.93 | N |

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| Vendor Name/Address | Total | Description | Date | Warrant Reference | Amount | 1099 |
|---|----------|--------------------------------|------------|--------------------|----------|------|
| 013193 SCOE P.O. BOX 269003 10474 MATHER BLVD SACRAMENTO, CA 95826 | 8,725.00 | 191466 DW INFO DATA | 01/03/2019 | 19445285 PO-190308 | 4,000.00 | N |
| | | 191466 DW INFO DATA | 01/03/2019 | 19445285 PO-190308 | 2,250.00 | N |
| | | 191141 ED SV NGSS CONF | 01/03/2019 | 19445266 PO-190512 | 250.00 | N |
| | | 191141 ED SV NGSS CONF | 01/03/2019 | 19445266 PO-190554 | 250.00 | N |
| | | 191141 ED SV NGSS CONF | 01/03/2019 | 19445266 PO-190554 | 375.00 | N |
| (0) - 0 N | | 191141 ED SV NGSS CONF | 01/03/2019 | 19445266 PO-190554 | 250.00 | N |
| | | 191450 BATES AVID | 01/17/2019 | 19448248 PO-190444 | 500.00 | N |
| | | 191450 MOKE AVID | 01/17/2019 | 19448248 PO-190444 | 175.00 | N |
| | | 191191 RMS AVID | 01/17/2019 | 19448248 PO-190636 | 270.00 | N |
| | | 191191 RMS AVID | 01/17/2019 | 19448248 PO-190636 | 105.00 | N |
| | | 191191 RMS AVID | 01/17/2019 | 19448248 PO-190636 | 300.00 | N |
| 014450 SCOTT TECHNOLOGY GROUP 1143 N. MARKET BLVD STE #7 SACRAMENTO, CA 95834 | 393.90 | 87026/86556/89365 F5 PRINT CHG | 01/03/2019 | 19445288 PO-190271 | 91.13 | N |
| | | 84958/88813/89197 MOKE AGRMNT | 01/03/2019 | 19445288 PO-190369 | 150.00 | N |
| | | 84958/88813/89197 CDS AGRMNT | 01/03/2019 | 19445288 PO-190369 | 14.59 | N |
| | | 87749/90454 WG PRINTER CHARGES | 01/08/2019 | 19446207 PO-190191 | 86.05 | N |
| (916) 913-6191 N WIZIX TECHNOLO | | 90962 WG PRINTER CHARGES | 01/17/2019 | 19448265 PO-190191 | 52.13 | N |
| 013891 SENTINEL FIRE EQUIPMENT CO INC 5702 BROADWAY SACRAMENTO, CA 95820 | 369.95 | 81827/81826/81828 CAFE FIRE EX | 01/29/2019 | 19450314 PV-190416 | 4.77 | N |
| | | 81827/81826/81828 CAFE FIRE EX | 01/29/2019 | 19450314 PV-190416 | 369.95 | N |
| | | 81827/81826/81828 CAFE FIRE EX | 01/29/2019 | 19450314 PV-190416 | 4.77 | N |
| (916) 455-5630 N | | | | | | |
| 014459 SESAC 55 MUSIC SQUARE EAST NASHVILLE, TN 37203-4362 | 318.00 | 62390 RADIO RIO FEES | 01/03/2019 | 19445306 PV-190357 | 159.00 | N |
| | | 711953 MUSIC LICENSING FEE | 01/29/2019 | 19450316 PV-190418 | 159.00 | N |
| (615) 320-0055 N | | | | | | |
| 013480 SHELDON GAS COMPANY 1 HARBOR CENTER # 310 SUISUN CITY, CA 94585 | 1,161.01 | 4333 WG PROPANE | 01/15/2019 | 19447671 PV-190389 | 99.00 | N |
| | | 4333 WG PROPANE | 01/15/2019 | 19447671 PV-190389 | .34 | N |
| | | 4334 MOKE PROPANE | 01/15/2019 | 19447671 PV-190389 | 66.00 | N |
| | | 97883 TRANS PROPANE | 01/15/2019 | 19447671 PV-190389 | 2.78 | N |
| | | 4333 WG PROPANE | 01/15/2019 | 19447671 PV-190389 | .34 | N |
| (707) 425-2951 N | | 4336 BATES PROPANE | 01/15/2019 | 19447671 PV-190389 | .34 | N |
| | | 4336 BATES PROPANE | 01/15/2019 | 19447671 PV-190389 | .34 | N |
| | | 4334 MOKE PROPANE | 01/15/2019 | 19447671 PV-190389 | .23 | N |
| | | 4335 TRANS PROPANE | 01/15/2019 | 19447671 PV-190389 | .34 | N |
| | | 4335 TRANS PROPANE | 01/15/2019 | 19447671 PV-190389 | .34 | N |

| | | | | | |
|---------------------|------------|----------|-----------|--------|---|
| 97883 TRANS PROPANE | 01/15/2019 | 19447671 | PV-190389 | 2.78- | N |
| 4334 MOKE PROPANE | 01/15/2019 | 19447671 | PV-190389 | .23 | N |
| 4336 BATES PROPANE | 01/15/2019 | 19447671 | PV-190389 | 99.00 | N |
| 4335 TRANS PROPANE | 01/15/2019 | 19447671 | PV-190389 | 99.00 | N |
| 97883 TRANS PROPANE | 01/15/2019 | 19447671 | PV-190389 | 798.01 | N |

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|--|----------|---|--|--|---------------------------|-------------|
| 014524 SHRED IT PO BOX 101007 PASADENA, CA 91189-1007 | 123.78 | 8126272552 DO SHREDDING | 01/03/2019 | 19445297 PV-190350 | 123.78 | N |
| (0) - 0 | | | | | | N |
| 000055 SIA DELTA DENTAL P.O. BOX 276710 SACRAMENTO, CA 95827-6710 | 3,569.06 | JAN 2019 PREMIUMS JAN 2019 PREMIUMS | 01/08/2019 01/08/2019 | 19446227 PV-190378 19446227 PV-190378 | 1,131.62 2,437.44 | N N |
| (0) - 0 | | | | | | N |
| 000056 SIA VISION SERVICE P.O. BOX 276710 SACRAMENTO, CA 95827-6710 | 605.64 | JANUARY 19 PREMIUMS JANUARY 19 PREMIUMS JANUARY 19 PREMIUMS | 01/10/2019 01/10/2019 01/10/2019 | 19446738 PV-190385 19446738 PV-190385 19446738 PV-190385 | 259.56 317.24 28.84 | N N N |
| (0) - 0 | | | | | | N |
| 012876 SIERRA BUILDING SYSTEMS INC PO BOX 541 MEADOW VISTA, CA 95722 | 560.35 | 8091 MAINT SERVICE CALLS/REP | 01/08/2019 | 19446192 PO-190157 | 560.35 | N |
| () - | | | | | | N |
| 014875 SIERRA COLLEGE 5100 SIERRA COLLEGE BLVD ROCKLY, CA 95677 | 500.00 | DHS BARNETT SCHLRSHIP | 01/15/2019 | 19447663 PO-190882 | 500.00 | N |
| (916) 624-3333 | | | | | | N |
| 014454 SINGH, PRITIKA 212 WEST HWY 220 RYDE, CA 95680 | 518.84 | PARENT MILEAGE | 01/15/2019 | 19447676 TC-190175 | 518.84 | N |
| (916) 491-0657 | | | | | | N |
| 014400 SLAGLE, ANTONIA 2310 CORK CIRCLE | 111.87 | ISLE SUPPLIES | 01/24/2019 | 19449433 TC-190180 | 111.87 | N |

SACRAMENTO, CA 95822

(0) - 0 N

| Vendor Name/Address | Total | Description | Date | Warrant Reference | Amount | 1099 |
|--|-----------|---|--|--|---|--------------------------------------|
| 012084 SODEXO INC & AFFILIATES DEPT. 43283 LOS ANGELES, CA 90088-3283 | 46,197.13 | CAFE NOVEMBER 18 MEALS CAFE NOVEMBER 18 MEALS | 01/10/2019 01/10/2019 | 19446740 PV-190386 19446740 PV-190386 | 7,482.42 38,714.71 | N N |
| (0) - 0 | | | | | | N |
| 012628 SOLANO COUNTY OFFICE OF EDUCATION 5100 BUSINESS CENTER DRIVE FAIRFIELD, CA 94534 | 2,052.80 | 19-01380 TUPE GRANT ED SV K & S WRIGHT REGIST 19-01463 TUPE GRANT | 01/08/2019 01/15/2019 01/24/2019 | 19446228 PV-190379 19447664 PO-190877 19449420 PV-190396 | 852.25 350.00 850.55 | N N N |
| (707) 399-4415 | | | | | | N |
| 012288 SOUZA, JENNIFER 717 TAMARACK DRIVE LODI, CA 95240 | 118.27 | ISLE MILEAGE | 01/08/2019 | 19446237 TC-190171 | 118.27 | N |
| (0) - 0 | | | | | | N |
| 011563 SPEARS, SHANAN 2436 MORAINNE CIRCLE RANCHO CORDOVA, CA 95670 | 189.75 | DHS AG SUPPLIES DHS AG SUPPLIES | 01/29/2019 01/29/2019 | 19450299 PO-190458 19450299 PO-190458 | 94.87 94.88 | N N |
| (916) 744-1011 | | | | | | N |
| 003625 SPRADLING, KATRINA 65 EDGEWATER DRIVE RIO VISTA, CA 94571 | 11.45 | CMS CONF REIMB | 01/15/2019 | 19447677 TC-190176 | 11.45 | N |
| (0) - 0 | | | | | | N |
| 013858 SPURR 1850 GATEWAY BOULEVARD CONCORD, CA 94520 | 4,502.77 | DO GAS RMS GAS ISLE GAS TRANS GAS ISLE GAS DHS GAS DHW GAS STORAGE PREPAID GAS | 01/24/2019 01/24/2019 01/24/2019 01/24/2019 01/24/2019 01/24/2019 01/24/2019 01/24/2019 | 19449421 PV-190397 19449421 PV-190397 19449421 PV-190397 19449421 PV-190397 19449421 PV-190397 19449421 PV-190397 19449421 PV-190397 19449421 PV-190397 | 120.47 331.75 589.16 186.61 16.92 1,569.30 284.47 463.06 | N N N N N N N N |
| (888) 400-2155 | | | | | | N |

| | | | | | |
|--------------|------------|----------|-----------|----------|---|
| RVHS GAS | 01/24/2019 | 19449421 | PV-190397 | 1,437.21 | N |
| CMS CAFE GAS | 01/24/2019 | 19449428 | PV-190397 | 429.94 | N |

| Vendor Name/Address | Total | Description | Date | Warrant Reference | Amount | 1099 |
|---|--------|-------------------------------|------------|--------------------|--------|------|
| 014069 STAPLES ADVANTAGE 500 STAPLES DRIVE FRAMINGHAM, MA 01702 | 821.99 | 3398572710 SP ED SUPPLIES | 01/03/2019 | 19445286 PO-190041 | 42.59 | N |
| | | 3398334877 SP ED SUPPLIES | 01/03/2019 | 19445286 PO-190041 | 50.55 | N |
| | | 3394313067 SP ED SUPPLIES | 01/03/2019 | 19445286 PO-190041 | 48.65 | N |
| | | 3398895508 SP ED SUPPLIES | 01/03/2019 | 19445286 PO-190041 | 64.67 | N |
| (0) - 0 N STAPLES CONTRA | | 3399214069 ASP SUPPLIES | 01/03/2019 | 19445286 PO-190518 | 17.50 | N |
| | | 3399214069 ASP SUPPLIES | 01/03/2019 | 19445286 PO-190518 | .06 | N |
| | | 3399214069 ASP SUPPLIES | 01/03/2019 | 19445286 PO-190518 | .06 | N |
| | | 3399812440 ASP SUPPLIES | 01/03/2019 | 19445286 PO-190518 | 69.47 | N |
| | | 3399812440 ASP SUPPLIES | 01/03/2019 | 19445286 PO-190518 | .24 | N |
| | | 3399812440 ASP SUPPLIES | 01/03/2019 | 19445286 PO-190518 | .24 | N |
| | | 3399130712 ASP SUPPLIES | 01/03/2019 | 19445286 PO-190519 | 67.20 | N |
| | | 3399130712 ASP SUPPLIES | 01/03/2019 | 19445286 PO-190519 | .23 | N |
| | | 3399130712 ASP SUPPLIES | 01/03/2019 | 19445286 PO-190519 | .23 | N |
| | | 3399651087 ASP SUPPLIES | 01/03/2019 | 19445286 PO-190519 | 9.85 | N |
| | | 3399651087 ASP SUPPLIES | 01/03/2019 | 19445286 PO-190519 | .03 | N |
| | | 3399651087 ASP SUPPLIES | 01/03/2019 | 19445286 PO-190519 | .03 | N |
| | | 3399214070 ASP SUPPLIES | 01/03/2019 | 19445286 PO-190519 | 5.81 | N |
| | | 3399214070 ASP SUPPLIES | 01/03/2019 | 19445286 PO-190519 | .02 | N |
| | | 3399214070 ASP SUPPLIES | 01/03/2019 | 19445286 PO-190519 | .02 | N |
| | | 3400181767 HR SUPPLIES | 01/08/2019 | 19446204 PO-190073 | 16.50 | N |
| | | 3399130710 BU SOFF SUPPLIES | 01/08/2019 | 19446204 PO-190118 | 11.34 | N |
| | | 3401363662 BUS OFF SUPPLIES | 01/08/2019 | 19446204 PO-190118 | 91.19 | N |
| | | 3401363663 BUS OFF SUPPLIES | 01/08/2019 | 19446204 PO-190118 | 18.73 | N |
| | | 3399738139 DHW SUPPLIES | 01/08/2019 | 19446204 PO-190231 | 38.20 | N |
| | | 3392847517 DHW SUPPLIES | 01/08/2019 | 19446204 PO-190244 | 87.09 | N |
| | | 3399130711 WIND RIVER SUPPLES | 01/08/2019 | 19446209 PO-190408 | 12.53 | N |
| | | 3399651086 DHW SUPPLIES | 01/08/2019 | 19446229 PV-190380 | 22.90 | N |
| | | 3402683498 BUS OFF CREDIT | 01/24/2019 | 19449413 PO-190118 | 43.68 | N |
| | | 3401704324 BUS OFF SUPPLIES | 01/24/2019 | 19449413 PO-190118 | 21.61 | N |
| | | 3402342825 BUS OFF SUPPLIES | 01/24/2019 | 19449413 PO-190118 | 21.71 | N |
| | | 3402683499 BUS OFF SUPPLIES | 01/24/2019 | 19449413 PO-190118 | 147.58 | N |
| 014723 STAR AUTISM SUPPORT 6663 SW BEAVERTON-HILLSDALE HWY #119 PORTLAND, OR | 323.30 | 20487 SP ED STAR SUBSCRIPTION | 01/08/2019 | 19446193 PO-190856 | 323.30 | N |
| (503) 297-2864 N | | | | | | |
| 013400 STATE BOARD OF EQUALIZATION PO BOX 942879 SACRAMENTO, CA 94279-8044 | 273.00 | OCT-DEC 2018 SALES USE TAX | 01/24/2019 | 19449417 PV-190399 | 273.00 | N |

(0) - 0 N



| | | | | | | |
|-----------|---------------|------------|----------|-----------|--------|---|
| 470088592 | DO SUPPLIES | 01/17/2019 | 19448264 | PO-190034 | 190.46 | N |
| 471507509 | DO SUPPLIES | 01/17/2019 | 19448264 | PO-190034 | 293.36 | N |
| 470247560 | DO SUPPLIES | 01/17/2019 | 19448264 | PO-190034 | 114.57 | N |
| 470806035 | ISLE SUPPLIES | 01/17/2019 | 19448264 | PO-190034 | 21.21 | N |
| 470088600 | DO SUPPLIES | 01/17/2019 | 19448264 | PO-190034 | 33.41 | N |
| 469604839 | CAFE SUPPLIES | 01/24/2019 | 19449429 | PV-190407 | 198.97 | N |
| 472208065 | DO SUPPLIES | 01/29/2019 | 19450300 | PO-190034 | 221.86 | N |

| Vendor Name/Address | Total | Description | Date | Warrant Reference | Amount | 1099 |
|--|----------|--|--|--|--------------------------------|------------------|
| 013947 SUPPLY WORKS (Continued...) | | 473370450 DO SUPPLIES | 01/29/2019 | 19450300 PO-190034 | 293.36 | N |
| 014675 TALLEY, ELAINE 6 PARKSIDE DR DAVIS, CA 95616 | 870.00 | 2019-05 SP ED PROF SERVICES | 01/29/2019 | 19450301 PO-190324 | 870.00 | Y |
| (530) 304-0090 | | | | | | Y |
| 014849 TEACH 4 MASTERY INC 258 SKYRIDGE LANE ESCONDIDO, CA 92026 | 1,578.72 | 1743 SP ED SUPPLIES | 01/24/2019 | 19449400 PO-190659 | 1,578.72 | N |
| (800) 745-8212 | | | | | | N |
| 014703 TEACHER LEARNING CENTER PO BOX 20481 ROCHESTER, NY 14602 | 1,428.00 | H3NN5KY7JH5 ED SV TRAINING MBN3DYLGV98 ED SV TRAINING | 01/29/2019 01/29/2019 | 19450283 PO-190781 19450283 PO-190781 | 1,190.00 238.00 | N N |
| (800) 772-5227 | | | | | | N |
| 014773 THARP, DANIELLE PO BOX 861 ELK GROVE, CA 95759 | 49.16 | SP ED SUPPLIES | 01/24/2019 | 19449434 TC-190181 | 49.16 | N |
| (0) - 0 | | | | | | N |
| 011695 THOMSON WEST P.O. BOX 64833 ST PAUL, MN 55164-0833 | 1,634.88 | 839612129 HR SUBSCRPTN BOOK | 01/24/2019 | 19449426 PV-190402 | 1,634.88 | N |
| (0) - 0 | | | | | | N WEST PUBLISHIN |
| 014873 TPX COMMUNICATIONS PO BOX 509013 SAN DIEGO, CA 92150-9013 | 2,691.33 | RVHS PHONE DO PHONE DHS PHONE | 01/15/2019 01/15/2019 01/15/2019 | 19447672 PV-190390 19447672 PV-190390 19447672 PV-190390 | 1,150.48 392.52 1,148.33 | N N N |
| (877) 487-2877 | | | | | | N |
| 012705 TROXELL COMMUNICATIONS INC | 1,777.13 | 156728/1567952 DHS SUPPLIES | 01/29/2019 | 19450284 PO-190826 | 1,000.00 | N |

4830 S 38TH STREET
PHOENIX, AZ 85040

156728/1567952 CMS SUPPLIES

01/29/2019 19450284 PO-190826

777.13 N

(916) 253-3323

N

| Vendor Name/Address | Total | Description | Date | Warrant Reference | Amount | 1099 |
|---|-----------|--|--|--|---|--|
| 012694 U.S. BANK 221 SOUTH FIGUEROA ST, STE 210 LM-CA-F2TC LOS ANGELES, CA 90012 | 21,488.84 | DEC 2018 GASB 45 JAN 2019 GASB 45 | 01/03/2019 01/24/2019 | 19445299 PV-190352 19449424 PV-190404 | 10,775.78 10,713.06 | N N |
| (0) - 0 N | | | | | | |
| 001896 UNITED PARCEL SERVICE INC 55 GLENLAKE PARKWAY NE ATLANTA, GA 30328 | 209.80 | DO SHIPPING DO SHIPPING DO SHIPPING | 01/03/2019 01/17/2019 01/24/2019 | 19445298 PV-190351 19448268 PV-190393 19449423 PV-190403 | 54.40 121.13 34.27 | N N N |
| (0) - 0 N | | | | | | |
| 013419 US BANK NATIONAL ASSOCIATION 1310 MADRID ST SUITE 101 MARSHALL, MN 56258 | 866.60 | 374269777 RVHS LEASE 375416294 DHW LEASE | 01/08/2019 01/24/2019 | 19446206 PO-190062 19449414 PO-190211 | 324.38 542.22 | N N |
| (800) 328-5371 N | | | | | | |
| 013997 VERIZON WIRELESS ONE VERIZON PLACE ALPHARETTA, GA 30004 | 2,157.35 | DHW ADMIN RMS SFTY ASES 2 ASES 3 RVHS SFTY RVHS CUST ASES 1 WG SFTY BATES ADMIN ED SV DO SFTY NURSE DHS CUST BATES CUST RMS ADMIN DHW SFTY ISLE SFTY NURSE TRANS 1 ISLE ADMIN RVHS ADMIN | 01/03/2019 01/08/2019 | 19445300 PV-190358 19446230 PV-190381 | 72.73 .18 48.44 45.09 23.58 193.49 43.49 .18 73.61 25.43 67.63 30.35 211.31 103.62 47.17 .18 .18 35.60 161.18 25.17 91.02 | 7 |
| () - Y VERIZON WIRELE | | | | | | |

| | | | | | |
|------------|------------|----------|-----------|--------|---|
| OPERATIONS | 01/08/2019 | 19446230 | PV-190381 | 16.20 | 7 |
| WG CUST | 01/08/2019 | 19446230 | PV-190381 | 48.19- | 7 |
| DHW CUST | 01/08/2019 | 19446230 | PV-190381 | 24.34- | 7 |
| RMS CUST | 01/08/2019 | 19446230 | PV-190381 | 51.81 | 7 |
| ISLE CUST | 01/08/2019 | 19446230 | PV-190381 | 51.81 | 7 |
| DHS SFTY | 01/08/2019 | 19446230 | PV-190381 | .18 | 7 |
| TRANS 2 | 01/08/2019 | 19446230 | PV-190381 | 1.82 | 7 |

| Vendor Name/Address | Total | Description | Date | Warrant Reference | Amount | 1099 |
|---------------------------------------|----------|--------------------------|------------|--------------------|----------|------|
| ----- | | | | | | |
| 013997 VERIZON WIRELES (Continued...) | | GARDENERS | 01/08/2019 | 19446230 PV-190381 | 62.85 | 7 |
| | | CMS CUST | 01/08/2019 | 19446230 PV-190381 | 51.81 | 7 |
| | | COUNSELORS | 01/08/2019 | 19446230 PV-190381 | 61.29 | 7 |
| | | SP ED | 01/08/2019 | 19446230 PV-190381 | 171.28 | 7 |
| | | SP ED | 01/08/2019 | 19446230 PV-190381 | 39.39 | 7 |
| | | BEHAVORIST | 01/08/2019 | 19446230 PV-190381 | 37.17 | 7 |
| | | MAINT | 01/08/2019 | 19446230 PV-190381 | 230.49 | 7 |
| | | SP ED | 01/08/2019 | 19446230 PV-190381 | 81.38 | 7 |
| | | DHW ADMIN CELLULAR | 01/24/2019 | 19449425 PV-190405 | 72.77 | 7 |
| ----- | | | | | | |
| 000679 WARREN E GOMES EXCAVATING INC | 7,426.02 | PAY APP #2 PROJ DHW LOOP | 01/03/2019 | 19445268 PO-190427 | 6,364.14 | N |
| P.O. BOX 369 | | 2169 MAINT GRAVEL | 01/29/2019 | 19450285 PO-190871 | 1,061.88 | N |
| RIO VISTA, CA 94571 | | | | | | |
| (707) 374-2881 | | | | | | N |
| ----- | | | | | | |
| 010906 WASTE MANAGEMENT OF WOODLAND | 1,494.10 | DHW WASTE | 01/08/2019 | 19446231 PV-190382 | 735.95 | N |
| P.O. BOX 78251 | | DHW WASTE | 01/08/2019 | 19446231 PV-190382 | 758.15 | N |
| PHOENIX, AZ 85062-8251 | | | | | | |
| (0) - 0 | | | | | | N |
| ----- | | | | | | |
| 014858 WELLNESS TOGETHER | 1,952.35 | 874165647 SP ED CONF | 01/15/2019 | 19447665 PO-190879 | 1,952.35 | N |
| 5701 LONETREE BLVD. #210 | | | | | | |
| ROCKLIN, CA 95765 | | | | | | |
| (877) 412-8031 | | | | | | N |
| ----- | | | | | | |
| 012528 WILLIAMS SCOTSMAN INC | 4,564.88 | RMS MODULAR LEASE | 01/03/2019 | 19445305 PV-190356 | 1,141.22 | N |
| 4911 ALLISON PARKWAY | | DHW MODULAR LEASE | 01/03/2019 | 19445305 PV-190356 | 1,141.22 | N |
| VACAVILLE, CA 95688 | | RVHS MODULAR LEASE | 01/03/2019 | 19445305 PV-190356 | 1,141.22 | N |
| | | RMS MODULAR LEASE | 01/03/2019 | 19445305 PV-190356 | 1,141.22 | N |
| (707) 451-3000 | | | | | | N |
| ----- | | | | | | |
| 003308 WRIGHT, KATHERINE | 110.00 | ED SV SUPPLIES | 01/29/2019 | 19450302 PO-190355 | 110.00 | N |
| 400 SOUTH FRONT STREET | | | | | | |
| RIO VISTA, CA 94571 | | | | | | |
| (0) - 0 | | | | | | N |

091 RIVER DELTA UNIFIED
JANUARY 2019 EXPENDITURES

Vendor Activity
01/01/2019 - 01/31/2019

J95168 VE0320 L.00.03 02/04/19 PAGE 30

| Vendor Name/Address | Total | Description | Date | Warrant Reference | Amount | 1099 |
|--|--------------|--|--|--|-----------------------------|-------------|
| 014706 ZOOM IMAGING SOLUTION 200 S. HARDING BLVD ROSEVILLE, CA 95678 | 3,213.89 | 2034967 WIND RIVER MAINT AGRMN 2042489 DHW MAINT CONTRCT 2036726 WIND RIVER MAINT CONT | 01/03/2019 01/17/2019 01/17/2019 | 19445289 PO-190210 19448266 PO-190210 19448267 PO-190210 | 50.64 2,758.97 404.28 | N N N |
| (916) 369-6526 | | | | | | N |
| District total: | 1,002,034.66 | | | | | |
| Report total: | 1,002,034.66 | | | | | |

BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT
445 Montezuma Street
Rio Vista, CA 94571-1651

BOARD AGENDA BRIEFING

Meeting Date: February 19, 2018

Attachments: None

From: Victoria Turk, Principal RVHS

Item Number: 10.4

SUBJECT

Approval for out-of-state travel for Rio Vista High School students to travel to the Oregon Shakespeare Festival in Ashland, Oregon from April 17-19, 2019

Action:

Consent Action: Yes

Information Only:

Background:

Mrs. Surla and RVHS students are seeking board approval for out of state travel to Ashland, Oregon on 4/17-19/19 to attend the Oregon Shakespeare Festival. Students will see four plays, three lectures by academic scholars, and attend a behind the scenes tour of the theater.

Status:

Out of state travel for RDUSD students requires board action

Presenter: Victoria Turk

Other People Who Might Be Present: Donnie Surla and RVHS students

Cost &/or Funding Sources: Students will pay cost

Recommendation:

The Board approve out of state travel to Ashland, Oregon for RVHS students on April 17-19, 2019

Time: 2 minutes

BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT
445 Montezuma Street
Rio Vista, CA 94571-1651

BOARD AGENDA BRIEFING

Meeting Date: February 19, 2019

Attachments: X

From: Antonia Slagle, Isleton Elementary Principal

Item #: 10.5

SUBJECT

Request to approve the Independent Contract for Services Agreement with Sacramento Theatre Company for the 2018-2019 school year at a cost not to exceed \$2,550. (paid by arts grant)

Action: _____
Consent Action: X
Information Only: _____

Background & Status:

Name of Vendor: Sacramento Theatre Company

Description of Service(s): To provide theatre instruction aligned with CCSS to 4th-6th grade students in weekly sessions for 5 weeks (4/5 grade) and 6 weeks (6th grade). Instructor will meet with teachers before programming starts as well as provide an introductory session to classes (i.e. assembly). Following programs, teachers will receive all curriculum.

Date(s) of Service(s): 2018-2019 school year (**February-May**)

Presenter:

Antonia Slagle, Principal, Isleton Elementary

Cost &/or Funding Sources (be specific)

Not to exceed \$ 2,550. paid by Sacramento Theatre Company through arts grant funding.

Recommendation:

That the Board approve the Independent Contract for Services Agreement with Sacramento Theatre Company for the 2018-2019 school year at a cost not to exceed the value of \$2,550.

Time: _____ 2 mins. _____



RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street

Rio Vista, California 94571-1651

(707) 374-1700 Fax (707) 374-2995

www.riverdelta.k12.ca.us

INDEPENDENT CONTRACT FOR SERVICES AGREEMENT

THIS AGREEMENT is entered into by and between the River Delta Unified School District hereinafter referred to as "DISTRICT," and Sacramento Theatre Company, as "CONSULTANT."

IT IS HEREBY MUTUALLY AGREED that Consultant will provide services under the following terms and conditions:

1. **TERM:** The term of this agreement is from FEBRUARY 2019 through MAY 2019. Extension or renewal requires approval of DISTRICT or authorized representative. Unless compensation is fixed on the basis of a daily or hourly rate, compensation will not be increased upon extension of the agreement without approval of the DISTRICT or authorized representative.

This agreement may be terminated with 30 days advance written notice by either party. In the event of termination for cause, CONSULTANT need be compensated only to the extent required by law.

2. **CONSULTANT SERVICES:** CONSULTANT agrees to perform, during the term of this agreement, the tasks, obligations and services detailed as follows: provide theatre arts integration instruction aligned with the English Language Arts standards to 4th and 5th grades (1 hour sessions, 5 sessions each) and 6th grade (2 hour sessions, 6 sessions), and a reflection meeting at the conclusion of classes.

3. **PAYMENT FOR SERVICES:** CONSULTANT shall receive compensation at the rate of:
 \$75.00 per hour for class instruction-22 hours, prep time, admin costs, travel (32 hours total)
 \$150.00 per hour for program meetings, prep time, admin costs, travel (1 hours total)
 for a total cost not to exceed \$ 2,550.00

In the event the CONSULTANT is required to travel outside Solano, Yolo or Sacramento Counties at the request of the DISTRICT, it is agreed that actual and necessary expenses incurred while performing such services shall be reimbursed. All payments will be based on invoices submitted to DISTRICT by CONSULTANT and approved by DISTRICT'S authorized representative. The CONSULTANT shall provide an itemization of costs on submitted invoice.

4. **RECORDS:** CONSULTANT will maintain full and accurate records in connection with this agreement and will make them available to DISTRICT for inspection at any time. CONSULTANT'S work product produced under this agreement shall be the property of DISTRICT and cannot be used without permission of same.
5. **STATUS OF CONTRACTOR:** DISTRICT and CONSULTANT agree that CONSULTANT, in performing the services specified in this agreement, shall act as an independent contractor and shall have control of all work and the manner in which it is performed. CONSULTANT shall be free to contract for similar service to be performed for other employers while under the contract with DISTRICT; CONSULTANT will not accept such engagements which interfere with performance under this agreement. CONSULTANT is not entitled to participate in any pension plan, insurance, bonus or similar benefits the DISTRICT provides for its employees. The CONSULTANT is not authorized to carry out any official act of the DISTRICT that is required to be done by an employee or office of the DISTRICT.
6. **HOLD HARMLESS AND INDEMNIFICATION:** CONSULTANT agrees to abide by the *Hold Harmless and Indemnification Agreement* attached to and made a part of this contract.

Independent Contractor Agreement

Creating Excellence To Ensure That All Students Learn

| | | | | |
|------------------------------------|---------------------------------------|---------------------------------|-----------------------|-----------------------|
| Bates School | Isleton School | Walnut Grove School | Delta High School | Wind River School |
| Clarksburg Middle | Riverview Middle | D.H. White Elementary | Rio Vista High School | Mokelumne High School |
| River Delta High/Elementary School | River Delta Community Day School..... | Delta Elementary Charter School | | |

- 7. **COMPLIANCE WITH LAWS:** CONSULTANT shall comply with all applicable federal, state and local laws, rules, regulations and ordinances involving its employees, including workers' compensation and tax laws.
- 8. **CONFLICTS OF INTEREST:** Consultants are responsible for complying with the Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations and may be required to file an annual Form 700 Conflict of Interest Statement of Economic Interests (as required following the passage of the Political Reform Act Government Code Section 81000, et seq.) (attached to and made a part of this contract).

The Superintendent may determine in writing that a particular consultant is hired to perform a range of duties that are limited in scope and, thus, is not required to comply fully with the disclosure requirements described in those Sections cited above. The Superintendent's determination is a public record and shall be retained for public inspection in the same manner and location as the Conflict of Interest Code Form 700 Statements of Economic Interest. In addition, if the contract itself contains Conflict of Interest/Statements of Economic Interest Disclosures, the consultant is not required to re-file with the district annually.

- 9. **MODIFICATION OR ASSIGNMENT:** This agreement may not be assigned by either party without express written consent to the other. No modification shall be effective unless approved in writing by DISTRICT or authorized representatives.

CONTRACTOR/CONSULTANT: RIVER DELTA UNIFIED SCHOOL
DISTRICT:

| | | | |
|----------------------------|---------|-------------------|------|
| Sacramento Theatre Company | 1.16.19 | Antonia L. Slagle | |
| Printed/Typed Name | Date | Requested By | Date |

| | |
|--|-------------------------|
| _____ | _____ |
| Social Security Number/Federal Tax ID Number | Approval Signature Date |

| | |
|---------------------------|-----------------------------|
| 1419 H St. Sacramento, CA | _____ |
| Address State Zip 95814 | Budget Code (Name & Coding) |

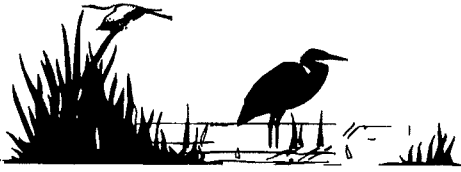
| | |
|--|-------------------------------|
| 916.446.7501 ext 116 | _____ |
| Contact Phone and Email hillenm@sactheatre.org | Board of Trustees Action Date |

M. Nuffer
Signature (Contractor/Consultant Authorized Representative)

Consultant must answer the two questions below:

- 1. Are you presently or have you been a member of PERS or STRS?
PERS: Yes ___ No ___
STRS: Yes ___ No ___
- 2. Are you presently an employee of River Delta Unified School District? Yes No ___

This contract is not valid nor an enforceable obligation against the District until approved or ratified by the Board of Trustees, duly passed and adopted.



RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street

Rio Vista, California 94571-1651

(707) 374-1700 Fax (707) 374-2995

HOLD HARMLESS & INDEMNIFICATION AGREEMENT

To the fullest extent permitted by law, Sacramento Theatre Company (Contractor/Consultant) agrees to defend, indemnify, hold harmless and waive all rights of subrogation against River Delta Joint Unified School District, its Board of Trustees, officers, agents and employees (collectively the "District") from and against any and all claims, costs, demands, expenses (including attorney's fees), losses, damages, injuries and liabilities, whether active or passive, arising from any accident, death, or injury whatsoever or however caused or alleged to be caused whether by the District or the Contractor/Consultant to any person or property because of, arising out of, or in any way related to the performance of this agreement. Contractor/Consultant shall not be responsible for the sole or willful liability of the District. It is understood and agreed that such indemnity shall survive the termination of this agreement.

Contractor/Consultant shall maintain their own contractual liability insurance to cover its obligations under this agreement. This indemnification is independent of and shall not in any way be limited by insurance carried by the Contractor/Consultant.

In the case of Facility Use Agreements, Contractor/Consultant further agrees to comply with the insurance requirements attachment to that contract and shall name the District as an additional insured via separate endorsement from its insurance carrier, and provide acceptable proof thereof to the District.

If the Contractor/Consultant should sublet any work to another party (i.e., subcontractor), Contractor/Consultant guarantees that such subcontractor shall indemnify the District prior to permitting subcontractor to commence its work. Contractor/Consultant shall obtain a signed agreement from such subcontractor indemnifying the District as set forth above. In addition, Contractor/Consultant shall require in its purchase orders that each supplier indemnify Contractor/Consultant and the District from any and all losses arising from any materials, products, or supplies included in such work.

In the case of any conflict with these requirements and the provisions of the agreement to which it is attached, these provisions shall prevail.

M. Noufer
Signature of Authorized Representative

1.16.19
Date Signed

Michele Hillen - Noufer
Typed/Printed Name of Authorized Representative

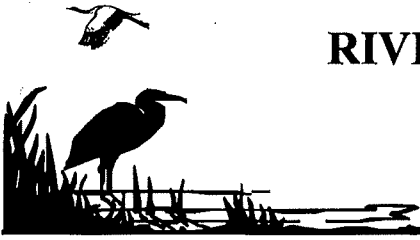
Sacramento Theatre Company
Company Name

Address, Email & Phone: 1419 H St.
Sacramento, CA 95814

1/14/08

Creating Excellence To Ensure That All Students Learn

- Bates School
- Isleton School
- Walnut Grove School
- Delta High School
- Wind River School
- Clarksburg Elementary
- Riverview School
- D.H. White Elementary
- Rio Vista High School
- Mokelumne High School
- River Delta High/Elementary School
- River Delta Community Day School.....Delta Elementary Charter School



RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street
Rio Vista, California 94571-1651
(707) 374-1700 Fax (707) 374-2995
www.riverdelta.k12.ca.us

Superintendent's Statement Regarding Consultant and Conflict of Interest Annual Statement Needed

This is to affirm that the Contractor/Independent Contractor (Consultant), Sacramento Theatre Co. is hired by this District to perform work as indicated below and/or per attached contract/agreement:

Description of Duties: Theatre integration classes

Will these duties and/or this Contractor/Consultant in any way have any level of influence on the expenditure of district revenues and/or resources?

No (If No, this consultant is not required to file the Form 700 with the district for the year(s) they are contracted by the district as long as the scope of duties do not change*).

Yes (If Yes, this consultant is required to file a statement of economic interests/conflict of interest disclosure with this district for the year(s) they are contracted by the district**)

_____ *This contractor/consultant (although identified as a "designated position" for purposes of the District's Conflict of Interest Code/Economic Interest Statement Form 700) is hired to perform a range of duties that are limited in scope and thus is not required to comply fully with the disclosure requirements described in the District's Conflict of Interest Code.

_____ **Either (a) _____ the contractor/consultant must file the Form 700 annually as long as they are contracted with the district or (b) _____ if the contract/agreement itself (provided by the contractor/district and district Board approved), contains conflict of interest disclosures, the contractor/consultant may attach that portion of the contract/agreement to this Statement (annually) in satisfaction of this requirement.

This determination is a public record and shall be retained for public inspection in the same manner and location as the District's Conflict of Interest Code Form 700s.

Don Beno, Superintendent

Date

1/14/08

Attachment : (Conflict of Interest Code)

Creating Excellence To Ensure That All Students Learn

- | | | | | |
|------------------------------------|----------------------------------|--------------------------------------|-----------------------|-----------------------|
| Bates School | Isleton School | Walnut Grove School | Delta High School | Wind River School |
| Clarksburg Middle | Riverview Middle | D.H. White Elementary | Rio Vista High School | Mokelumne High School |
| River Delta High/Elementary School | River Delta Community Day School |Delta Elementary Charter School | | |



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Attachment to Superintendent's Statement

DISTRICT'S CONFLICT-OF-INTEREST CODE

"The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict-of-interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Reg. Sec. 18730) which contains the terms of a standard conflict-of-interest code, which can be incorporated by reference in an agency's code. After public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the conflict-of-interest code of the River Delta Joint Unified School District.

Designated employees shall file their statements with the River Delta Joint Unified School District which will make the statements available for public inspection and reproduction. (Gov. Code Section 81008.) Statements for all designated employees will be retained by the River Delta Joint Unified School District in the Superintendent's Office."

Below are excerpts from attachments to the above Code regarding consultant disclosure:

Consultants must be included in the list of designated employees and must disclose pursuant to the broadest disclosure category in this code (*) subject to the following limitation: The superintendent may determine in writing that a particular consultant, although a "designated position", is hired to perform a range of duties that are limited in scope and thus is not required to comply fully with the disclosure requirements described in this Section. Such written determination shall include a description of the consultant's duties and, based on that description, a statement of the extent of disclosure requirements. The superintendent's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict-of-Interest Code. In addition, if the contract itself contains conflict of interest disclosures, the consultant is not required to re-file under this provision.

Designated persons in this category must report: (a) Interests in real property which are located entirely or partly within district boundaries, or within two miles of district boundaries or of any land owned or used by the district. Such interests include any leasehold, beneficial or ownership interest or option to acquire such interest in real property. (b) Investments or business positions in or income, including gifts, loans, and travel payments, from sources which: (1) are engaged in the acquisition or disposal of real property within the district. (2) are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the district, or (3) manufacture or sell supplies, books, machinery or equipment of the type used by the district.

1/14/08

Creating Excellence To Ensure That All Students Learn

Bates School Isleton School Walnut Grove School Delta High School Wind River School
Clarksburg Elementary Riverview School D.H. White Elementary Rio Vista High School Mokelumne High School
River Delta High/Elementary School River Delta Community Day School.....Delta Elementary Charter School



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CONTRACTOR INSURANCE REQUIREMENTS

Contractor represents that it does carry and will continue to carry, with Insurance companies acceptable to the District, the following insurance coverages for any work or liability, including products and completed operations, arising out of or in any way connected with the work under this agreement:

Commercial General Liability Coverage—on an “occurrence form” policy containing a per occurrence limit of at least \$1,000,000 or the total cost of the project, whichever is more, protecting against bodily injury, property damage and personal injury claims arising from the exposures of (1) premises and operations; (2) products and completed operations (with a separate limit of coverage at least equal to the per occurrence limit); (3) independent subcontractors; (4) Contractual liability risk covering the indemnity obligations set forth in the hold harmless and indemnification agreement; and (5) where applicable, property damage resulting from explosion, collapse, or underground (x, c, u) exposures. The policy may not contain any exclusion or reduction in coverage for any of the above listed exposures.

Automobile Liability Coverage—insuring against bodily injury and/or property damage arising out of the operation, use, loading or unloading of any auto including owned, non-owned, hired and employee autos with limits of at least \$1,000,000.

Worker’s Compensation and Employer’s Liability Coverage—providing statutory benefits imposed by applicable state or federal laws such that the District will have no liability to Contractor or its employees, subcontractors and agents; and that Contractor will satisfy all Worker’s Compensation obligations imposed by state law. If Contractor has any employees that are subject to the rights and obligations of the Longshoremen and Harbor Workers Act, then the Worker’s Compensation Insurance must be broadened to provide such coverage. In addition, Contractor agrees to carry Employer’s Liability Coverage with limits of not less than \$1,000,000 per accident for each employee.

Professional Liability Coverage—insuring, where applicable, for any exposures resulting from professional liability with limits of at least \$1,000,000.

Additional Insured—Contractor shall add “River Delta Unified School District, its board of trustees, officers, agents and employees” (collectively the “District”) as an additional insured via separate endorsement by having the insurance carrier issue an ISO CG 20 10 edition date 11 85 Additional Insured Endorsement or its equivalent. Such endorsement must include completed operations coverage for the benefit of the additional insured. This extension shall apply to the full extent of the actual limits of Contractor’s coverages even if such actual limits exceed the minimum limits required by this agreement. The District’s additional insured status under the policy(ies) must not be limited by amendatory language to the policy. To the extent umbrella or excess insurance is available above the minimum required limits stated in this Agreement, the protection afforded the District in the umbrella or excess liability insurance shall be as broad or broader than the coverages present in the underlying insurance and in accordance with this agreement. Each general liability, umbrella, or excess policy shall specifically state that the insurance provided by the Contractor shall be considered primary, and insurance of the District shall be considered excess for purposes of responding to claims.

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Delta High School
Rio Vista High School

Wind River School
Mokelumne High School

Contractor shall evidence that such insurance is in force by furnishing the District with acceptable proof thereof with a Certificate of Insurance together with a copy of the declarations page of the policies and all policy endorsements, or if requested by the District, certified copies of the policies. The certificate, declarations page, and all policy endorsements shall become a part of this agreement. Each certificate of insurance shall (1) contain an unqualified statement that the policy shall not be subject to cancellation, nonrenewal, adverse change, or reduction of amounts of coverage without thirty (30) days prior written notice to the District, but in the event of non-payment of premium, ten (10) days notification will be provided; (2) show the District as Additional Insured by referencing and attaching the required endorsement; (3) shall indicate that the Contractor's coverage is primary and the District's insurance is excess for any claims; and (4) as to CGL coverage shall state "Policy includes contractual liability coverage insuring the agreement and obligations of the insured to indemnify the District and others to the extent set forth in the Agreement between the insured and the District."

Subcontractors and Suppliers—If the Contractor should sublet any work to another party (subcontractor), Contractor guarantees that such subcontractor shall indemnify the District as set forth in this agreement and shall carry insurance as set forth in these requirements prior to permitting subcontractor to commence its work. Contractor shall obtain a signed agreement from such subcontractor indemnifying the District as set forth in this Agreement and agreeing to carry insurance as set forth above. In addition, Contractor shall require in its purchase orders that each supplier indemnifies Contractor and the District from all losses arising from any materials, products, or supplies included in such work.

Any attempt by the Contractor to cancel or modify such insurance coverage, or any failure by the Contractor to maintain such coverage, shall be default under this Agreement and, upon such default, the District will have the right to terminate this Agreement and/or exercise any of its rights at law or at equity. In addition to other remedies, the District may, at its discretion, withhold payment of any sums due under this Agreement until Contractor provides adequate proof of insurance.

These insurance requirements are independent of and shall not in any way limit the indemnity obligations of the Contractor under this agreement.

The amounts and types of insurance set forth above are minimums required by the District and shall not substitute for an independent determination by Contractor of the amounts and types of Insurance which Contractor shall determine to be reasonably necessary to protect itself and its work. The District reserves the right to modify these provisions relating to indemnification and insurance, and Contractor agrees to be bound by such modifications 30 days after receipt of the modified provisions.

Failure to enforce any of the provisions of these requirements or any of the provisions of this agreement shall in no way constitute a waiver of such provisions. In the case of any conflict with these requirements and the provisions of the agreement to which it is attached, these provisions shall prevail.

M. Noufer
Signature of Authorized Representative

1-16-19
Date Signed

Michele Hilen-Noufer
Typed/Printed Name of Authorized Representative

Sacramento Theatre Co.
Company Name

Address, Email & Phone: 1419 H street
Sacramento, CA 95814

1/14/08

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BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT
445 Montezuma Street
Rio Vista, CA 94571-1651

BOARD AGENDA BRIEFING

Meeting Date: February 19, 2019

Attachments: X

From: Nick Casey, Principal of D.H. White Elementary School

Item Number: 10.6

SUBJECT

Request to approve out of state travel to Seattle, Washington for the 2019 General & Special Education conference on March 5-7, 2019 for Nick Casey, Christina Esperson and Danielle Tharp.

Action:

Consent Action: X

Information Only:

Background:

This conference offers many sessions that address site (D.H. White) goals and district LCAP goals including: strategies for students with disabilities, positive behavior interventions and supports (PBIS), multi-tiered systems of support, emotional and behavioral disorders, trauma-informed approaches and crisis management. A district team attending this intensive 3-day learning conference will benefit the district and increase collaboration between general education and special education. The district team will bring back the knowledge learned and share out at site and district level.

Status:

If approved, we will attend the 2019, General & Special Education conference.

Presenter: Nick Casey

Other People Who Might Be Present: n/a

Cost &/or Funding Sources

Conference cost is \$525 per person, Hotel approximately \$200 per night, Airfare approximately \$250, food and incidentals \$100 per day. Special Education and Site Funds will cover all costs. Cost covers 3-intensive days of full-day workshops.

Recommendation:

That the board approves the out of state travel to the 2019 General & Special Education conference in Seattle, Washington on March 5-7, 2019 for Nick Casey, Christina Esperson and Danielle Tharp.

Time: 5 mins.

2019 General & Special Education Conference-Seattle

PRE-K THROUGH 21 YEARS

A Professional Continuing Education Event

March 5, 6 & 7, 2019
Tuesday, Wednesday & Thursday



Western Washington University
College Credits (graduate level)

19.5 OSPI Clock Hours (CECHs)

Professional CE Hours:



Seattle, Washington

CHOOSE FROM 30 INTENSIVE
FULL-DAY COURSES

Internationally Renowned
Speakers & Researchers will present
on a variety of topics including:

- Trauma-Informed Approaches
- The SCERTS Model: A Comprehensive Educational Approach for Children with ASD
- Supporting Preschool Child Development
- Social-Emotional Learning
- Culturally Responsive Classroom Practice
- iPad Boot Camp
- Creating Assistive Technology Solutions
- Practical Management of Tough Kids
- Crisis Management
- Growth Mindsets and Student Achievement
- Learning Disabilities & Executive Function
- Mathematics... And MUCH more



Sponsored by:

REHAB SEMINARS

GENERAL & SPECIAL EDUCATION CONFERENCES

Phone: (360) 379-6994 Fax: (360) 379-5271
Address: 500 Goss Road, Port Townsend, WA 98368

Multiple course choices are available each day and courses are NOT repeated. When registering for the conference, indicate your course choices. A seat will be reserved for you. You may change courses during the day if seating is available. For full course descriptions, go to the page referenced next to each course title below.

DAY ONE: TUESDAY MARCH 5, 2019**Autism & Dev. Disorders 8 months - Adulthood**

Course #1 – The SCERTS Model: A Comprehensive Educational Approach for Children with Autism Spectrum Disorders and Related Developmental Disabilities-Part 1 by Barry M. Prizant, PhD, CCC-SLP, Providence, RI (Day 1) (pg 9)

Trauma-Informed Approaches K - 10th Grade

Course #2 – The Integration of Trauma-Informed Approaches and Positive Behavioral Interventions and Supports within a Multi-Tiered System of Supports Framework-Part 1 by Lynne DeSousa, MS, School Psychologist, Denver, CO (Day 1) (pg 10)

Student Motivation & Achievement K - 21 years

Course #3 – Use the Power of Mindsets to Transform Behavior and Teaching by MaryAnn Brittingham, MS, Family and Child Counseling, Pine Bush, NY (pg 11)

iPad Boot Camp PreK - 21 years

Course #4 – iPad Boot Camp: Awesome New iPad Apps, Adaptations and Accessories-Part 1 by Therese Willkomm, PhD, ATP, Durham, NH (Day 1) (pg 12)

Reducing Behavior Issues & Anxiety Birth - 8th Grade

Course #5 – Combining Sensory and Mindfulness Strategies to Reduce Behavior Issues and Anxiety-Part 1 by Bek Miremis, OTR/L, Seattle, WA (Day 1) (pg 13)

Math Using Kagan Structures 6th Grade - 21 years

Course #6 – Secondary Math: Using Kagan Structures to Boost Engagement and Learning by Rob Jutras, BS, Kagan Professional Development, San Clemente, CA (pg 14)

Promoting Executive Functions PreK - 21 years

Course #7 – Promoting and Coaching Executive Functioning in the Classroom-Part 1 by Shannon Kuschel, MS, LPC, PCET, National Institute for Learning Development, Suffolk, VA (Day 1) (pg 15)

Visual Learners 3 years - 10th Grade

Course #8 – Inclusive Classrooms for Visual Learners by Alyse Rostamizadeh, MEd, Educational Consultant, Tualatin, OR (pg 16)

Dyslexia K - 21 years

Course #9 – Dyslexia: What It Is, What It Is Not and How to Help by Kelli Sandman-Hurley, EdD and Tracy Block-Zaretsky, BA, Dyslexia Training Institute, San Diego, CA (pg 17)

Multi-tiered System of Support K - 21 years

Course #10 – Instructional Considerations for Implementing MTSS: Improving the Performance of Students Who Are At Risk for Academic Failure by Marcy Stein, PhD, University of Washington Tacoma and William Rasplica, MS, Consultant (pg 18)

DAY TWO: WEDNESDAY MARCH 6, 2019**Autism & Dev. Disorders 8 months - Adulthood**

Course #11 – The SCERTS Model: A Comprehensive Educational Approach for Children with Autism Spectrum Disorders and Related Developmental Disabilities-Part 2 by Barry M. Prizant, PhD, CCC-SLP, Providence, RI (Day 2) (pg 19)

Trauma-Informed Approaches K - 10th Grade

Course #12 – The Integration of Trauma-Informed Approaches and Positive Behavioral Interventions and Supports within a Multi-Tiered System of Supports Framework-Part 2 by Lynne DeSousa, MS, School Psychologist, Denver, CO (Day 2) (pg 20)

Crisis Management 2nd Grade - 21 years

Course #13 – Getting through a Crisis without Making it Worse: ACT instead of React by MaryAnn Brittingham, MS, Family and Child Counseling, Consultant, Pine Bush, NY (pg 21)

iPad Boot Camp PreK - 21 years

Course #14 – iPad Boot Camp: Awesome New iPad Apps, Adaptations and Accessories-Part 2 by Therese Willkomm, PhD, ATP, Durham, NH (Day 2) (pg 22)

Reducing Behavior Issues & Anxiety Birth- 8th Grade

Course #15 – Combining Sensory and Mindfulness Strategies to Reduce Behavior Issues and Anxiety-Part 2 by Bek Miremis, OTR/L, Seattle, WA (Day 2) (pg 23)

Social Skills 4th - 6th Grades

Course #16 – Practical Strategies for Implementing Social Skills in the Classroom and in Therapy by Felice Clark, MA, CCC-SLP, Roseville, CA (pg 24)

Promoting Executive Functions PreK - 21 years

Course #17 – Promoting and Coaching Executive Functioning in the Classroom-Part 2 by Shannon Kuschel, MS, LPC, PCET, National Institute for Learning Development, Suffolk, VA (Day 2) (pg 25)

Emotional and Behavioral Disorders K - 7th Grade

Course #18 – Practical Management of Tough Kids: An Evidence-Based Approach by William Jenson, PhD, Educational & Child Psychologist, University of Utah (pg 26)

Neuromotor Skills & Adaptive PE Birth - 6th Grade

Course #19 – Identification and Remediation of Neurodevelopmental Disorders Including Autism by Torey Gilbertson, DPT, Anna Fragomeni, DPT, & Shawn Israel, DPT, University of Washington, Seattle, WA (pg 27)

Vocabulary Development 2nd Grade - 21 years

Course #20 – Word Smarts! Building Student Vocabulary through Morphology by William Van Cleave, MA, Educational Consultant, Louisville, KY (pg 28)

DAY THREE: THURSDAY MARCH 7, 2019

Autism & Self-Injurious Behaviors All Ages

Course #21 – Behavioral Assessment and Treatment of Students that Exhibit Self-Injurious Behavior and Related Disorders by Timothy Vollmer, PhD, BCBA, Gainesville, FL (pg 29)

Trauma-Informed Approaches K- 10th Grade

Course #22 – The Integration of Trauma-Informed Approaches and Positive Behavioral Interventions and Supports within a Multi-Tiered System of Supports Framework-Part 3 by Lynne DeSousa, MS, School Psychologist, Denver, CO (Day 3) (pg 30)

Preschool Child Development 3 years- K

Course #23 – Science to Practice: Understanding and Supporting Preschool Child Development in Literacy, Mathematics, and Social-Emotional Learning by Kristen Missall, PhD, University of WA (pg 31)

Assistive Technology Solutions Birth - Adulthood

Course #24 – Creating Assistive Technology Solutions in Minutes by Therese Willkomm, PhD, ATP, Durham, NH (pg 32)

Functional Writing Skills 2nd Grade- 21 years

Course #25 – From Words to Works! Developing Foundational Writing Skills in Students of All Ages by William Van Cleave, MA, Educational Consultant, Louisville, KY, (pg 33)

Make and Take Therapy Ideas for SLPs K- 6th Grade

Course #26 – Make and Take: Hands-on Therapy Ideas that Speech Pathologists Can Use Tomorrow by Felice Clark, MA, CCC-SLP, Roseville, CA (pg 34)

Neuroscience & Education PreK- 21 years

Course #27 – Mind the Gap! Neuroscience & Education by Shannon Kuschel, MS, LPC, PCET, National Institute for Learning Development, Suffolk, VA (pg 35)

Emotional and Behavioral Disorders K- 7th Grade

Course #28 – Advanced Tough Kid Behavior Management Techniques, Reductive Techniques, Social Skills, On-Task in a Box and the Electronic Homenote by William Jenson, PhD, Educational & Child Psychologist, University of Utah (pg 36)

Critical Math Tools K- 6th Grade

Course #29 – Critical Math Tools Every Classroom Needs To Have and Use Today! by Kim Sutton, MA, Creative Mathematics, Arcata, CA (pg 37)

Culturally Responsive Teaching All Grade Levels

Course #30 – Culturally Responsive Teaching: Closing the Opportunity Gap by Caprice D. Hollins, PsyD, Clinical Psychologist, Cultures Connecting, Renton, WA (pg 38)

Rehab Seminars has assembled educational and scientific experts from across the United States to teach intensive, full-day courses on a variety of important topics for professionals working with students/clients from birth to young adulthood. Distinguished faculty members include:



MaryAnn Brittingham, MS, holds a Master's degree in Family and Child Counseling from Long Island University and a Bachelor's degree in Elementary and Special Education from D'Youville College. She has over 30 years of experience as a

special education teacher and child/family counselor, with experience working in psychiatric settings creating therapeutic options for students who require higher levels of emotional and academic support. MaryAnn is a certified trainer at Life Space Crisis Intervention, which uses interactive therapeutic strategies to transform crisis situations into learning opportunities, and she teaches graduate level courses in special education and educational psychology at two colleges in New York. Her passion is to help educators gain insights into student behaviors in order to create a safe learning environment where students can discover their talents. MaryAnn is the author of several books including: *Transformative Teaching: Changing Today's Classroom Culturally, Academically and Emotionally*; *Respectful Discipline*; *Dealing with Difficult Parents*; and, *Motivating the Unmotivated: Practical Strategies for Teaching the Hard-to-Reach Student*. MaryAnn's courses focus on practical solutions for helping students to become successful in both the general education and the special education classroom. MaryAnn presented at the 2018 conference in Seattle and attendees requested that she return to teach additional courses this year. Disclosures: Financial - MaryAnn receives teaching and speaking fees from her company, Brittingham Personal Development Seminars. There are no nonfinancial relationships to disclose. *Maryann's full course descriptions are on pages 11 and 21.*



Tracy Block-Zaretsky, BA, is the co-founder of the Dyslexia Training Institute. She has provided remediation for children and adults with dyslexia for the past 20 years and has developed and taught workplace and family literacy programs.

She is a certified Special Education advocate assisting parents and children through the Individual Education Plan (IEP) and 504 Plan process. She is a past President of the San Diego Branch of the International Dyslexia Association. Tracy has training in Structured Word Inquiry, the Orton-Gillingham approach, Lindamood-Bell programs, Read Naturally and a variety of reading and writing assessments. She co-created and produced, *Dyslexia for a Day: A Simulation of Dyslexia*. Disclosures: Financial - Tracy receives teaching and speaking fees from the Dyslexia Training Institute. There are no nonfinancial relationships to disclose. *Tracy's full course description is on page 17.*



Felice Clark, MS, CCC-SLP, has been working as a school-based speech pathologist since January 2007. She is the owner and author of the website, *The Dabbling Speechie*. Felice has experience working with preschool to high school aged students. She specializes in working with students that have articulation, language and social pragmatic disorders in the elementary and middle school settings. Felice has a passion for sharing practical therapy ideas, strategies and resources that align with the current research and engage students in their learning. Disclosures: Financial - Felice is employed as a speech pathologist by the Twin Rivers Unified School District. She also receives speaking and consulting fees and is the owner of *The Dabbling Speechie*, an online provider of therapy materials and a therapy blog. There are no nonfinancial relationships to disclose. *Felice's full course descriptions are on pages 24 & 34.*



Lynne DeSousa, MS, is a Multi-Tiered System of Supports (MTSS) Specialist and the Positive Behavioral Interventions and Supports (PBIS) Statewide Coordinator for the Colorado Department of Education. In more than 24 years in education, she has served as a CDE regional TA provider, a district-level PBIS coordinator, a school-based PBIS Facilitator, a school psychologist and a counselor. Paramount to these experiences has been providing guidance on the alignment and integration of behavioral and mental health strategies into a layered continuum of evidence-based practices that matches supports to student need. Lynne has an MS in School Psychology from California State University, Fresno. Disclosures: Financial- Lynne is employed by the Colorado Department of Education, and she receives speaker/consultation fees. There are no nonfinancial relationships to disclose. *Lynne DeSousa's full course descriptions are on pages 10, 20 & 30.*



Anna Fragomeni PT, DPT, PCS, is a board certified pediatric physical therapist who has 20 years of experience working with children in acute care (including neonatal and pediatric intensive care units), hospital-based outpatient clinics, inclusive early intervention, preschool & kindergarten programs, and an infant development follow-up clinic. She is currently a physical therapist at the University of Washington's Experimental Education Unit and Medical Center neonatal intensive care unit. Anna is also an instructor in the physical therapy program at the University of Washington assisting in pediatric and pathophysiology courses. She is passionate about promoting inclusive education, PT service delivery in inclusive settings, and evaluating and working with infants, children and their families/caregivers at risk for neurodevelopmental differences. Her current teaching interests include increasing awareness of the physical therapist's role in evaluating and treating children with Autism Spectrum Disorder and infants at risk for developmental differences. Anna received a DPT from Shenandoah University in Virginia and a BS in PT from Ohio University. Disclosures: Financial- Dr. Fragomeni is employed by the University of Washington. There are no nonfinancial relationships to disclose. *Dr. Fragomeni's full course description is on page 27.*



Torey Gilbertson, PT, PhD, DPT, PCS, is a board certified specialist in pediatric physical therapy with 15 years of experience working in both clinical and school district settings working with children from pre-K through high school. His primary clinical interests have been working with children with movement disorders such as cerebral palsy (CP) and helping children acquire and utilize appropriate positioning and mobility equipment. Torey received his PhD in Rehabilitation Science at the University of Washington and his DPT from Pacific University in Oregon. He studied the use of a NeuroGame Therapy device using virtual reality to aid children with CP learn to isolate muscles in affected arms for functional skills. In another study with children with CP, NeuroGame Therapy was used to target muscles in both legs to help with lifting feet during walking to reduce falls. He is currently a lecturer in the division of Physical Therapy at the University of Washington co-instructing the Pediatric Physical Therapy course and teaching several other courses in the rehabilitation curriculum including anatomy and the kinesiology lab. Disclosures: Financial- Dr. Gilbertson is employed by the University of Washington. There are no nonfinancial relationships to disclose. *Dr. Gilbertson's full course description is on page 27.*



Caprice D. Hollins, PsyD is co-founder of Cultures Connecting, where she provides culturally relevant professional development and consulting services to organizations seeking to increase their awareness, knowledge and skills in effectively working across cultures. She received a BA degree in psychology from Seattle University and MA and PsyD degrees in clinical psychology with an emphasis in multicultural and community psychology from the California School of Professional Psychology-LA. She has over 20 years of experience studying and working with ethnically diverse populations. Her experience includes opening and directing the Department of Equity & Race Relations for Seattle Public Schools where she provided leadership around equity and cultural competence in an effort to dismantle institutional racism. Disclosures: Financial- Dr. Hollins receives speaker and consulting fees and has intellectual property rights to materials published by her firm. There are no non-financial disclosures. *Dr. Hollins' full course description is on page 38.*



Shawn Israel, PT, DPT, has been a physical therapist for the past 10 years, working with children for the past 8 years in a hospital-based outpatient clinic, inclusive birth-three and preschool programs, and outpatient private practice. She is passionate about promoting inclusion in the community for children with disabilities, increasing early mobility through the use of assistive technology, developing fitness-related programs for children with and without disabilities, working collaboratively with families and other professionals (educators, healthcare providers), figuring out creative solutions to work child/family goals into daily routines, and creating inclusive & accessible park spaces. Shawn is currently a physical therapist instructor in the Division of Physical Therapy at the University of Washington, co-instructing the Pediatric Physical Therapy course, teaching a pediatric physical therapy elective focused on promoting health & wellness across the lifespan in children with disabilities, and assisting in applied neuroscience and pathophysiology courses. Her teaching interests include course development, inclusion of evidence-based teaching strategies, and using active learning and variable teaching styles to best meet the needs of each individual learner. Disclosures: Financial- Dr. Isreal is employed by the University of Washington. There are no nonfinancial relationships to disclose. *Dr. Isreal's full course description is on page 27.*



William R. Jensen, PhD, cofounded the Pingree Autism Center for Learning with Mrs. Carmen Pingree in 1978. After directing the Children's Behavior Therapy Unit for eight years, Dr. Jensen joined the School Psychology Program in the Educational Psychology Department at the University of Utah in 1983. Dr. Jensen is currently a Professor in the Department of Educational Psychology and was Department Chair for 10 years. His research interests include autism, externalizing behavior disorders, the management of noncompliance and aggression, practical classroom behavior management, educational technology, behavioral assessment, academic interventions, and parent training. Dr. Jensen has published over 170 research articles, chapters, and books including the *Tough Kid On-Task in a Box Program*, *Functional Behavior Assessment of Absenteeism and Truancy*, *Functional Behavior Assessment of Bullying*, *Superheroes Social Skills Training Program*, *Tough Kid Book*, *Tough Kid Tool Box: A Resource Book*, *Tough Kid New Teacher Survival Kit*, *Tough Kid Parent Training Book: Why Me?*, *Tough Kid Principal's Briefcase*, *Applied Behavior Analysis in Teaching*, *Understanding Childhood Behavior Disorders*, *Teaching Behaviorally Disordered Students: Preferred Practices*, *Best Practices: Behavioral and Educational Strategies for Teachers*, *Homework Partners Series*, and *School Based Interventions for Students with Behavior Problems*, and classroom computer products including *Get'm On Task* program. In 2015, Dr. Jensen won the University of Utah's Distinguished Innovation and Impact Award for his research in interventions and treatments for children both nationally and internationally. Disclosures: Financial- Dr. Jensen is employed by the University of Utah and he receives royalties from Pacific Northwest Publishing. There are no nonfinancial relationships to disclose. *Dr. Jensen's full course descriptions are on page 26 & 36.*



Rob Jutras, BS, has ten years of experience as a classroom teacher, consultant and instructional coach. He has been a classroom teacher at the elementary, middle and high school levels. He received his BS Degree in Education with a concentration in mathematics from Rhode Island College in 1997. He has been a Certified National Trainer for Kagan Professional Development for over 13 years. He is passionate about sharing teaching strategies that he has found to have a profoundly positive effect on student learning by increasing student engagement. Rob has provided professional development courses in the United States for over 270 districts in 44 states and in Canada, France, Germany and Singapore. Disclosures: Financial- Rob receives speaker fees for his presentations from Kagan Professional Development. There are no non-financial disclosures. *Rob's full course description is on page 14.*



Shannon Kuschel, MS, LPC, PCET is the Research & Development Coordinator for the National Institute for Learning Development and an adjunct professor in the School of Psychology & Counseling at Regent University. She earned a Master of Science degree in Psychology from Palm Beach Atlantic University, is a Licensed Professional Counselor in the state of Virginia, and a Professionally Certified Educational Therapist. She is currently pursuing a PhD in Education with concentrations in Educational Psychology & Special Education. She has spent more than twenty years working with children, their families, and schools specializing in ADHD, dyslexia and other learning differences, as well as trauma and grief recovery. She has worked as a private practice therapist, school counselor, director of academic support, head of school, and researcher in Florida and Virginia. Her work utilizes a multi-disciplinary approach, integrating roles of clinician, educational therapist, educator and researcher. Research interests include cognitive development, learning development and disorders, cognitive and learning interventions with diverse

continued on page 6

populations, neuropsychology and its practical application to education. Her current research interest focuses on the role of the cerebellum in learning disabilities, processing speed and academic fluencies, including functional neuroimaging as a method of investigation. Disclosures: Financial- Shannon is employed by the National Institute for Learning Development. There are no nonfinancial relationships to disclose. *Shannon Kuschel's full course description is on pages 15, 25 & 35.*



Bek Miremis, MOTR/L, is an Occupational Therapist who specializes in holistic pediatric therapy. She achieved her Bachelor of Science in Psychology and Master of Occupational Therapy, and has since been working in pediatrics in a variety of settings. She has worked in public schools, private schools, birth to three centers, outpatient therapy centers, and currently runs her own private practice providing structural therapy for babies and children. She also teaches live continuing education classes throughout the US. Disclosures: Financial- Bek is employed by The Magical Ones and she receives speaker fees. There are no nonfinancial relationships to disclose. *Bek's full course descriptions are on pages 13 & 23.*



Kristen Missall, PhD, is an associate professor of education at the University of Washington. She is focused on understanding and supporting the development of children and her research centers on child growth and development from 3 to 8 years of age. This focus is a direct outgrowth of her professional experiences working as a school psychologist in early childhood and elementary settings coupled with balanced training in school psychology and special education. Three specific areas encapsulate most of her research to date: early academic and social development, data-based decision making (Rtl and MTSS), and school readiness/transition to school. She has a strong interest in the early language, literacy, math, and social skill development of preschoolers that is driven largely by her desire for children to have healthy and positive school-based experiences. Accordingly, several of her recent projects have been aligned with longitudinal and cross-age perspectives related directly to aligning state policies and accordingly, assessment and intervention models, for children pre-kindergarten through grade 6. Currently she serves as Associate Editor of the *Journal of Early Intervention*, and on the Editorial Boards of the *Journal of Early Intervention* and the *Journal of School Psychology*. Dr. Missall received her PhD in School Psychology from the University of Minnesota. Disclosures: Financial- Dr. Missall is employed by the University of Washington and she receives speaker fees. Nonfinancial- She is the Associate Editor of the *Journal of Early Intervention*, and on the Editorial Boards of the *Journal of Early Intervention* and the *Journal of School Psychology*. *Dr. Missall's full course description is on page 31.*



Barry Prizant, PhD, CCC-SLP, is recognized as one of the leading scholars in autism spectrum disorders and communication disabilities, with more than 40 years experience as a researcher and international consultant for individuals with autism and related disabilities. He is a certified Speech-Language Pathologist, an adjunct professor at Brown University, and Director of Childhood Communication Services, a private practice. Formerly, he was a professor of communication disorders at Emerson College and associate professor of psychiatry in the Brown University Medical School. Publications include four books, 130 chapters and articles and The SCERTS Model manuals, an educational approach now being implemented in more than a dozen countries. Barry has presented more than 800 seminars and keynote addresses internationally, and has developed, and for 20 years, has co-facilitated an annual retreat weekend for parents of family members on the autism spectrum. He was an invited featured speaker for World Autism Awareness Day at the United Nations in 2013 and 2017. Barry has received many honors including the 2014 Honors of the American Speech-Language-Hearing Association (ASHA's highest honor), 2005 Princeton University-Eden Career Award in autism, and the 2013 Divine Neurotypical Award of GRASP (Global Regional Asperger Syndrome Partnership). His new book is *Uniquely Human: A Different Way of Seeing Autism* (Simon & Schuster, 2015), and he is the recipient of the 2017 "Dr. Temple Grandin Award for the Outstanding Literary Work of the Year" by the Autism Society of America. Disclosures: Financial- Dr. Prizant receives speaking and teaching fees and royalties from his publications from Brookes Publishing, Inc. There are no nonfinancial relationships to disclose. *Dr. Prizant's full course descriptions is on pages 9 and 19.*



Bill Rasplica, MS, is the former executive director of learning support services for the Franklin Pierce Schools in Tacoma, WA where he was responsible for program accountability and development in the areas of special education, Title 1, Learning Assistance Program, and English Language Learners, and Section 504. Bill has extensive experience in district-wide (K-12) and school-based implementation of MTSS, including the areas of universal screening, multi-level prevention systems, progress monitoring, and data-based decision making. Bill is the recipient of the 2018 WASA/PEMCO Robert J. Handy Award for Outstanding Administrator. Disclosures: Financial-Bill receives consultation and speaking fees. There are no nonfinancial relationships to disclose. *Bill's full course description is on page 18.*



Alyse Rostamizadeh, MEd, is an elementary school teacher, author and educational consultant, known for her inclusive practices that build learning communities where children thrive. She whole-heartedly believes that all children can learn, and it is the educator's responsibility to provide learning opportunities that meet each learner's unique needs. During her time in a Title I school, she received the Rotary's Teacher of the Year for her implementation of Viconic Language Methods™ in the classroom, which allowed marginalized learners to be a part of the classroom community. She is the co-author with Dr. Elyn Arwood of Neuro-Viconic Education System: A Systemic Approach to Learning. Alyse provides professional learning seminars across Washington and Oregon for both small and large groups about how to shift the educational paradigm to address a four-tier learning model (NsLLT) based on the neuroscience of the brain that moves beyond basic patterns and includes thinking and language. Whether working in the role of educator, author, speaker, or learning consultant, Alyse strives to help learners and educators understand the process of learning, identify the strengths of their own learning system, and utilize strategies that build upon those strengths to become a life-long learner. Disclosures: Financial- Alyse receives teaching and speaker fees from APRICOT, Inc. There are no nonfinancial relationships to disclose. *Alyse's full course description is on page 16.*



Kelli Sandman-Hurley, EdD, is an author and co-founder of the Dyslexia Training Institute. Dr. Sandman-Hurley is a certified special education advocate assisting parents and children through the Individual Education Plan (IEP) and 504 Plan process. She has training in mediation and also serves as an expert witness in the area of dyslexia. Kelli has studied Structured Word Inquiry, the Orton-Gillingham approach, Lindamood-Bell, RAVE-O and Read Naturally. She is a Past-President of the San Diego Branch of the International Dyslexia Association as well as a dyslexia consultant working with schools to improve services offered to students with dyslexia and training teachers. Kelli co-created and produced "Dyslexia for a Day: A Simulation of Dyslexia," and she is a frequent speaker at conferences. She is the author of the well-received book, *Dyslexia Advocate! How to Advocate for a Child with Dyslexia within the Public Education System*. She received her doctorate in literacy with a specialization in reading and dyslexia from San Diego State University and the University of San Diego. She is currently in her second year of a MA program in Linguistics and is finishing a book about dyslexia and spelling. Disclosures: Financial- Dr. Sandman-Hurley receives teaching and speaking fees from the Dyslexia Training Institute and she receives royalties from Jessica Kingsley Publishers. There are no nonfinancial relationships to disclose. *Kelli's full course description is on page 17.*



Mary Stein, PhD, is a professor at UW Tacoma where she is one of the founding faculty members of the School of Education. She has published extensively in the areas of both special education and general education on reading and mathematics instruction, curriculum analysis, and textbook adoption. She is an author of *Direct Instruction Mathematics*. In 2006, she received the UWT Distinguished Scholarship Award, and in 2015 she and her colleagues received the UWT Community Engagement Award. Dr. Stein has considerable experience consulting with teachers and administrators on improving the performance of students who are at risk for academic failure. She also has consulted with state departments of education throughout the country on how research findings can be used effectively to improve instructional practice, and with schools, districts, and states on the systematic evaluation of reading and mathematics curriculum materials. Disclosures: Financial- Dr. Stein is employed by the University of Washington and she receives royalties from Pearson Publishing and McGraw Hill Publishing for her publications. There are no nonfinancial relationships to disclose. *Dr. Stein's full course description is on page 18.*



Kim Sutton, MA, has taught thousands of teachers the joy and excitement of hands-on math. Kim's teaching experience includes over 25 years as a classroom teacher, a regional math specialist and as a university instructor. Kim has worked with over 600 districts nationally and internationally as a staff development consultant. Kim has a Master's degree in Mathematics Education and has been the keynote speaker for state and regional math conferences. Kim has produced many math games and tools and is the author of 16 titles. Disclosure: Financial– Kim is the owner of Creative Mathematics. She receives financial compensation from Creative Mathematics for her publications and teaching and speaking. There are no nonfinancial relationships to disclose. *Kim's full course description is on page 37.*



William Van Cleave, MA, is an internationally recognized consultant in structured literacy and the founder and president of W.V.C.ED, a company that provides professional development and effective teaching materials for instructors. He consults with districts and both private and public schools, providing trainings and workshops, curriculum development and alignment, and model teaching, particularly in the areas of written expression and vocabulary instruction. With his interactive, hands-on style, William has presented on effective teaching practices at conferences and schools both in the United States and abroad for over twenty years. Recent projects include consulting with three schools as part of a literacy grant in Montana; participating on the MTSS Writing Standards Committee for the State of Pennsylvania; implementing several Trainer of Trainers projects using his sentence structure approach; implementing a multi-year writing intensive for teachers in Franklin, TN; and writing a series of workbooks and a companion book on developing composition skills to complement his sentence approach. The author of three books, including *Writing Matters* and *Everything You Want To Know & Exactly Where to Find It*, as well as a number of educational tools and activities, William has served as a classroom teacher, tutor, and administrator at various points in his career. Disclosure: Financial– William is the owner of W.V.C.ED, an educational consulting company and publisher. There are no nonfinancial disclosures. *William's full course descriptions are on pages 28 & 33.*



Timothy Vollmer, PhD, BCBA, is a professor of psychology at the University of Florida. His primary area of research is applied behavior analysis, with emphases in autism, developmental disabilities, reinforcement schedules, and parenting. Dr. Vollmer has published over 150 articles and book chapters related to behavior analysis. He was the recipient of the 1996 B.F. Skinner New Researcher award from the American Psychological Association (APA). He received another APA award in August, 2004, for significant contributions to applied behavior analysis. He served as the editor-in-chief of the *Journal of Applied Behavior Analysis* from 2014-2016. Dr. Vollmer received his Ph.D. in psychology from the University of Florida in 1992. He has been on the psychology faculty at Louisiana State University on the faculty at the University of Pennsylvania Medical School. Disclosure: Financial–Dr. Vollmer is employed by the University of Florida. There are no nonfinancial relationships to disclose. *Dr. Vollmer's full course description is on page 29.*



Therese Willkomm, PhD, ATP, is currently the director of the New Hampshire statewide assistive technology program (ATinNH) with the Institute on Disability and a clinical associate professor at the University of New Hampshire. In addition, Dr. Willkomm is the coordinator of the graduate certificate in assistive technology program and the coordinator of the disability studies minor. Dr. Willkomm holds a PhD in rehabilitation science and technology. She has been engaged in providing and managing assistive technology services for over 28 years in the areas of home, school, and worksite modifications for persons with disabilities. She is known nationally and internationally as "The MacGyver of Assistive Technology" and for her work in rural rehabilitation technology. She has invented over 600 different Assistive Technology solutions including 50 different iPad solutions for people with disabilities. Dr. Willkomm has presented in 38 states, five foreign countries, and three U.S. territories and authored 22 publications including her most recent book titled *Make A Difference Today – Assistive Technology Solutions in Minutes*. Disclosure: Financial– Dr. Willkomm is employed by the University of New Hampshire and she receives speaking fees. Non-financial: Dr. Willkomm's books are sold by the University of New Hampshire Institute on Disability. All proceeds are used to fund assistive technology devices with the New Hampshire state wide assistive technology program at the University of New Hampshire's Institute on Disability. *Dr. Willkomm's full course descriptions are on pages 12, 22 & 32.*



COURSE #1 TUESDAY - MARCH 5, 2019 PART ONE

The SCERTS Model: A Comprehensive Educational Approach for Children with Autism Spectrum Disorders and Related Developmental Disabilities
by Barry M. Prizant, PhD, CCC-SLP, Providence, RI

DAY 1



Target Audience: Special Education Teachers, General Education Teachers, Resource Room Teachers, Speech-Language Pathologists, School Psychologists, Behavior Specialists, Autism Specialists, Occupational Therapists, Principals/Administrators, Social Workers, Instructional Assistants, Paraprofessionals, and other professionals working with students with ASD or pervasive developmental disabilities

Target Age Range: The curriculum itself is relevant for children who fall developmentally between 8 months and 10 years of age. Course content would be applicable for individuals who continue to have developmental disabilities through high school and into adulthood.

Course Description: This two-day course will provide an introduction to The SCERTS Model, a comprehensive evidence-based framework for prioritizing goals and implementing practices that focus on the core challenges in Autism Spectrum Disorders: Social Communication (SC), Emotional Regulation (ER), and providing Transactional Supports (TS) for children with ASD, and related social-communicative disabilities. The SCERTS model is a flexible and individualized approach that is 1) grounded within a developmental framework, 2) focused on learning functional skills in everyday activities, 3) based on the unique learning style of persons with ASD, and 4) team-based, allowing for interdisciplinary practice and collaboration with family members. It is not an exclusive approach in that it provides a framework in which practices from other

approaches may be integrated. The SCERTS Model is now being implemented in more than 12 countries in programs ranging from early intervention, school-age services and adult services.

In this course, assessment and intervention issues will be addressed for children with a wide range of developmental abilities and ages, including preverbal and verbal individuals, from preschool through elementary, middle, high school ages and adult services. Particular emphasis will be given to the core challenges faced by students with ASD and related abilities by emphasizing the interface between social, emotional and communication issues from a clinical and educational perspective.

See page 19 for information about day 2 of this 2-day course.

Course Objectives – participants will be able to:

Identify five critical developmental underpinnings for the domains of the SCERTS model and the curriculum components of the model

Adequately describe the SCERTS domains, focusing on social communication, emotional regulation and transactional supports

Identify three aspects of the research foundations
Identify three aspects of the SCERTS model's core values and guiding principles.

Identify two characteristics of the SCERTS assessment process

Identify two guidelines for linking assessment findings to intervention goals in the SCERTS model

Course #1 Schedule Tuesday, March 5, 2019

| | | | |
|-------------|---|-----------|--|
| 8:00-10:00 | The SCERTS Model – An overview of the SC, ER & TS components of the model | 1:00-2:45 | Brief overview of the SCERTS assessment process (SAP) |
| 10:00-10:15 | Break | 2:45-3:00 | Break |
| 10:15-12:00 | Research foundation and SCERTS model core values and guiding principles | 3:00-4:00 | Guidelines for linking assessment findings to intervention goals |
| 12:00-1:00 | Lunch – On your own | 4:00 | Complete program evaluations |



COURSE #2 TUESDAY - MARCH 5, 2019 PART ONE
The Integration of Trauma-Informed Approaches and Positive Behavioral Interventions & Supports within a Multi-Tiered System of Supports Framework
by Lynne DeSousa, MS, School Psychologist, Denver, CO

DAY 1

Target Audience: School Psychologists, School Counselors, Social Workers, Behavior Specialists, General Education Teachers, Special Education Teachers, Resource Room Teachers, Principals/Administrators



Target Age Range: Kindergarten through 10th grade

Course Description: It is estimated that approximately 25% of students will experience trauma or toxic stress before the age of 18. This realization in recent years has led to an increased sense of urgency from educators to investigate ways to provide supports that match this growing need. Many are turning to the treatment framework known as Trauma-Informed Care (TIC). The focus of Trauma Informed Care is in the recognition, understanding, and responsiveness to trauma with explicit efforts made in restoring emotional safety, building healthy relationships and creating positive opportunities where students can practice self-regulation strategies and prosocial skills. Because TIC did not originate within the educational context, the need to anchor it within evidence-based practices and effective implementation within Positive Behavioral Interventions and Supports (PBIS) should be of high priority. Therefore, as districts and schools are investing in retooling staff and reallocating resources to incorporate trauma informed approaches

into their environments, aligning it with PBIS principles and making explicit connections provides the ingredients for effective and efficient implementation and sustained efforts that supports all students. This course is intended to create connections for participants in the key principals of Positive Behavioral Interventions and Supports (PBIS) and Trauma-Informed Care (TIC). The purpose is to identify the critical features of both, expose the ways they overlap and complement one another, and provide practical strategies so that practitioners feel confident in utilizing this information as they build systems that support student success at every tier of a layered continuum of supports. This training is intended for participants who have varying degrees of understanding of PBIS and a general knowledge of trauma and its impact. Self-care and functional behavioral assessment will also be addressed. *See pages 20 and 30 for information about days 2 & 3 of this 3-day course.*

Course Objectives – participants will be able to:

- Adequately describe trauma and toxic stress
- Describe how trauma impacts staff and students in the learning environment
- Adequately describe the critical features of PBIS

- Adequately explain how to meet the needs of students using PBIS within the Multi-tiered System of Supports (MTSS) framework
- Define *trauma-sensitive schools*
- Identify the critical features of PBIS and how those features align with Trauma Informed Approaches

Course #2 Schedule Tuesday, March 5, 2019

| | | | |
|--------------|---|------------|--|
| 8:00- 9:00 | Course overview and warm-up activity | 12:00-1:00 | Lunch – On your own |
| 9:00- 10:00 | Prevalence of trauma and its impact on development | 1:00-2:00 | Critical features of PBIS within a Multi-tiered System of Supports (MTSS) |
| 10:00-10:15 | Break | 2:00-2:45 | “Trauma-sensitive schools” |
| 10:15-11:00 | How trauma history impacts adults and students | 2:45-3:00 | Break |
| 11:00- 12:00 | Responding to the needs of all students using Positive Behavioral Interventions and Supports (PBIS) | 3:00-4:00 | Alignment between critical features of PBIS and Trauma Informed Approaches |
| | | 4:00 | Complete program evaluations |



COURSE #3 TUESDAY - MARCH 5, 2019

Use the Power of Mindsets to Transform Behavior and Teaching

by MaryAnn Brittingham, MS, Family and Child Counseling, Pine Bush, NY

DAY 1

Target Audience: General Education Teachers, Special Education Teachers, Resource Room Teachers, Title 1 Teachers, Reading Specialists, School Psychologists, School Counselors, Behavior Specialists, Principals/Administrators, Case Managers, Social Workers, Speech-Language Pathologists, Occupational Therapists, Physical Therapists, ELL Teachers, Math Teachers, Support Staff, Instructional Assistants, and Paraprofessionals

Target Age Range: Kindergarten through 21 years

Course Description: Mindsets, emotions and self-talk can help or hurt us. This course will leave you with the desire to transform the lives of your unreachable students, reigniting your passion for teaching. You will learn practical strategies that can be used immediately within your classroom to help your students move from a fixed mindset to a growth mindset. We will cover ways to teach students how to increase their academic success using growth mindset skills and strategies, and quickly become aware of their own negative self-defeating attitudes that get in the way of learning and controlling their emotions. We will also

discuss how to change the meaning of failure and teach students that struggling is a part of learning. The course is designed to help individuals and school teams improve their students' academic performance by developing the knowledge, skills, and strategies necessary to change fixed mindsets. It will explore how to reach students and nurture motivation, self-discipline, hope and resilience. By making connections between relationships, motivation, resilience, and student achievement, educators will be prepared to design and implement strategies that help to create a positive classroom and school climate.

Course Objectives – participants will be able to:

- Adequately demonstrate how to identify mindsets
- Describe techniques to empower students' and teachers' learning by teaching brain functions
- Describe three key ways mindsets are developed
- Demonstrate strategies to decrease the fear of mistakes and increase student participation

- Demonstrate strategies designed to convert stresses to challenges and to promote positive emotional climate
- Demonstrate positive mindset strategies to promote learning goals and resilience

Course #3 Schedule Tuesday, March 5, 2019

| | | | |
|-------------|--|-----------|--|
| 8:00-9:00 | Becoming aware of judgmental tendencies | 1:00-2:00 | Constructive criticism...Is there such a thing? |
| 9:00-10:00 | Evaluate your mindset | 2:00-2:45 | Notice and talk back to your self-talk |
| 10:00-10:15 | Break | 2:45-3:00 | Break |
| 10:15-11:00 | Why your mindset matters and what happens in the brain | 3:00-4:00 | Methods to bring growth mindsets in your classroom daily |
| 11:00-12:00 | Mistakes, failure and praise | 4:00 | Complete program evaluations |
| 12:00-1:00 | Lunch – On your own | | |



COURSE #4 TUESDAY - MARCH 5, 2019 PART ONE

iPad Boot Camp: Awesome New iPad Apps, Adaptations and Accessories

by Therese Willkomm, PhD, ATP, Durham, NH

DAY 1

Target Audience: Special Education Teachers, Resource Room Teachers, Deaf & Hard of Hearing Teachers, Physical Therapists and Assistants, Occupational Therapists & Assistants, Speech-Language Pathologists & Assistants, Assistive Technology Specialists, Case Managers, Administrators/Principals, Autism Specialists, School Counselors, School Psychologists, Reading Specialists, Instructional Assistants and Paraprofessionals



Target Age Range: Pre-kindergarten through 21 years

Course Description: While Chrome books are being used by students for learning, the iPad continues to be the most effective tool for teaching and learning for students who experience significant disabilities. Discover what is new in the world of awesome apps, adaptations and accessories. This course will discuss and demonstrate the top 50 apps to support students who experience various functional limitations; 20 new accessories and adaptations; new accessibility features of the latest IOS operating system; 101 ways to use video to support physical, sensory, communication and intellectual disabilities; what is new in accessibility features; hands-on fabrication of a key guard for an iPad – for communication access; hands-on fabrication of an adaptive stylus for the iPad using Instamorph, PVC, Microfiber Mesh, and Universal Cuff; hands-on fabrication of a tactile graphic overlay for vision

impairments using Remo 1, foamies and transparency film; hands-on fabrication of a multi use iPad holder for hand free access; hands-on fabrication of a vertical iPad holder; creating switch access receipt to work with a drone and web based interfaces such as YouTube and PBS Kids.org; hands on exploration of new switch interfaces for the iPad; new iPad adaptations to support users who experience physical, sensory, or communication impairments; overview of new amazing apps for vision, hearing, communication, learning and intellectual impairments; app feature mapping – how to select an appropriate app; apps and adaptations for students who experience limitation in reading and writing; apps for reminding, finding and prompting for individuals who experience executive function impairments. **What to bring: Participants should bring their iPads to this course.**

See page 22 for information about day 2 of this 2-day course.

Course Objectives – participants will be able to:

Identify at least 10 different built in features on an iPad to support students who experience various disabilities

Identify at least five resources for finding appropriate apps for specific functional limitations

Describe how to use the SETT framework when electing an appropriate app

Describe five different ways to access the iPad for physical limitations

Build a multiuse iPad holder

Build a scan and read station to support an iPad for students who experience print disabilities

Fabricate a tactile overlay for GarageBand for vision impairments

Build an adaptive stylus for someone who is unable to hold a stylus

Course #4 Schedule Tuesday, March 5, 2019

| | | | |
|-------------|---|------------|--|
| 8:00-9:00 | The awesome iPad and it's many features to support students with disabilities | 12:00-1:00 | Lunch - On your own |
| 9:00-10:00 | Resources for finding appropriate apps for specific functional limitations | 1:00-2:00 | Build a multi-use iPad holder |
| 10:00-10:15 | Break | 2:00-2:45 | Creating and using a scan and read station for the iPad for students with print disabilities |
| 10:15-11:00 | There is an app for that—feature mapping and finding appropriate apps | 2:45-3:00 | Break |
| 11:00-12:00 | Create access solutions for the iPad for vision impairments—tactile overlays | 3:00-4:00 | Creating access solutions for physical impairments |
| | | 4:00 | Complete program evaluation |



COURSE #5 TUESDAY - MARCH 5, 2019 PART ONE

Combining Sensory and Mindfulness Strategies to Reduce Behavior Issues and Anxiety

by Bek Miremis, OTR/L, Seattle, WA

DAY 1

Target Audience: General Education Teachers, Special Education Teachers, Resource Room Teachers, Reading Specialists, Speech-Language Pathologists, School Psychologists, School Counselors, Occupational Therapists and Assistants, Physical Therapists and Assistants, Social Workers, Case Managers, Autism Specialists, Instructional Assistants and Paraprofessionals



Target Age Range: Birth through 8th grade

Course Description: Day One - Sensory Processing and Integration Strategies

Our modern world is busy, and many of us experience anxiety. Our kids are no exception. They are often overwhelmed, and some of them have special conditions that make it even harder to integrate their experiences and create a coherent response. The result is an epic level of sleep and behavioral issues in our children, in both general and special education. This two-day course posits that sensory strategies combined with mindfulness practice will reduce these feelings of unrest and improve children's comfort and improve their ability to learn.

Sensory processing and integration are terms used a lot, but what do they mean? What do people mean when they call someone a "sensory kid?" If we have kids that seem to be sensory seekers or avoiders, is that a bad thing? What can we do about it? Day one of this two-day course will focus on sensory processing and integration examples and strategies that may be used in therapy and in the classroom.

See page 23 for information about day 2 of this 2-day course.

Course Objectives – participants will be able to:

| | |
|--|---|
| Define sensory processing and integration | Differentiate between "sensory" and "behavior" issues |
| Demonstrate behavioral manifestations of "sensory kids" | Demonstrate sensory strategies for the classroom |
| Distinguish between "sensory kids" and expected developmental behavior | Describe how mindfulness and sensory strategies are mutually beneficial |

Course #5 Schedule Tuesday, March 5, 2019

| | | | |
|-------------|--|------------|---|
| 8:00-9:00 | Sensory processing and integration | 12:00-1:00 | Lunch - On your own |
| 9:00-10:00 | Behavioral manifestations of "sensory kids" | 1:00-2:00 | Is it sensory or is it behavior? - <i>continued</i> |
| 10:00-10:15 | Break | 2:00-2:45 | Sensory strategies used in the classroom |
| 10:15-11:00 | "Sensory kids" and expected developmental behavior | 2:45-3:00 | Break |
| 11:00-12:00 | Is it sensory or is it behavior? | 3:00-4:00 | Mindfulness and sensory strategies |
| | | 4:00 | Complete program evaluations |



COURSE #6 TUESDAY - MARCH 5, 2019

Secondary Math: Using Kagan Structures to Boost Engagement and Learning
by Rob Jutras, BS, Kagan Professional Development, San Clemente, CA

DAY 1

Target Audience: General Education Teachers, Special Education Teachers, Resource Room Teachers, Principals & Administrators, Math Teachers, Private Tutors, Instructional Assistants and Paraprofessionals

Target Age Range: 6th grade through 21 years

Course Description: You can be the best math teacher your students will ever have, without having to work harder. We will explore how to multiply mathematics mastery with Kagan Structures, activities, and ready-made worksheets. Your students will become more engaged, challenged, and excited about math. Learn the power of Kagan Structures for pre-algebra, algebra I, geometry, algebra II, trigonometry, and pre-calculus. Surpass the NCTM and Common Core

State Standards. Come away with the winning equation: High School Mathematics + Kagan Structures = Increased Engagement + Learning + Fun.

Participants will receive a Kagan workbook to be used as the training manual for this course.

Course Objectives – participants will be able to:

Describe three peer modeling and coaching strategies designed to improve student achievement in secondary math

and problem solving

Demonstrate four essential cooperative management strategies

Describe three examples of math activities that can be practiced in student pairs or in teams

Demonstrate three strategies to improve student interactions when teaching mathematical concepts, procedures

Demonstrate three teaching strategies designed to improve students' understanding of pre-algebra, algebra I-II, geometry, trigonometry and pre-calculus

Course #6 Schedule Tuesday, March 5, 2019

| | | | |
|-------------|--|------------|--|
| 8:00-9:00 | Housekeeping/classbuilding: Trading Cards | 12:00-1:00 | Lunch - On your own |
| 9:00-10:00 | Teambuilding: RoundRobin/Silly Sports & Goofy Games; Magic 11 | 1:00-2:00 | Mix-N-Match |
| 10:00-10:15 | Break | 2:00-2:45 | Quiz-Quiz-Trade/Silly Sports & Goofy Games: Pair Balances |
| 10:15-11:00 | Rationale: Teacher ABC | 2:45-3:00 | Break |
| 11:00-12:00 | Sage-N-Scribe/Retention | 3:00-4:00 | Simultaneous RoundTable/Wrap |
| | | 4:00 | Complete program evaluations |



COURSE #7 TUESDAY - MARCH 5, 2019 PART ONE

Promoting and Coaching Executive Functioning in the Classroom

by Shannon Kuschel, MS, LPC, PCET, NILD, Suffolk, VA

DAY 1

Target Audience: Special Education Teachers, General Education Teachers, Resource Room Teachers, School Psychologists, School Counselors, Occupational Therapists, Speech-Language Pathologists, Principals/Administrators, Behavior Specialists, Math & Reading Teachers, Instructional Assistants and Paraprofessionals



Target Age Range: Pre-kindergarten through 21 years

Course Description: Successful learning, and ultimately the application of learning to academics, vocational and social demands, is highly dependent upon well-developed executive functioning (EF) skills. Several research studies suggest that well-developed EF skills are more predictive of academic success than psychometric measures of intelligence. The mastery of processes such as goal setting, planning, organizing, task initiating, sustaining attention, shifting flexibly, holding/manipulating information in working memory, inhibiting impulses and self-monitoring provides a valuable entry point for improving academic performance, motivation, effort, persistence

and self-efficacy. Although parents and teachers expect children to use EF skills to negotiate many of the demands of childhood and adolescence, ironically EF skills are rarely explicitly taught, practiced or coached. Thankfully, these cognitive skills can be spurred to development with instruction and repeated practice provided in the classroom and generalized to life-long learning experiences. This course will not only increase your understanding of EF skills, but will also provide you with practical ways to promote and coach their development.

See page 25 for information about day 2 of this 2-day course.

Course Objectives – participants will be able to:

- Explain why executive functions are now more important than ever in the 21st century classroom
- Identify the key components of executive functioning
- Describe the process of executive functioning development
- Identify your own learning style and executive functioning profile, and explain the steps to facilitating executive functioning in students

- Describe specific strategies to foster metacognition, self-efficacy, motivation, and persistence
- Collaboratively discuss how to create a classroom culture that promotes executive functioning development
- Demonstrate specific classroom strategies that utilize and develop student executive functioning skills

Course #7 Schedule Tuesday, March 5, 2019

| | | | |
|-------------|---|-----------|---|
| 8:00-9:00 | Why are executive functions now more important than ever? | 1:00-2:00 | Fostering metacognition, self-efficacy, motivation, and persistence in students |
| 9:00-10:00 | Eleven executive functions that are essential to academic, social, and vocational success | 2:00-2:45 | Creating a classroom culture that promotes the use and development of executive functions |
| 10:00-10:15 | Break | 2:45-3:00 | Break |
| 10:15-11:00 | The process of executive functioning development | 3:00-4:00 | Specific classroom strategies that promote the use and development of executive functions |
| 11:00-12:00 | Steps to facilitate executive functioning development in students | 4:00 | Complete program evaluations |
| 12:00-1:00 | Lunch – On your own | | |



COURSE #8 TUESDAY - MARCH 5, 2019

Inclusive Classrooms for Visual Learners

by Alyse Rostamizadeh, MEd, Educational Consultant, Tualatin, OR

DAY 1

Target Audience: General Education Teachers, Special Education Teachers, Resource Room Teachers, Reading Specialists, ELL Teachers, Deaf & Hard of Hearing Teachers, Behavior Specialists, Autism Specialists, Instructional Assistants and Paraprofessionals

Target Age Range: 3 years through 10th grade

Course Description: Learning is a socio-cognitive process and therefore inclusion in a learning community should be a primary goal of educators. All children can learn, but not all children make progress in a traditional classroom setting because their visual thinking does not match our auditory culture. This does not necessarily mean they have to be marginalized or excluded from a general classroom setting. The first step in creating an effective learning environment is understanding the process of learning. Many learners who struggle in a traditional classroom setting cannot effectively translate our auditory world into

their visual thinking system. Educators can use Viconic Language Methods™ to approach learning opportunities in a way that matches the visual thinking of these learners. In this course, participants will discuss how learning to think and be literate is a socio-cognitive process requiring other learners to assign meaning to what the learner says and does. Several Viconic Language Methods™ including visual content dictionaries, cartooning, using rich visual language will be showcased. These strategies are effective in helping address the social (behavior) and cognitive (content) aspects of learning to create an inclusive environment.

Course Objectives – participants will be able to:

- Draw the Neuro-Semantic Language Learning Theory
- Explain the difference between products and processes
- Describe the need for visual methods done in real time with learners
- Demonstrate the Viconic Language Method™ of cartooning

- Explain how pictures are a shared referent between the educator and the learner
- Demonstrate the Viconic Language Method™ of visual content dictionaries
- Describe how educators can assess learning based on the processes of Viconic Language Methods™

Course #8 Schedule Tuesday, March 5, 2019

| | | | |
|-------------|--|-----------|--|
| 8:00-9:00 | Understanding learning as a socio-cognitive process using Arwood’s Neuro-Semantic Language Learning Theory | 1:00-2:00 | Case studies of inclusive learning (content) |
| 9:00-10:00 | Shifting from products to processes | 2:00-2:45 | Examples of visual learning methods (visual content dictionaries) and practice |
| 10:00-10:15 | Break | 2:45-3:00 | Break |
| 10:15-11:00 | Case studies of inclusive learning (behavior) | 3:00-4:00 | Assessing and refining learner thinking in pro-social ways |
| 11:00-12:00 | Examples of visual learning methods (cartooning) and practice | 4:00 | Complete program evaluations |
| 12:00-1:00 | Lunch - On your own | | |



COURSE #9 TUESDAY - MARCH 5, 2019

Dyslexia: What it is, What it is Not and How to Help

by Kelli Sandman-Hurley, EdD and Tracy Block-Zaretsky, BA, Dyslexia Training Institute

DAY 1

Target Audience: Special Education Teachers, General Education Teachers, Resource Room Teachers, School Psychologists, Occupational Therapists, Speech-Language Pathologists, Principals/Administrators, Reading Teachers, Instructional Assistants and Paraprofessionals

Target Age Range: Kindergarten through 21 years

Course Description: In this course, participants will experience a dyslexia simulation that will include experiencing difficulty with reading, writing and processing in conjunction with a discussion of the signs and symptoms of dyslexia. Participants will learn about many popular myths about dyslexia and their realities. Appropriate remediation for students with dyslexia will be described, and participants will have the opportunity to practice those strategies. Current accommodations available to children and adults with dyslexia will be discussed. Additionally, participants will be provided an overview of Structured

Word Inquiry (SWI) and how to begin to use SWI to provide remediation. SWI provides a logical process, based on linguistics, for analyzing and developing an understanding of the underlying structure of the spelling of English words. Developing true understanding of spellings will assist students with reading and spelling. SWI is instruction that assists all students, those with or without dyslexia. Participants will learn how to support students through word investigations to understand the spelling of any English word so instructors no longer utter, "Well, English is just crazy, you will have to memorize that word."

Course Objectives – participants will be able to:

Correctly define dyslexia

Identify three appropriate accommodations for students with dyslexia

Demonstrate two appropriate interventions for dyslexia

Adequately describe the role of executive function in reading

Describe the underlying structure of English orthography and understand how that knowledge can improve instruction

Identify at least three myths about dyslexia and be able to dispel those myths

Course #9 Schedule Tuesday, March 5, 2019

| | | | |
|-------------|------------------------------------|-----------|--|
| 8:00-9:00 | Dyslexia simulation | 1:00-2:00 | Remediation description and practice |
| 9:00-10:00 | What is Dyslexia? | 2:00-2:45 | Remediation description and practice <i>continued</i> |
| 10:00-10:15 | Break | 2:45-3:00 | Break |
| 10:15-11:00 | What is Dyslexia? <i>continued</i> | 3:00-4:00 | The role of executive function |
| 11:00-12:00 | Accommodations | 4:00 | Complete program evaluations |
| 12:00-1:00 | Lunch – On your own | | |



COURSE #10 TUESDAY - MARCH 5, 2019
Instructional Considerations for Implementing MTSS: Improving the Performance of Students Who are At Risk for Academic Failure by Marcy Stein, PhD, University of Washington Tacoma and William Rasplca, MS, Education Consultant

DAY 1

Target Audience: Principals/Administrators, General Education Teachers, Special Education Teachers, Resource Room Teachers, Reading Specialists, School Psychologists, ELL Teachers, Behavior Specialists, Math Teachers, Private Tutors, Curriculum Specialists, Instructional Assistants and Paraprofessionals

Target Age Range: Kindergarten through 21 years

Course Description: Preventing academic failure as well as improving academic performance for students who are at risk for academic failure is the goal of an MTSS implementation. However, an effective Multi-tiered System of Support (MTSS) implementation is a complex endeavor that involves understanding how research findings in the areas of memory, metacognition, assessment, and instruction can be applied to what happens daily in schools and individual classrooms. Evidence suggests that struggling students require unambiguous and explicit instruction in order to succeed academically. Consequently, teachers need access to teaching materials

that offer clear instructional strategies and adhere to evidence-based principles of instructional design. At the same time, they need a carefully designed system for assessing their students to ensure that the students are making adequate progress. In this course, we will present an overview of the critical principles underlying MTSS and discuss in more detail how educators can apply those principles in evaluating their assessment systems, their instructional materials, as well as their non-curricular interventions for both literacy and math to ensure the academic success of their students.

Course Objectives – participants will be able to:

- Identify the essential components of an MTSS framework
- Identify the essential components of systematically designed instruction
- Identify effective screening practices
- Identify effective progress monitoring practices

- Identify criteria for evaluating the instructional practices found in published literacy curricula
- Identify criteria for evaluating the instructional practices found in published math curricula
- Identify non-curricular evidence-based practices commonly used to differentiate instruction within an MTSS framework

Course #10 Schedule Tuesday, March 5, 2019

| | | | |
|-------------|---|-----------|---|
| 8:00-9:00 | Overview of MTSS | 1:00-2:00 | Curriculum considerations for tiered instruction: Literacy |
| 9:00-10:00 | Overview of Instructional Design Principles | 2:00-2:45 | Curriculum considerations for tiered instruction: Math |
| 10:00-10:15 | Break | 2:45-3:00 | Break |
| 10:15-11:00 | Assessment: Screening | 3:00-4:00 | Using evidence-based practices to differentiate instruction |
| 11:00-12:00 | Assessment: Progress monitoring | 4:00 | Complete program evaluations |
| 12:00-1:00 | Lunch – On your own | | |



COURSE #11 WEDNESDAY - MARCH 6, 2019 PART TWO

The SCERTS Model: A Comprehensive Educational Approach for Children with Autism Spectrum Disorders and Related Developmental Disabilities

by Barry M. Prizant, PhD, CCC-SLP, Providence, RI

DAY 2

Target Audience: Special Education Teachers, General Education Teachers, Resource Room Teachers, Speech-Language Pathologists, School Psychologists, Behavior Specialists, Autism Specialists, Occupational Therapists, Principals/Administrators, Social Workers, Instructional Assistants, Paraprofessionals, and other professionals working with students with ASD or pervasive developmental disabilities



Target Age Range: The curriculum itself is relevant for children who fall developmentally between 8 months and 10 years of age. Course content would be applicable for individuals who continue to have developmental disabilities through high school and into adulthood.

Course Description: This two-day course will provide an introduction to The SCERTS Model, a comprehensive evidence-based framework for prioritizing goals and implementing practices that focus on the core challenges in Autism Spectrum Disorders: Social Communication (SC), Emotional Regulation (ER), and providing Transactional Supports (TS) for children with ASD, and related social-communicative disabilities. The SCERTS model is a flexible and individualized approach that is 1) grounded within a developmental framework, 2) focused on learning functional skills in every day activities, 3) based on the unique learning style of persons with ASD, and 4) team-based, allowing for interdisciplinary practice and collaboration with family members. It is not an exclusive approach, in

that it provides a framework in which practices from other approaches may be integrated. The SCERTS Model is now being implemented in more than 12 countries in programs ranging from Early Intervention, school-age services and adult services. In this course, assessment and intervention issues will be addressed for children with a wide range of developmental abilities and ages, including preverbal and verbal individuals, from preschool through elementary, middle, high school ages and adult services. Particular emphasis will be given to the core challenges faced by students with ASD and related abilities by emphasizing the interface between social, emotional and communication issues from a clinical and educational perspective.

See page 9 for information about day 1 of this 2-day course

Course Objectives – participants will be able to:

Identify three practice principles of the SCERTS model

Identify examples of two social communication intervention goals for children at preverbal stages of communication and two social communication intervention goals for children at verbal stages of communication

Identify examples of two emotional regulation intervention goals for children at preverbal stages of communication and two emotional regulation intervention goals for children at verbal stages of communication

Identify examples of two transactional support intervention goals for children at preverbal stages of communication and two transactional support intervention goals for children at verbal stages of communication

Identify two examples of emotional support goals for parents

Identify two examples of educational support goals for parents

Course #11 Schedule Wednesday, March 6, 2019

| | | | |
|-------------|--|------------|--|
| 8:00-9:00 | The SCERTS model practice principles | | at preverbal and verbal stages of communication in Transactional Supports - use of visual supports, positive behavioral, supports, inclusion challenges, issues & strategies |
| 9:00-10:00 | Developing individualized intervention goals and strategies for children at preverbal and verbal stages of preverbal, emerging language, language levels | | |
| 10:00-10:15 | Break | 12:00-1:00 | Lunch – On your own |
| 10:15-11:00 | Developing individualized intervention goals and strategies for children at preverbal and verbal stages of communication in emotional regulation, interactional and environmental considerations | 1:00-2:00 | Goals and strategies- continued |
| | | 2:00-2:45 | Approaches for supporting parents- providing educational and emotional support in all aspects of programming |
| | | 2:45-3:00 | Break |
| 11:00-12:00 | Developing individualized intervention goals and strategies for children | 3:00-4:00 | Approaches- cont.; complete evaluations |



COURSE #12 WEDNESDAY - MARCH 6, 2019 PART TWO
The Integration of Trauma-Informed Approaches and Positive Behavioral Interventions & Supports within a Multi-Tiered System of Supports Framework
by Lynne DeSousa, MS, School Psychologist, Denver, CO

DAY 2

Target Audience: School Psychologists, School Counselors, Social Workers, Behavior Specialists, General Education Teachers, Special Education Teachers, Resource Room Teachers, Principals/Administrators



Target Age Range: Kindergarten through 10th grade

Course Description: It is estimated that approximately 25% of students will experience trauma or toxic stress before the age of 18. This realization in recent years has led to an increased sense of urgency from educators to investigate ways to provide supports that match this growing need. Many are turning to the treatment framework known as Trauma-Informed Care (TIC). The focus of Trauma-Informed Care is in the recognition, understanding and responsiveness to trauma with explicit efforts made to restore emotional safety, build healthy relationships, and create positive opportunities where students can practice self-regulation strategies and prosocial skills. Because TIC did not originate within the educational context, the need to anchor it within evidence-based practices and effective implementation within Positive Behavioral Interventions and Supports (PBIS) is a high priority. Therefore, as districts and schools are investing in retooling staff and reallocating resources to incorporate trauma-informed approaches

into their environments, aligning it with PBIS principles and making explicit connections provides the ingredients for effective and efficient implementation and sustained efforts that supports all students. This course is intended to create connections for participants in the key principals of Positive Behavioral Interventions and Supports (PBIS) and Trauma-Informed Care (TIC). The purpose is to identify the critical features of both, expose the ways they overlap and complement one another, and provide practical strategies so that practitioners feel confident in utilizing this information as they build systems that support student success at every tier of a layered continuum of supports. This training is intended for participants who have varying degrees of understanding of PBIS and a general knowledge of trauma and its impact. Self-care and functional behavioral assessment will also be addressed. See pages 10 & 30 for information about days 1 & 3 of this 3-day course.

Course Objectives – participants will be able to:

Describe how to integrate trauma-informed approaches into existing school-wide behavior systems

Identify practical interventions, approaches and strategies for supporting students/staff at Tier1

Describe how to integrate trauma-informed approaches into existing classroom behavior systems

Identify practical interventions, approaches and strategies for supporting students/staff at Tier2

Demonstrate how to apply cognitive behavior theory when supporting students with trauma history

Identify three self-care strategies that can mitigate the effects of secondary trauma

Course #12 Schedule Wednesday, March 6, 2019

| | | | |
|-------------|--|------------|--|
| 8:00-9:00 | Day one content review and reflection | 12:00-1:00 | Lunch - On your own |
| 9:00-10:00 | Integrating trauma lens into existing behavioral systems school-wide and in the classroom | 1:00-2:00 | Evidence-based practices in supporting students with trauma history at tier 1 and tier 2 |
| 10:00-10:15 | Break | 2:00-2:45 | Verbal and non-verbal de-escalation and emotional regulation skills |
| 10:15-11:00 | Integrating trauma lens into existing behavioral systems school-wide and in the classroom - <i>continued</i> | 2:45-3:00 | Break |
| 11:00-12:00 | Vulnerable decision points and neutralizing routines | 3:00-4:00 | Self-care activities |
| | | 4:00 | Complete program evaluations |



COURSE #13 WEDNESDAY - MARCH 6, 2019

Getting Through a Crisis without Making it Worse: ACT instead of React

by MaryAnn Brittingham, MS, Family and Child Counseling, Pine Bush, NY

DAY 2

Target Audience: General Education Teachers, Special Education Teachers, Resource Room Teachers, Title 1 Teachers, Reading Specialists, School Psychologists, School Counselors, Behavior Specialists, Principals/Administrators, Case Managers, Social Workers, Math Teachers, Instructional Assistants and Paraprofessionals

Target Age Range: 2nd grade through 21 years

Course Description: On occasion, teachers and students may find themselves involved in unexpected emotionally charged situations in the classroom. These situations often take us by surprise, and therefore, we may react instead of responding with skills. In order to respond with skills, we need to manage our own emotions before speaking. This ensures that the interaction with the student begins productively and ends successfully.

When students and teachers are unable to appropriately deal with their anger and the circumstances that caused it, they become victims and are controlled by the people or situations that made them angry. They do not take responsibility for their actions and never really discover what is truly under their angry feelings. The goal of this

course is to empower students and staff to manage their anger and resolve conflicts. Most teachers are irritated by the behavior of challenging students. Yet few teachers are trained to understand and acknowledge these expected counter-aggressive feelings. When a conflict develops, teachers are less likely to perceive accurately, think clearly and reason coherently. Though competent teachers rarely initiate conflicts with students, they often keep them alive though their unintended, counter-productive reactions. This course aims to go beyond management skills and instead dives into therapeutic responses. The goal of our responses should be to defuse an escalating situation, build trust and repair relationships.

Course Objectives – participants will be able to:

Describe the impact of stress in both their own lives and in the lives of their students

Describe the basis of anger

Describe strategies to identify and manage counter-aggression in a conflict

Describe how to develop mindful practices to improve emotional regulation

Adequately explain the conflict cycle and the role you play in the cycle

Describe strategies to improve your attending and communication skills

Course #13 Schedule Wednesday, March 6, 2019

| | | | |
|-------------|--|------------|---|
| 8:00-9:00 | Stress and its impact on our personal and professional lives | 12:00-1:00 | Lunch - On your own |
| 9:00-10:00 | Understanding perceptions and judgements | 1:00-2:00 | Double struggle, counter-aggression and mindfulness |
| 10:00-10:15 | Break | 2:00-2:45 | How to step out of the conflict cycle; first seek to understand |
| 10:15-11:00 | What is anger, and what is underneath anger? | 2:45-3:00 | Break |
| 11:00-12:00 | The conflict cycle | 3:00-4:00 | Develop your communication skills |
| | | 4:00 | Complete program evaluations |



COURSE #14 WEDNESDAY - MARCH 6, 2019 PART TWO
iPad Boot Camp: Awesome New iPad Apps, Adaptations and Accessories
by Therese Willkomm, PhD, ATP, Durham, NH

DAY 2

Target Audience: Special Education Teachers, Resource Room Teachers, Deaf & Hard of Hearing Teachers, Physical Therapists and Assistants, Occupational Therapists & Assistants, Speech-Language Pathologists & Assistants, Assistive Technology Specialists, Case Managers, Administrators/Principals, Autism Specialists, School Counselors, School Psychologists, Reading Specialists, Instructional Assistants and Paraprofessionals



Target Age Range: Pre-kindergarten through 21 years

Course Description: While Chrome books are being used by students for learning, the iPad continues to be the most effective tool for teaching and learning for students who experience significant disabilities. Discover what is new in the world of awesome apps, adaptations and accessories. This course will discuss and demonstrate the top 50 apps to support students who experience various functional limitations; 20 new accessories and adaptations; new accessibility features of the latest IOS operating system; 101 ways to use video to support physical, sensory, communication and intellectual disabilities; what is new in accessibility features; hands-on fabrication of a key guard for an iPad for communication access; hands-on fabrication of an adaptive stylus for the iPad using Instamorph, PVC, Microfiber Mesh, and Universal Cuff; hands-on fabrication of a tactile graphic overlay for vision impairments using Remo 1, foamies and transparency film; hands-on

fabrication of a multi use iPad holder for hands-free access; hands-on fabrication of a vertical iPad holder; creating switch access receipt to work with a drone and web based interfaces such as YouTube and PBS Kids.org; hands-on exploration of new switch interfaces for the iPad; new iPad adaptations to support users who experience physical, sensory, or communication impairments; overview of new amazing apps for vision, hearing, communication, learning and intellectual impairments; apps for feature mapping – how to select an appropriate app; apps and adaptations for students who experience limitation in reading and writing; apps for reminding, finding and prompting for individuals who experience executive function impairments.

What to bring:

Participants should bring their iPads to this course.

See page 12 for information about day 1 of this 2-day course.

Course Objectives – participants will be able to:

Identify and describe 10 different uses of the iPad camera for physical, sensory, communication or cognitive limitations

Identify three different ways to interact with the iPad or iPhone without ever touching the device

Describe a five minute solution for creating an adaptive keyguard for a communication app

Identify at least five apps and iPad accessories to support students who experience executive function impairments

Identify and describe at least five apps and adaptation for deaf and hard of hearing

Identify and describe at least five apps for self regulation

Identify and describe at least five mounting solutions for a wheelchair, table, bed or floor

Course #14 Schedule Wednesday, March 6, 2019

| | | | |
|-------------|--|------------|---|
| 8:00-9:00 | 101 Uses for the iPad camera to support students with disabilities | 12:00-1:00 | Lunch - On your own |
| 9:00-10:00 | Explore 10 ways to Interact with the iPad without ever touching the device – using voice, geo fencing, switch access | 1:00-2:00 | Apps and adaptations for deaf and hard of hearing |
| 10:00-10:15 | Break | 2:00-2:45 | Apps for self-regulation and relaxation |
| 10:15-11:00 | Creating access solutions for students with communication impairments | 2:45-3:00 | Break |
| 11:00-12:00 | Apps and executive function impairments | 3:00-4:00 | iPad access when using a wheelchair, table, floor, car or bed to accommodate for physical limitations |
| | | 4:00 | Complete program evaluation |



COURSE #15 WEDNESDAY - MARCH 6, 2019 PART TWO
Combining Sensory and Mindfulness Strategies to Reduce Behavior Issues and Anxiety by Bek Miremis, OTR/L, Seattle, WA

DAY 2

Target Audience: General Education Teachers, Special Education Teachers, Resource Room Teachers, Reading Specialists, Speech-Language Pathologists, School Psychologists, School Counselors, Occupational Therapists and Assistants, Physical Therapists and Assistants, Social Workers, Case Managers, Autism Specialists, Instructional Assistants and Paraprofessionals



Target Age Range: Kindergarten through 8th grade

Course Description:

Day Two - Mindfulness, Foundations and Strategies

Our modern world is busy, and many of us experience anxiety. Our kids are no exception. They are often overwhelmed, and some of them have special conditions that make it even harder to integrate their experiences and create a coherent response. The result is an epic level of sleep and behavioral issues in our children, in both general and special education. This two-day course posits that sensory strategies combined with mindfulness practice will reduce these feelings of unrest and improve children's comfort and their ability to learn. In day two of this course,

discover the merits of a mindfulness practice. Mindfulness is an ancient and effective way to be present with the current moment. It is a non-religious way of meditating that has been proven effective for people across the age span in reducing anxiety and improving quality of life. We will explore what mindfulness is and how children and students can benefit from it. In fact, you will also discover how you can benefit from it.

See page 13 for information about day 1 of this 2-day course.

Course Objectives – participants will be able to:

| | |
|---|--|
| Define and describe "mindfulness" | Demonstrate the self-practice of mindfulness exercises |
| Adequately describe the mechanisms and science of mindfulness | Demonstrate three ways to implement mindfulness in the classroom or home environment |
| Describe how mindfulness relates to sensory processing | Demonstrate how to write mindfulness into IEPs and behavior plans |

Course #15 Schedule Wednesday, March 6, 2019

| | | | |
|-------------|---|-----------|---|
| 8:00-9:00 | What is mindfulness? | 1:00-2:00 | Ways to implement mindfulness in the classroom or at home |
| 9:00-10:00 | Mechanisms and science of mindfulness | 2:00-2:45 | How to write mindfulness into IEPs and behavior plans |
| 10:00-10:15 | Break | 2:45-3:00 | Break |
| 10:15-11:00 | How mindfulness relates to sensory processing | 3:00-4:00 | Case examples |
| 11:00-12:00 | Self-practice of mindfulness, exercises | 4:00 | Complete program evaluations |
| 12:00-1:00 | Lunch - On your own | | |



COURSE #16 WEDNESDAY - MARCH 6, 2019

Practical Strategies for Implementing Social Skills in the Classroom and in Therapy

by Felice Clark, MA, CCC-SLP, Roseville, CA

DAY 2

Target Audience: Speech-Language Pathologists and Assistants, Special Education Teachers, General Education Teachers, Resource Room Teachers, and Paraprofessionals

Target Age Range: 4th through 6th Grades

Course Description: Students with social pragmatic disorders struggle with navigating social interactions throughout their day in the school and community settings. Furthermore, students with social pragmatic deficits need increased opportunities to practice social skills. Increasing collaboration between the classroom teacher and speech pathologist will help students have more naturalistic opportunities to make gains with their social pragmatic

skills. This course explains the different components of social language, how social language deficits impact students in the classroom and provides practical therapy ideas that the speech pathologists and classroom teachers can implement in the classroom setting. Participants will leave with therapy ideas and strategies that classroom teachers and speech pathologists can use throughout the school day.

Course Objectives – participants will be able to:

- Describe key components of social communication
- Identify resources & strategies for developing a pragmatic therapy plan
- Explain the benefits and list strategies for collaborating with classroom teachers, therapists and support staff
- Demonstrate the ability to create a social skill lesson plan using evidence-based practices

- List three intervention strategies and resources to target perspective taking and non-verbal body language
- List three intervention strategies and resources to increase conversational skills
- Demonstrate how to find and use videos & digital resources to teach social skills in the classroom

Course #16 Schedule Wednesday, March 6, 2019

| | | | |
|-------------|--|------------|--|
| 8:00-9:00 | Key components of social communication | 12:00-1:00 | Lunch - On your own |
| 9:00-10:00 | Resources & strategies for where to start in pragmatic therapy | 1:00-2:00 | Therapy ideas for teaching perspective taking and increasing awareness about non-verbal language |
| 10:00-10:15 | Break | | |
| 10:15-11:00 | Benefits of working with the classroom teacher & tips for pushing into the classroom setting | 2:00-2:45 | Therapy ideas for practicing conversational skills |
| | | 2:45-3:00 | Break |
| 11:00-12:00 | Structuring social language lessons & implementing evidence-based practices in therapy | 3:00-4:00 | How to use videos to teach social communication |
| | | 4:00 | Complete program evaluations |



COURSE #17 WEDNESDAY - MARCH 6, 2019 PART TWO
Promoting and Coaching Executive Functioning in the Classroom
by Shannon Kuschel, MS, LPC, PCET, NILD, Suffolk, VA

DAY 2

Target Audience: Special Education Teachers, General Education Teachers, Resource Room Teachers, School Psychologists, School Counselors, Occupational Therapists, Speech-Language Pathologists, Principals/Administrators, Behavior Specialists, Math & Reading Teachers, Instructional Assistants and Paraprofessionals



Target Age Range: Pre-kindergarten through 21 years

Course Description: Successful learning, and ultimately the application of learning to academics, vocational and social demands, is highly dependent upon well-developed executive functioning skills. Several research studies suggest that well-developed EF skills are more predictive of academic success than psychometric measures of intelligence. The mastery of processes such as goal setting, planning, organizing, task initiating, sustaining attention, shifting flexibly, holding/manipulating information in working memory, inhibiting impulses and self-monitoring provides a valuable entry point for improving academic performance, motivation, effort, persistence

and self-efficacy. Although parents and teachers expect children to use EF skills to negotiate many of the demands of childhood and adolescence, ironically EF skills are rarely explicitly taught, practiced or coached. Thankfully, these cognitive skills can be spurred to development with instruction and repeated practice provided in the classroom and generalized to life-long learning experiences. This course will not only increase your understanding of EF skills, but will also provide you with practical ways to promote and coach their development.

See page 15 for information about day 1 of this 2-day course.

Course Objectives – participants will be able to:

- Describe how to use an executive functioning assessment and other materials instrumental in coaching executive functioning development with students
- Discuss the value of correspondence training and keys to success in its use in coaching students
- Discuss the value of goal setting and keys to success in its use in coaching students
- Describe self-regulated learning and the importance of motivation in the learning process

- Discuss the keys to successful enhancement of student motivation
- Discuss the characteristics of effective executive functioning coaches
- Demonstrate how to develop personal goals related to becoming effective executive functioning coaches specific to classroom or other learning environments

Course #17 Schedule Wednesday, March 6, 2019

| | | | |
|-------------|--|-------------|--|
| 8:00- 9:00 | Review materials used in coaching executive functions with students | 11:00-12:00 | Self-regulated learning and motivation |
| 9:00- 10:00 | Keys to success in correspondence training when coaching executive functioning development | 12:00-1:00 | Lunch – On your own |
| 10:00-10:15 | Break | 1:00-2:00 | Keys to success for enhancing student motivation |
| 10:15-11:00 | Keys to success in goal setting when coaching executive functioning development | 2:00-2:45 | Characteristics of effective EF coaches |
| | | 2:45-3:00 | Break |
| | | 3:00-4:00 | EF coaching <i>do's and don'ts</i> |
| | | 4:00 | Complete program evaluations |



COURSE #18 WEDNESDAY - MARCH 6, 2019

Practical Management of Tough Kids: An Evidence-Based Approach

by William Jenson, PhD, Educational & Child Psychologist, University of Utah

DAY 2

Target Audience: School Psychologists, Behavior Specialists, School Counselors, Social Workers, Principals/ Administrators, Special Education Teachers, General Education Teachers, Resource Room Teachers, Autism Specialists, and other professionals working with behaviorally disordered/emotionally disturbed students

Target Age Range: Kindergarten through 7th grade

Course Description: This course will focus on the practical management of behaviorally disordered/emotionally disturbed students (BD/SED). These students are frequently referred to as "tough kids" because they exhibit strong behavioral excesses such as arguing, noncompliance and aggression while at the same time they possess significant behavioral deficits in self-management (rule governed behavior), social skills and academic abilities. This presentation will review what causes "tough kid" behavior, how to practically assess it and strategies to remediate it. An emphasis will be placed on proactive strategies and positive behavior management interventions such as *Mystery Motivators*, the *Sure I Will* program, the *Yes and*

No classroom management program, reward spinners, a whole school positive discipline program (*Principal's 200 Club*), *Superheroes Social Skills* and several others. Strategies to decrease the behavioral excesses of noncompliance and arguing will include *What If Charts*, effective classroom rule design, and precision requests. In addition, information will also be presented on how to influence other people such as parents and other educators to follow through and implement these techniques. All the strategies to be presented will be research validated positive interventions that can be time efficiently implemented in classrooms at a low cost.

Course Objectives - participants will be able to:

Provide a practical educational definition of "tough kids" that includes the externalizing behavioral excesses of aggression, noncompliance, arguing the behavioral deficits of self-management and social skills

Demonstrate an assessment process for "tough kids" that is linked to classroom interventions

Describe the basic causes of the "tough kid" problem behaviors, particularly the coercive process.

Explain which problematic behaviors decrease with time and which are stable and require intervention

Identify "Keystone" behaviors and their importance in managing "tough kids"

Describe the standards for evidence-based interventions and which interventions harm "tough kids"

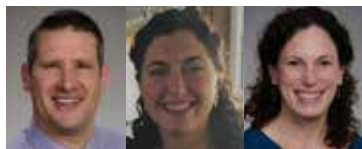
Describe proactive classroom strategies to avoid later problematic behaviors such as precision requests

Explain how to increase positive reinforcement in classrooms with unique and practical procedures

Describe the components of an all positive, whole school management system, *The Principal's 200 Club*

Course #18 Schedule Wednesday, March 6, 2019

| | | | |
|-------------|--|-----------|---|
| 8:00-9:00 | What is a "tough kid" and the assumption of managing their behavior | 1:00-2:00 | Classroom rules to manage behavior excesses and deficits and the effects of peer influence |
| 9:00-10:00 | What causes "tough kid" behaviors | 2:00-2:45 | Motivating the "tough kid" and increasing positives in the classroom |
| 10:00-10:15 | Break | 2:45-3:00 | Break |
| 10:15-11:00 | Evidence-based behavior management practices for "tough kids" | 3:00-4:00 | Specific positive interventions: <i>Mystery Motivators</i> , reinforcement spinners, chartmoves, <i>Yes and No</i> program, and <i>The Principal's 200 Club</i> |
| 11:00-12:00 | Practical functional behavior assessment and response discrepancy classroom observation for on-task behavior, precision requests | 4:00 | Complete program evaluations |
| 12:00-1:00 | Lunch - On your own | | |



COURSE #19 WEDNESDAY - MARCH 6, 2019

Identification and Remediation of Neurodevelopmental Disorders Including Autism by Torey Gilbertson, DPT, Anna Fragomeni, DPT, & Shawn Israel, DPT

DAY 2

Target Audience: General Education Teachers, Special Education Teachers, Physical Therapists, Occupational Therapists, Autism Specialists, Physical Education Teachers/Adaptive PE Teachers, Instructional Assistants & Paraprofessionals

Target Age Range: Birth through 6th grade

Course Description: Many neurodevelopmental conditions affect motor, cognitive, social and other aspects of development. Common neurodevelopmental conditions seen in children include: Autism Spectrum Disorder, Cerebral Palsy, Developmental Delay, Developmental Coordination Disorder, Fetal Alcohol Spectrum Disorder, various muscular dystrophies and many others. Often these diagnoses are not seen immediately and treatment to improve mobility and participation is delayed. It is optimal to begin directed activities or a therapeutic regime as early as possible to capitalize on the neuroplasticity of the developing brain and to avoid children falling too far behind their peers with gross and fine motor skills. Along with intervention as early as possible, the therapeutic approach should be directed to each unique child's needs and delivered in the most efficacious and evidence-based methods, but also be engaging to the child as well as their family. This multi-modal course will include a combination of lecture, discussion, audience participation, use of videos, and small group work. This course is designed to help teachers, assistants and therapists understand the basics of

various neurodevelopmental conditions including Autism Spectrum Disorder with relevant pathology and physiology. In addition to a basic understanding of various neurodevelopmental conditions, participants will learn some basic indicators of need for referral to health care providers and who the most appropriate health care providers are for the various conditions. Participants will gain a basic understanding of movement asymmetries, stereotyped behaviors and other indicators to be aware of when working with children. Expanding on identification, participants will also learn and be able to practice and demonstrate some basic skills to improve postural control and mobility within daily routines. This course is also designed to help participants apply techniques for improving more advanced mobility and neuromotor skills, specifically for school-aged children participating in school and after-school programs. The use of video games including virtual reality will be discussed in relation to improving mobility and neuromotor skills. Finally, participants will acquire knowledge in design and implementation of adaptive physical education programs.

Course Objectives – participants will be able to:

Identify early indicators of developmental delay in young children with cerebral palsy, Developmental Coordination Disorder (DCD), and Muscular Dystrophies

Identify early indicators of developmental delay in young children with Autism Spectrum Disorder (ASD) with or without associated Sensory Processing Disorder (SPD)

Describe and adequately demonstrate techniques to improve postural control during daily routines

Describe and adequately demonstrate techniques to improve mobility during daily routines

Describe and adequately demonstrate techniques for improving mobility and neuromotor skills for participation in school and after-school programs

Describe how to include gaming and virtual reality to improve mobility and neuromotor skills

Demonstrate how to design adaptive physical education programs

Course #19 Schedule Wednesday, March 6, 2019

| | | | |
|-------------|---|-----------|---|
| 8:00-9:00 | Developmental delay in young children: Identifying early indicators | 1:00-2:00 | Improving mobility and neuromotor skills in young children |
| 9:00-10:00 | Autism Spectrum Disorder (with or without associated SPD) in young children: Identifying early indicators | 2:00-2:45 | Use of gaming (including virtual reality) to facilitate improved mobility and neuromotor skills in young children |
| 10:00-10:15 | Break | 2:45-3:00 | Break |
| 10:15-11:00 | Techniques for improving postural control during daily routines | 3:00-4:00 | Adaptive Physical Education programs for children with Autism Spectrum Disorders and various neurodevelopmental delay |
| 11:00-12:00 | Techniques for improving mobility during daily routines | 4:00 | Complete program evaluations |
| 12:00-1:00 | Lunch – On your own | | |



COURSE #20 WEDNESDAY - MARCH 6, 2019

Word Smarts! Building Student Vocabulary through Morphology

by William Van Cleave, MA, Educational Consultant, Louisville, KY

DAY 2

Target Audience: General Education Teachers, Special Education Teachers, Resource Room Teachers, Reading Specialists, Speech-Language Pathologists, Principals and Administrators, ELL Teachers, Private Tutors, Instructional Assistants and Paraprofessionals

Target Age Range: 2nd grade through 21 years

Course Description: An understanding of morphology, or the meaning parts that comprise words, is invaluable for developing students' vocabulary and word attack skills. It also makes for a fascinating study! In this interactive, hands-on course, William Van Cleave first provides a framework for thinking about vocabulary instruction in general, including both research and best practices. He helps teachers develop an understanding of good vocabulary instruction through discussion and modeling. Then, he delves into a study of meaning parts, with particular attention to deep, meaningful word study. He

helps participants explore the origins of our language and characteristics of the major languages of influence, an introduction to morphemic awareness, and then a study of hands-on teaching strategies. Participants examine the components of an effective morphology lesson, practice with effective activities to aid in morphological understanding, and discuss how best to integrate instruction with other content material. They practice with each concept and leave with strategies they can use with their students the very next day!

Course Objectives – participants will be able to:

Discuss research concerning best practices in vocabulary instruction

Describe and demonstrate how to apply morphological awareness to their knowledge of words

Describe the differences between phonology and morphology and why it matters

Describe the components of a good morphology lesson

Describe the origins of our language and how they impact spelling, decoding, and vocabulary

Demonstrate investigative strategies to use with students to develop their word sense

Course #20 Schedule Wednesday, March 6, 2019

| | | | |
|-------------|---|-----------|--|
| 8:00-9:00 | General vocabulary framework | 1:00-2:00 | Advanced word structure with Latin-based words |
| 9:00-10:00 | Morphology terminology and basic investigative strategies | 2:00-2:45 | Components of a lesson; what good instruction looks like |
| 10:00-10:15 | Break | 2:45-3:00 | Break |
| 10:15-11:00 | History of the language and why it matters | 3:00-4:00 | Analyzing words in text—how to choose and what to do |
| 11:00-12:00 | Differences between phonology and morphology | 4:00 | Complete program evaluations |
| 12:00-1:00 | Lunch – On your own | | |



COURSE #21 THURSDAY - MARCH 7, 2019

Behavioral Assessment and Treatment of Students that Exhibit Self-Injurious Behavior and Related Disorders by Timothy Vollmer, PhD, BCBA, Gainesville, FL

DAY 3

Target Audience: Behavior Specialists, School Psychologists, Social Workers, Occupational Therapists, Speech-Language Pathologists, Special Education Teachers, Principals/Administrators, Autism Specialists, Instructional Assistants and Paraprofessionals, and other professionals working with students with autism and developmental disabilities that exhibit self-injurious behaviors or related disorders

Target Age Range: Any age student that exhibits self-injurious behaviors

Course Description: Hand-biting, head-hitting and head-banging are common forms of self-injurious behaviors (SIB) displayed by students with autism, intellectual disabilities and certain genetic disorders. Dr. Timothy Vollmer, a leading researcher and expert in SIB, will discuss how he became involved in the assessment and treatment of self-injurious behavior and related disorders. He will present research supporting the notion that SIB and related disorders are

largely learned behaviors. He will show that environmental conditions determine whether or not the behavior is likely to occur. Information will be provided based on his own research and research of colleagues about how to develop interventions for SIB and related disorders. A general model will be outlined for application in schools and other applied contexts.

Course Objectives – participants will be able to:

Specify potential sources of reinforcement maintaining self-injurious behavior among individuals with autism and related disabilities

Describe the development of treatments based on differential reinforcement

Describe the empirical evidence supporting the notion that self-injury and related disorders are learned (operant) forms of behavior

Describe models for staff and parent training

Course #21 Schedule Thursday, March 7, 2019

| | | | |
|-------------|--|-----------|--|
| 8:00-9:00 | Introduction to self-injury and related disorders | 1:00-2:00 | A differential-reinforcement based treatment model |
| 9:00-10:00 | Evidence that self-injury and related disorders are learned, operant forms of behavior | 2:00-2:45 | Treatment model continued; parent and staff training |
| 10:00-10:15 | Break | 2:45-3:00 | Break |
| 10:15-11:00 | Assessment approaches and considerations | 3:00-4:00 | Parent and staff training; question and answers |
| 11:00-12:00 | Common behavioral interventions | 4:00 | Complete program evaluations |
| 12:00-1:00 | Lunch – On your own | | |



COURSE #22 THURSDAY - MARCH 7, 2019 PART THREE
The Integration of Trauma-Informed Approaches and Positive Behavioral Interventions & Supports within a Multi-Tiered System of Supports Framework
by Lynne DeSousa, MS, School Psychologist, Denver, CO

DAY 3

Target Audience: School Psychologists, School Counselors, Social Workers, Behavior Specialists, General Education Teachers, Special Education Teachers, Resource Room Teachers, Principals and Administrators



Target Age Range: Kindergarten through 10th grade

Course Description: It is estimated that approximately 25% of students will experience trauma or toxic stress before the age of 18. This realization in recent years has led to an increased sense of urgency from educators to investigate ways to provide supports that match this growing need. Many are turning to the treatment framework known as Trauma-Informed Care (TIC). The focus of Trauma-Informed Care is in the recognition, understanding and responsiveness to trauma with explicit efforts made in restoring emotional safety, building healthy relationships, and creating positive opportunities where students can practice self-regulation strategies and prosocial skills. Because TIC did not originate within the educational context, the need to anchor it within evidence-based practices and effective implementation within Positive Behavioral Interventions and Supports (PBIS) are a high priority. Therefore, as districts and schools are investing in retooling staff and reallocating resources to incorporate trauma-informed approaches

into their environments, aligning them with PBIS principles and making explicit connections provide the ingredients for effective and efficient implementation and sustained efforts that supports all students. This course is intended to create connections for participants in the key principals of Positive Behavioral Interventions and Supports (PBIS) and Trauma-Informed Care (TIC). The purpose is to identify the critical features of both, expose the ways they overlap and complement one another, and provide practical strategies so that practitioners feel confident in utilizing this information as they build systems that support student success at every tier of a layered continuum of supports. This training is intended for participants who have varying degrees of understanding of PBIS and a general knowledge of trauma and its impact. Self-care and functional behavioral assessment will also be addressed.

See pages 10 & 20 for information about days 1 & 2 of this 3-day course.

Course Objectives – participants will be able to:

- Describe the components of trauma-sensitive functional behavioral assessments
- Describe the components of a trauma-sensitive behavior intervention plan
- Demonstrate how functional behavior assessments and behavior intervention plans can incorporate a trauma-informed lens at Tier 3

- List four essential components to delivering effective social skills instruction
- Describe how to utilize point cards and self-monitoring tools
- Develop an action plan for integrating trauma informed approaches in the classroom

Course #22 Schedule Thursday, March 7, 2019

| | | | |
|-------------|---|------------|--|
| 8:00-9:00 | Day one and two content review and reflection | 12:00-1:00 | Lunch – On your own |
| 9:00-10:00 | Trauma-sensitive functional behavioral assessment | 1:00-2:00 | Essential components to delivering effective social skills instruction |
| 10:00-10:15 | Break | 2:00-2:45 | Point Cards and self-monitoring tools |
| 10:15-11:00 | Trauma-sensitive behavior intervention plan | 2:45-3:00 | Break |
| 11:00-12:00 | Cognitive behavioral theory | 3:00-4:00 | Action planning and next steps |
| | | 4:00 | Complete program evaluations |



COURSE #23 THURSDAY - MARCH 7, 2019

Science to Practice: Understanding and Supporting Preschool Child Development in Literacy, Mathematics and Social-Emotional Learning by Kristen Missall, PhD, University of Washington

DAY 3

Target Audience: General Education Teachers, Special Education Teachers, Resource Room Teachers, Reading Specialists, School Psychologists, School Counselors, Social Workers, Speech-Language Pathologists, and Principals/Administrators, Instructional Assistants and Paraeducators

Target Age Range: 3 years through kindergarten

Course Description: This course focuses on developmental science and best practice with key skills during the preschool years in the areas of early literacy, mathematics and social development. We will discuss the latest information about neurological development and environmental support related to key skills and educational expectations in literacy,

mathematics and social-emotional learning. We will review evidence-based practices for supporting school readiness and early school adjustment. This course has application for educators who work with preschoolers and who seek to understand the developmental and life trajectories of young students transitioning into formal schooling.

Course Objectives – participants will be able to:

Define school readiness and key determinants

Describe social-emotional development of preschool-aged children

Describe best practices for supporting social-emotional development in preschool and consider personal experiences and needs for supporting preschool-aged children

Explain the science of the development of early literacy skills, including trajectory of development and associated risks

Describe best practices for supporting early literacy development in preschool

Explain how early mathematics skills develop up to and just beyond preschool years

Describe how to support early mathematics development through exploration of evidence-based practices and personal experiences and needs

Course #23 Schedule Thursday, March 7, 2019

| | | | |
|-------------|---|------------|--|
| 8:00-9:00 | Overview, introductions, goals; rationale for importance of examining school readiness in context of key skill development and considering broad life experiences | 12:00-1:00 | Lunch – On your own |
| 9:00-10:00 | Science of early social-emotional development | 1:00-2:00 | Best practices for supporting early literacy development |
| 10:00-10:15 | Break | 2:00-2:45 | Science of early mathematics development |
| 10:15-11:00 | Best practices for supporting early social-emotional development | 2:45-3:00 | Break |
| 11:00-12:00 | Science of early literacy development | 3:00-4:00 | Best practices for supporting early mathematics development; wrap-up |
| | | 4:00 | Complete program evaluations |



COURSE #24 THURSDAY - MARCH 7, 2019
Creating Assistive Technology Solutions in Minutes
by Therese Willkomm, PhD, ATP, Durham, NH

DAY 3

Target Audience: Assistive Technology Specialists, Special Education Teachers, Resource Room Teachers, Deaf & Hard of Hearing Teachers, Physical Therapists and Assistants, Occupational Therapists & Assistants, Speech-Language Pathologists & Assistants, Case Managers, Administrators/Principals, Autism Specialists, School Counselors, School Psychologists, Reading Specialists, Instructional Assistants and Paraprofessionals

Target Age Range: Birth through adulthood

Course Description: Everyone is born to create, discover, make and build solutions for everyday challenges. Hundreds of new tools, specialty tapes, fasteners and plastics have emerged that enables all individuals to become AT makers without the need for power tools, glue or nails. This "hands-on" discovery course introduces participants to new methods, material, tools and resources for making hundreds of solutions in minutes to achieve educational success for students K-12. This full day course focuses on creating solutions for specific functional limitations and specific tasks in educational settings. Participants will explore methods, materials and techniques to create the following assistive technology solutions: over 30 hands free solutions for students who experience difficulties using their hands to cook, drink, eat, hold cups, paint brushes, writing instruments, musical instruments, toys,

tools etc; 20 solutions for reading and writing for students who experience print disabilities, learning disabilities, difficulties in holding books or turning pages, low vision, blindness; 12 solutions for students who experience communication impairments, deafness or hard of hearing; 30 solutions for students who experience mobility impairments and need mounting, holding and carrying solutions for wheelchairs, walkers, crutches and canes; 30 solutions for memory, prompting, organization and task sequencing; 20 one-handed solutions; and 15 solutions for difficulties in reaching, bending, lifting and carrying objects. Participants will learn new innovative ways to use InstaMorph, Coroplast, Corner Guard, Expanded PVC, Loc-Line, Transparency Film and 10 specialty tapes to make hundreds of solutions in minutes.

Course Objectives – participants will be able to:

Describe at least 10 different everyday items that can be used to create solutions in minutes for students with disabilities

Identify and describe at least 10 different materials that can be used to fabricate hundreds of solutions in minutes

Describe at least 10 solutions that can be made in minutes to accommodate for students who experience vision or hearing impairments

Describe at least five solutions that can be made in minutes to accommodate for students who experience autism

Describe at least five solutions that can be made in minutes to accommodate for students who experience mobility impairments

Describe at least five solutions that can be made in minutes to accommodate for students who experience grasping and holding impairments

Describe at least five solutions that can be made in minutes to accommodate for students who experience communication impairments

Course #24 Schedule Thursday, March 7, 2019

| | | | |
|-------------|--|------------|---|
| 8:00-9:00 | Everyday items used in extraordinary ways | 12:00-1:00 | Lunch – On your own |
| 9:00-10:00 | Everyday materials for fabricating solutions in minutes | 1:00-2:00 | Making solutions for students who experience mobility impairments |
| 10:00-10:15 | Break | 2:00-2:45 | Making solutions for students who experience grasping impairments |
| 10:15-11:00 | Making solutions for students who experience vision or hearing impairments | 2:45-3:00 | Break |
| 11:00-12:00 | Making solutions for students who experience autism | 3:00-4:00 | Making solutions for students who experience communication impairments; complete program evaluation |



COURSE #25 THURSDAY - MARCH 7, 2019

From Words to Works! Developing Foundational Writing Skills in Students of All Ages
by William Van Cleave, MA, Educational Consultant, Louisville, KY

DAY 3

Target Audience: General Education Teachers, Special Education Teachers, Resource Room Teachers, Reading Specialists, Speech-Language Pathologists, Principals and Administrators, ELL Teachers, Private Tutors, Instructional Assistants and Paraprofessionals

Target Age Range: 2nd grade through 21 years

Course Description: In this hands-on, interactive course, William Van Cleave first helps participants understand the cognitive demands writing places on student writers. He then focuses attention on engaging students in sentence-level work, both for writing and reading comprehension. Participants learn about the components of a good lesson and strategies for developing sentence sense in student writers. They examine parts of speech as a method of understanding the way words interact with each other and sentence parts as building blocks for creating different kinds of sentences. With each skill, participants practice

and the instructor models effective interactive teaching. Participants in this course then learn a structured, sequential approach to teaching the basic and expanded paragraph, including idea generation, categorization, and writing topic, supporting, and concluding sentences as well as transitions. They work with gradual release instruction and teacher modeling of the writing process. At all levels, they participate in engaging, interactive practice with the elements introduced and model the strategies suggested. They depart this course armed with tools they can use immediately in their classrooms!

Course Objectives – participants will be able to:

Adequately describe the cognitive demands writing places on student writers

Explain syntax instruction as it applies to improving writing

Adequately describe how words work together at the sentence level as a means of improving writing and reading comprehension

Demonstrate how to use clause structure to facilitate sentence building

Adequately describe how gradual release applies to all aspects of the writing process

Identify the components of basic and expanded paragraphs

Demonstrate how to help students develop ideas into expository text

Course #25 Schedule Thursday, March 7, 2019

| | | | |
|-------------|------------------------------|-----------|--|
| 8:00-9:00 | Cognitive demands of writing | 1:00-2:00 | Idea generation and categorization |
| 9:00-10:00 | Parts of speech | 2:00-2:45 | Basic and expanded paragraphs |
| 10:00-10:15 | Break | 2:45-3:00 | Break |
| 10:15-11:00 | Clause structure | 3:00-4:00 | Topic and concluding sentence construction |
| 11:00-12:00 | Different kinds of sentences | | |
| 12:00-1:00 | Lunch – On your own | 4:00 | Complete program evaluations |



COURSE #26 THURSDAY - MARCH 7, 2019

Make and Take: Hands-on Therapy Ideas that Speech Pathologists Can Use Tomorrow
by Felice Clark, MA, CCC-SLP, Roseville, CA

DAY 3

Target Audience: Speech-Language Pathologists and Speech-Language Pathology Assistants

Target Age Range: Kindergarten through 6th grade

Course Description: The increasing demands of paperwork, IEP meetings and larger caseloads leaves little time for the speech pathologist to create activities for their students. This session is designed for speech pathologists who want to get inspired by learning new therapy ideas that they can prepare during the course! Learn new ideas to work on articulation, language, social skills and speech fluency. Attendees can tailor these ideas to their own caseload. The morning portion of the course will focus on therapy ideas & lessons that SLPs can make with common items they have around their therapy room.

The afternoon portion of the course will focus on how to find digital resources and ways to use them with groups. Attendees will learn how to organize digital lessons, so when the SLP has limited time to plan, they can easily access these low-prep activities. Plus, there will be quick DIY ideas for how to make visuals that will help the SLP structure their social skill therapy groups.

What to Bring: Participants should bring a laptop or device, scissors and a stapler.

Course Objectives – participants will be able to:

Demonstrate how to make therapy activities with common items around the speech room

Demonstrate extension activities using books to practice speech and language concepts

Create unique therapy activities for use with current caseloads

Demonstrate how to use a variety of digital resources in therapy

Explain the importance of literacy in therapy and innovative strategies for using books for mixed group therapy

Demonstrate how to plan and organize new therapy activities using *Cheat Sheet Guides*

Demonstrate how to make quick DIY visuals to help structure social skills lessons

Course #26 Schedule Thursday, March 7, 2019

| | | | |
|-------------|---|-----------|---|
| 8:00-9:00 | Using common objects in therapy for articulation, language, social skills and fluency therapy | 1:00-2:00 | Digital resources to use with students in your mixed groups |
| 9:00-10:00 | Hands on “make n’ take” therapy activities | 2:00-2:45 | Lesson plan ideas using videos and creating <i>Cheat Sheet Guides</i> for staying organized |
| 10:00-10:15 | Break | 2:45-3:00 | Break |
| 10:15-11:00 | How to adapt books and games for your mixed-therapy groups | 3:00-4:00 | Resources, visual supports & quick DIY activities for working on social pragmatics |
| 11:00-12:00 | Learn ways to plan extension activities from the books to practice speech and language concepts (and time to create activities) | 4:00 | Complete program evaluations |
| 12:00-1:00 | Lunch – On your own | | |



COURSE #27 THURSDAY - MARCH 7, 2019

Mind the Gap! Neuroscience & Education

by Shannon Kuschel, MS, LPC, PCET, NILD, Suffolk, VA

DAY 3

Target Audience: Special Education Teachers, General Education Teachers, Resource Room Teachers, School Psychologists, Occupational Therapists, Physical Therapists, Speech-Language Pathologists, Principals/Administrators, Math & Reading Teachers, ELL Teachers, Autism Specialists, Instructional Assistants and Paraprofessionals

Target Age Range: Pre-kindergarten to 21 years

Course Description: Building a bridge between new advances in neuroscience and education is a logical and worthwhile goal in theory; however, is it a feasible one? Making this connection a reality in the real world of educational practice can seem like a complicated matter. We will discuss goals, challenges and strategies for translating and integrating knowledge from salient cognitive and

neuroscience research into everyday practical use in the classroom. This course will explore important themes for educators from the neuro- and cognitive sciences, discuss learning mechanisms that contribute to brain development and efficient learning, and review the Brain-Targeted Teaching Model.

Course Objectives – participants will be able to:

Adequately discuss the unique roles of the neuroscientist and educator as it relates to promoting student learning

Incorporate learning mechanisms in instructional delivery and classroom practices

Provide examples of the intersection of neuroscience and education

Collaboratively discuss goals, challenges and strategies for bridging neuroscience and education

Discuss the impact of neuroimaging on teaching methods

Adequately describe the Brain Targeted Teaching Model, explain how it relates to their classroom or learning environment, and demonstrate the ability to develop goals for implementation

Describe important themes from neuro- and cognitive sciences that educators should know

Discuss learning mechanisms that contribute to brain development and effective classroom learning

Course #27 Schedule Thursday, March 7, 2019

| | | | |
|-------------|--|-----------|---|
| 8:00-9:00 | The roles of neuroscientist and educator—how they intersect in teaching and learning | 1:00-2:00 | Explore important themes from neuro- and cognitive sciences that educators should know |
| 9:00-10:00 | Examples of neuroscience and education intersection | 2:00-2:45 | Discuss learning mechanisms that contribute to brain development and effective classroom learning |
| 10:00-10:15 | Break | 2:45-3:00 | Break |
| 10:15-11:00 | The impact of neuroimaging on teaching | 3:00-4:00 | Review the Brain-Targeted Teaching Model and how it relates to your classroom |
| 11:00-12:00 | Goals, challenges and strategies for bridging neuroscience and education | 4:00 | Complete program evaluations |
| 12:00-1:00 | Lunch – On your own | | |



COURSE #28 THURSDAY - MARCH 7, 2019

Advanced Tough Kid Behavior Management Techniques, Reductive Techniques, Social Skills, On-Task in a Box and the Electronic Homenote

by William Jenson, PhD, Educational & Child Psychologist, University of Utah

DAY 3

Target Audience: School Psychologists, Behavior Specialists, School Counselors, Social Workers, Principals/ Administrators, Special Education Teachers, General Education Teachers, Resource Room Teachers, Autism Specialists and other professionals working with behaviorally disordered/emotionally disturbed students

Target Age Range: Kindergarten through 7th grade

Course Description: This course will provide a brief review of Tough Kid principles. Reductive techniques such as response cost, group contingencies, time out, in-school suspension and *Think Time* will be described. Advanced techniques that include the *Superheroes Social Skills* program, *On-Task in a Box*: A complete self-management program, and

the *Electronic Homenote* will be presented. Specific content will include *Fasthands* animation, video modeling, self-recording, self-as-a-model, reward chartmoves and magic ink pens, reinforcement spinners and mystery motivators and the *Tough Kid Bully Blockers* program.

Course Objectives – participants will be able to:

Provide a practical educational definition of “tough kids” that includes the externalizing behavioral excesses of aggression and noncompliance, while arguing the behavioral deficits of self-management and social skills

Define evidence-based practice

Describe reductive techniques and the cautions in their use

Explain response cost, time out, in-school suspension and think time

Describe the *Superheroes Social Skills* program and its implementation

Describe the *On-Task in a Box* self-management program and how to implement it

Describe the *Electronic Homenote* program and how to implement it

Course #28 Schedule Thursday, March 7, 2019

| | | | |
|-------------|--|-----------|--|
| 8:00-9:00 | What is a “tough kid” and the assumption of managing their behavior - Brief review | 1:00-2:00 | <i>Superheroes Social Skills</i> program |
| 9:00-10:00 | Evidence-based behavior management practices for “tough kids” | 2:00-2:45 | <i>On-Task in a Box</i> program |
| 10:00-10:15 | Break | 2:45-3:00 | Break |
| 10:15-12:00 | Reductive behavior management techniques | 3:00-4:00 | <i>Electronic Homenote</i> program; <i>Tough Kid Bully Blockers</i> program |
| 12:00-1:00 | Lunch – On your own | 4:00 | Complete program evaluations |



COURSE #29 THURSDAY - MARCH 7, 2019

Critical Math Tools Every Classroom Needs To Have and Use Today!

by Kim Sutton, MA, Creative Mathematics, Arcata, CA

DAY 3

Target Audience: General Education Teachers, Special Education Teachers, Resource Room Teachers, Principals/ Administrators, ELL Teachers, Math Teachers and Math Coaches, and Instructional Assistants and Paraprofessionals

Target Age Range: Kindergarten through 6th grade

Course Description: Teaching with math intensity for the K-6 classroom requires simple tools that allow students to experience meaningful math content. Participants will experience number lines, place value pockets and pattern sticks. Kim Sutton invented these specialized tools, and she will share how to use them with mathematical depth in the elementary classroom. Each of the tools will be constructed in at least three different levels to model differentiation. Kim will share new strategies for using number lines along with ideas for using empty number lines. This will apply to teachers who have never used this tool or experienced teachers already enjoying the benefit of using a number line. The handout for this class is filled with lots of ideas for alternative algorithms for regrouping, making change, elapsed time, rounding skills, fractions, decimals, place value, multiples and factors. Teaching place value is a tremendous challenge and affects the development of

number sense. Kim's place value pockets will be modeled to encourage algebraic thinking, proportional reasoning and number properties. Participants will learn how and when to use them effectively at every grade level. She will show how to review every content standard. Assessment is immediate and effective for students and teachers. The big game changer for math fact fluency is pattern sticks! Participants will appreciate how effective and motivating these tools are for addition facts, missing addends, skip counting by multiples, multiplication facts and equivalent fractions. Participants will learn three new games that create consistency for practice! Kim will share powerful connections of the depth of using this tool with equivalent fractions. The strategies and content within this course will add to the fundamentals that supplement any math program. She will also share songs and kinesthetic movements for classroom transitions.

Course Objectives – participants will be able to:

Demonstrate the use of number lines, place value pockets and pattern sticks to improve mathematical depth in the elementary classroom

Demonstrate how to use empty number lines for alternative algorithms for regrouping, making change, elapsed time, rounding skills, fractions, decimals, place value, multiples and factors

Demonstrate the uses for place value pockets that build strong number sense, algebraic reasoning and critical thinking skills

Demonstrate how to use pattern sticks to improve math fact fluency

Describe how to use music and kinesthetic mathematics for smooth transitions in the classroom

Course #29 Schedule Thursday, March 7, 2019

| | | | |
|-------------|---|------------|---|
| 8:00-9:00 | Make place value pockets and digit cards to match grade level standards; how to "iterate" using an appropriate unit of measure to construct a number line | 12:00-1:00 | Lunch – On your own |
| 9:00-10:00 | Four games to introduce multiples and factors; how to teach rounding with a number line; combine place value and rounding and cover seven standards; math visuals | 1:00-2:00 | Construct 12 pattern sticks; using the pattern sticks for missing addends, doubles, skip counting by multiples, groups of, multiplication facts and equivalent fractions |
| 10:00-10:15 | Break | 2:00-2:45 | How to play the "Pattern Stick Game" with students at all levels |
| 10:15-11:00 | Construct a number line: how to use for fractions and decimals; how to create alternative algorithms for regrouping, making change and elapsed time problems using empty number lines | 2:45-3:00 | Break |
| 11:00-12:00 | Base ten; how to build understanding of the fundamentals for place value; using songs and kinesthetic movements | 3:00-4:00 | Songs about multiples and factors and kinesthetic movements for each song; pattern sticks and fractions; best practice for teaching fractions and comparing size of fractions |
| | | 4:00 | Complete program evaluations |



COURSE #30 THURSDAY - MARCH 7, 2019

Culturally Responsive Teaching: Closing the Opportunity Gap

by Caprice D. Hollins, PsyD, Clinical Psychologist, Cultures Connecting, Renton, WA

DAY 3

Target Audience: All school district professionals including teachers, counselors, psychologists, therapists, specialists, administrators, curriculum specialists and support staff

Target Age Range: All grade levels

Course Description: In the world of education today, we are learning to become multicultural in a way where we benefit from differences, rather than expecting people to assimilate into the dominant culture’s norms, values and customs. In the process, we must have the courage to unpack how we have been socialized to think about one another and have the willingness to recognize institutional advantages and disadvantages staff, children, families and communities face. Closing the opportunity gap requires a willingness to deeply examine who we are, what we teach, how we teach, and what is our ultimate goal for students. Is your vision one of a student population that is prepared not only for the

world as it is, but also able to think critically about how the world should be? Do you want students to have strategies to enact change and remove barriers to access? Educators in this course will be trained to screen curriculum materials for a variety of biases including ageism, sexism, racism, ableism, and heterosexism. Participants will practice using tools designed for a whole school, for district adoption or for examining materials in individual classrooms. The content is designed for educators committed to equity who want to deepen their analysis of the opportunity gap and work collaboratively toward a vision of inclusion that engages all staff and students.

Course Objectives – participants will be able to:

Identify three tools for engaging in on-going courageous conversations about race and equity

Describe the impact of stereotypes, stereotype threat and implicit biases in schools

Adequately describe the complexity of addressing racial equity in education and be able to articulate why this is personally important

Identify four strategies to counter implicit bias and stereotype threat

Discuss how to develop a common framework, language and understanding of cultural competence

Demonstrate how to utilize a screening tool to analyze curriculum materials for ageism, sexism, racism, ableism and heterosexism

Course #30 Schedule Thursday, March 7, 2019

8:00-9:00 Cultural Bingo warm up activity, introduction via spoken word poetry, and norms for courageous conversations

12:00-1:00 Lunch – On your own

9:00-10:00 Framework for cultural competence and exploring participants’ “why” for culturally-responsive practices

1:00-2:00 Examine research and strategies for countering stereotype threat and implicit bias in schools

10:00-10:15 Break

2:00-2:45 Practice screening curriculum materials

10:15-11:00 Interactive lecture on frameworks for cultural competence

2:45-3:00 Break

11:00-12:00 Group exercise on the impact of stereotypes

3:00-4:00 Screening materials-continued, discuss learning and takeaways from the day, closing video

4:00 Complete program evaluations

Location & Hotel Registration – SEATTLE



LOCATION: This conference will be held at The Conference Center at the Washington State Convention Center. The Conference Center

features stylish meeting rooms and facilities in the heart of downtown Seattle, Washington. Discover all the extraordinary things to do in Seattle after the conference sessions: walk through the wondrous Pike Place Market and watch fishmongers toss their catch in the air, shop at Nordstrom's flagship store, visit the Seattle Aquarium, Museum of Flight, Experience Music Project, Pioneer Square, the Space Needle and much more. Visit the WSCC website at: <http://www.wsc.com/audience/visitors> for more information about this exciting location. The Conference Center address is: 800 Pike Street, Seattle, WA 98101.

FROM THE AIRPORT: Sea-Tac Airport is the international airport serving the Seattle, Washington area. Getting to the Washington State Convention Center is now easier and greener than ever with the new Seattle Link Light Rail Train. The train will take you directly from Sea-Tac airport to the Westlake Light Rail station, a block from the Washington State Convention Center. Link trains run every 7.5, 10 or 15 minutes depending on the time of day. Service is available from 5:00 am to 1:00 am Monday through Saturday, and from 6:00 am to midnight on Sunday and holidays. Best of all, the cost is only \$3.00 each way. Go to the Link Light Rail website for more information at: <http://www.soundtransit.org/Schedules/Link-light-rail> For other ground transportation options, go to the Ground Transportation Information Booth on the third floor of the Parking Garage. You can also dial 55 from any Traveler's Information Board at the base of the Baggage Claim escalators for ground transportation information.



HYATT REGENCY SEATTLE HOTEL

Discounted Rooms: A block of discounted rooms is reserved at the new **Hyatt Regency- Seattle Hotel** located two blocks from The Washington State Convention Center at 808 Howell Street Seattle, WA (8th and Howell). The discounted rate is \$209 single & double occupancy, \$234 triple occupancy, \$259 quadruple occupancy, per night plus taxes. To book your discounted hotel room online, go to: https://www.hyatt.com/en-US/hotel/washington/hyatt-regency-seattle/sears?corp_id=G-RESE Discounted rooms are limited, so book early. Make your reservation by February 11, 2019 to receive the discounted room rate; reservations made after the cut-off date will be based on availability at the Hotel's prevailing rates.

The Hyatt Regency Seattle Hotel's phone number: **1-800-233-1234** (mention: "Special Education Conference" room block to receive the group discounted rate).

CONFERENCE REGISTRATION: Visit: www.rehabseminars.org to register online or mail registration forms to: Rehab Seminars, 500 Goss Road, Port Townsend, WA 98368, or fax form to (360) 379-5271. For a registration form, go to page 43.

CONFERENCE REGISTRATION CONFIRMATION: A conference registration confirmation will be emailed to you upon receipt of your registration form. If you do not receive your confirmation email within 24 hours of registering, please call Rehab Seminars at 360-379-6994 to confirm that your registration was received and processed.

REGISTRATION PAYMENTS: Rehab Seminars accepts Purchase Orders, Checks, Visa, MasterCard and American Express for tuition payments. Make checks payable to **Rehab Seminars**.

PURCHASE ORDERS: accepted. Please register online and upload your PO or fax completed purchase orders to Rehab Seminars at (360) 379-5271.

GROUP DISCOUNTS: Registrations must be completed online, mailed, faxed or called in together to receive the discounted rate. There is a \$30 per person discount for groups of 5 or more. Group discounts are only given to groups attending 2 or 3 days of the conference and are not given to single day registrations. Registrations cannot be shared. No group discounts after March 1, 2019.

TAX DEDUCTIBILITY: Expenses for training, tuition, travel, lodging and meals to maintain or improve your professional skills may be tax deductible. Consult your tax advisor.

TUITION FUNDING: Possible school funding sources include various government grants, Parent-Teacher Organizations, and school improvement funds, to name a few. Consult with your employer for state and federal funds available for tuition reimbursement. For tips to gain support to attend the conference from your employer, and to download a sample letter of support, visit our website at www.rehabseminars.org.

CANCELLATION POLICY: Registration less a 20% processing fee is refundable if cancellation occurs on or before March 1, 2019. After March 1, 2019, fees are NON-REFUNDABLE. If a course is cancelled for any reason, including labor strikes or acts of God, liability is limited to a full refund of registration fees.



General Conference Information & Policies

PROGRAM DESCRIPTION: This conference provides numerous opportunities for professionals to acquire new information and ideas to work collaboratively to meet the needs of all students. Participants will have the opportunity to hear nationally and internationally recognized speakers on a variety of general education and special education topics. Thirty full-day courses are offered, allowing you to best meet your professional needs.

CONFERENCE TARGET AUDIENCE: Courses are specifically designed for: general classroom teachers (pre-kindergarten through 12th grade), special education teachers, autism specialists, superintendents, principals, directors, resource room teachers, ELL teachers, speech-language pathologists, occupational therapists, physical therapists, school psychologists, counselors, social workers, case managers, behavior specialists, Title 1 teachers, school nurses, professional development staff, paraprofessionals and other educators. Courses are designed for professionals working with general education students, special needs students, students with learning differences, English Language Learners and at-risk students in public and private schools, private practices, hospitals, outpatient clinics, home health, and other health and educational settings. Concurrent courses are offered, helping you to better meet your professional needs.

DOWNLOAD YOUR HANDOUTS: Please download your handouts prior to arriving at the conference. All paid registrants will receive a password and link via email prior to the conference with instructions for accessing the course handouts. Please consider the environment before printing. Handouts will be available on the website for 10 days after the conference.

CELL PHONES: Please turn off your cell phones during the course presentations to avoid disrupting the presenter and other attendees.

NAME BADGES: Attendees who are pre-registered may pick up their name badges from 7:00-8:00am each morning at general registration. Attendees must wear their badges to enter the conference area. Badges will be clearly marked indicating which days you are attending the conference and your course locations. Name badges will be generated using the name provided on your registration form.

NAME CHANGES: Registration sign-in sheets, name badges and certificates of course completion will be generated based on the name entered on your registration form. Please make sure the information entered on the registration form is correct. If a name change is required, call Rehab Seminars at 360-379-6994 or email vickid@seanet.com to report an error in your name.

EMAIL OF RECORD: The email address entered on the registration form will be your email of record. All information regarding the conference will be sent to the email of record. If you change your email, please call 360-379-6994 and report the change.

SIGN-IN SHEETS: All attendees are required to sign-in at registration each morning and after lunch each day. Signature sheets are used by Rehab Seminars to verify attendance. The original signature of the registrant is required. Signing for another attendee is strictly prohibited. Registrants' names will be printed on the signature sheets as they appear on the registration form.

PRIVACY POLICY: Rehab Seminars will never share your personal information with any third party, including vendors, exhibitors or companies promoting their services at the conference. We will send you annual conference notices via email. If you do not want to receive conference notices and updates, reply to our email with the word "remove" in the "subject" and we will place you on our "do not send" list. At your request, some of your information may be shared with accrediting agencies.

CHILDCARE: Rehab Seminars does not provide childcare services. Please check with the hotel concierge about on-site childcare services or local childcare providers. This conference is a professional education event, and children under 18 are not permitted in the classrooms due to space limitations.

AUDIO, VIDEO AND RECORDING POLICY: Audio, video and digital recordings of any kind are prohibited. No presentations may be rebroadcast.

INTERNET AND WI-FI: Internet "hot spots" with sitting areas are located on each floor of The Conference Center. These locations are posted at the center.

BOOKSTORE: Visit the conference bookstore at this event. Relevant educational books, therapy materials, t-shirts and related educational products will be displayed and available for purchase. Rehab Seminars does not receive royalties or commissions from companies or publishers exhibiting products or services. Products available at the bookstore are provided to enhance your educational experience.

PROGRAM CHANGES: Rehab Seminars reserves the right to make necessary changes in speakers or schedules. Any speaker or scheduling change will be posted on our website at www.rehabseminars.org and attendees registered for the course in which a change has occurred will be notified by email, phone or US mail.



SPECIAL ARRANGEMENTS:

If you require special arrangements at this conference, please call (360) 379-6994 at least 30 days prior to the conference.

CONFERENCE ATTIRE: Business casual dress is appropriate. Be sure to bring a sweater or jacket, since meeting rooms are usually cool.

ACCREDITATION – CONTINUING EDUCATION – CONTACT HOURS: ALL PARTICIPANTS: Certificates of Course Completion will be provided to participants upon completion of course requirements, enabling you to register your credit with the appropriate licensing boards or associations. You may apply for other accreditation using the procedure established by the specific organization. This program can be applied toward renewal in most states. Check with your state's licensing board or association to determine how to receive credit for this conference, if approval is not listed below. **APPLICATIONS FOR CONTINUING EDUCATION HOURS WILL NOT BE ACCEPTED AFTER THE CLOSE OF THE CONFERENCE.** This conference qualifies for 6.5 continuing education direct contact hours per day (up to 19.5 contact hours for this 3-day event). Boards and associations do not allow credit for breaks or lunch. Save the conference program and certificate of course completion and contact your own board or organization for specific requirements. If your licensing board requires additional documentation from Rehab Seminars (provider), contact the CE Administrator at: (360) 379-6994.

Participants requesting STARS (Merit), NASP, APA, NASW, NBCC, BCBA, ASHA, DSHS or OSPI Clock Hours, must go to the respective CE booth at registration and sign up for hours at the event.



WESTERN WASHINGTON UNIVERSITY COLLEGE CREDITS CSD 503 - PROFESSIONAL DEVELOPMENT IN CSD:

This course provides conference-based opportunities for practicing professionals to engage in learning about current research and treatment strategies on a variety of special education issues, including communication disorders. The courses are intended for the professional development of the conference attendee. The WWU credits may not be used as elective credits in a graduate degree program. Prerequisites & Notes: Entry level degree in professional area of specialization. Credits: 2 (graduate level); Grade Mode: S/U. WWU registration form, written assignment and instructions for registering for credits will be available at the WWU registration booth at the conference and at the conference website: www.rehabseminars.org. The cost is \$101 for 2 college credits (\$50 per credit) with payment being made to WWU at the conference. You must attend and meet completion requirements for the entire three-day conference and submit the completed written assignment, registration form, course evaluations and make payment at the conference. For additional details, visit the conference website.



Rehab Seminars is approved by the Continuing Education Board of the American Speech-Language-Hearing Association (ASHA) to provide continuing education activities in speech-language pathology and audiology. See course information for number of ASHA CEUs, instructional level and content area. ASHA CE Provider approval does not imply endorsement of course content, specific products or clinical procedures.

SPEECH-LANGUAGE PATHOLOGISTS:

This conference is offered for up to 1.95 ASHA CEUs (Various Level, Professional Area).

CALIFORNIA SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY AND HEARING AID DISPENSERS BOARD has approved Rehab Seminars to provide continuing professional development (PDP #308).

STARS PROFESSIONAL DEVELOPMENT HOURS:

All 30 courses have been reviewed and approved by the Washington Department of Early Learning (DEL). If you want STARS HOURS, go to the STARS TABLE at the conference (in the registration area) and sign the "STARS REGISTRATION FORM". Rehab Seminars will add participants requesting STARS Hours to the **MERIT** roster within 10 days of completion of the event so that credit will reflect on your MERIT record. Rehab Seminars' staff will be available to assist you at general registration if you have any difficulty locating the STARS registration table at the conference.



OSPI CLOCK HOURS (CECHs) Speech-Language Pathologists, Occupational Therapists, School Psychologists, Social Workers, School Counselors, Special Education Teachers, Classroom Teachers, School Nurses, Physical Therapists, Principals, Administrators and other professionals working in Washington State School Districts: Washington State Clock Hours have been approved through the Washington Speech-Language-Hearing Association for sponsorship. Individuals wishing to receive OSPI continuing education clock hours must sign an OSPI Clock Hour registration form available at the OSPI clock hours registration desk when signing-in at this conference each day. (There is a \$20.00 fee for OSPI Clock Hours, payable by check or cash at the conference. No prepayment of OSPI Clock Hours will be accepted). This three-day conference is 19.5 contact hours (6.5 hours per day). Pick up the "Continuing Education Clock Hour Credit In-service Registration Form." **Keep this form to verify course attendance.**



OCCUPATIONAL THERAPISTS & OCCUPATIONAL THERAPY

ASSISTANTS: Rehab Seminars is an American Occupational Therapy Association Approved Provider (#6274). Courses offered for AOTA CEUs include course # 1, 3, 4, 5, 7, 9, 11, 14, 15, 17, 19, 21, 24, 27 & 30. Full-day course attendance qualifies for 6.5 contact hours or .65 CEUs (3-day attendance is offered for up to 1.95 AOTA CEUs) in the category of Domain of OT and Occupational Therapy Process (Level: Intermediate). Partial credit will be issued for partial attendance. The assignment of AOTA CEUs does not imply endorsement of specific course content, products, or clinical procedures by AOTA.



NATIONAL ASSOCIATION OF SCHOOL PSYCHOLOGISTS:

Rehab Seminars is approved by the National Association of School Psychologists to offer professional development for school psychologists (approved provider #1099). Full day courses are 6.5 contact hours (6.5 CPD) or 19.5 contact hours (19.5 CPD) for this three-day conference. Full attendance is required for each course; no partial credits will be offered for partial course attendance.



AMERICAN PSYCHOLOGICAL ASSOCIATION:

Rehab Seminars is approved by the American Psychological Association to sponsor continuing education for psychologists. Rehab Seminars maintains responsibility for this program and its content. The following courses are offered for 6.5 CE Credits (Intermediate Level): Course # 1, 2, 3, 4, 5, 7, 9, 10, 11, 12, 13, 14, 15, 17, 18, 21, 22, 23, 24, 27, 28 & 30.



SOCIAL WORKERS, MARRIAGE AND FAMILY THERAPISTS AND MENTAL HEALTH COUNSELORS:

This program has been approved by NASW Washington State Chapter for 19.5 contact hours (6.5 contact hours per day) for licensed Social Workers, Marriage and Family Therapists and Mental Health Counselors. Provider number is #1975-286.



NATIONAL BOARD FOR CERTIFIED COUNSELORS:

Rehab Seminars has been approved by NBCC as an Approved Continuing Education Provider, ACEP No.6631. Rehab Seminars is solely responsible for all aspects of the programs. Courses for which NBCC-approved clock hours will be awarded list "school counselors" in the target audience section of the course description. **Courses offered for NBCC-approved Clock Hours are courses #: 2, 3, 4, 5, 7, 12, 13, 14, 15, 17, 18, 22, 23, 24, 28, & 30.** Courses that do not qualify for NBCC clock hours are **courses #: 1, 6, 8, 9, 10, 11, 16, 19, 20, 21, 25, 26, 27, 29.**



BOARD CERTIFIED BEHAVIOR ANALYST® (BCBA®):

Course #21 is offered for BACB Type 2 Credits by the Washington Association for Behavior Analysis, an approved ACE Provider (# OP-17-2758). No other courses are offered for BACB Type 2 credits.

WASHINGTON STATE LONG TERM CARE WORKERS CONTINUING EDUCATION: Rehab Seminars has been approved by the State of Washington Department of Social and Health Services Aging and Long-Term Support Administration to offer Washington State long term care workers continuing education for the 2019 General & Special Education Conference-Seattle. Each full-day course is 6.5 contact hours or up to 19.5 contact hours for this three-day event. Your certificate of course completion will be issued via email within 7 days after the close of the conference, and the certificate will contain the CE approval codes for each conference day attended. Attendees must sign-in at general registration each morning and after lunch, participate in the entire course, and complete the course evaluation at the end of each day. **Attendees requesting DSHS continuing education hours must also sign the DSHS roster located at the DSHS booth in the registration area at the conference.**



PHYSICAL THERAPY BOARD OF CALIFORNIA:

Rehab Seminars is recognized by the Physical Therapy Board of California (PTBC) as an approved agency to offer continuing competency courses for physical therapists.

TEXAS EDUCATION AGENCY: Rehab Seminars is an approved Continuing Education Provider for the State of Texas (CPE# 902-136).

WYOMING PROFESSIONAL TEACHING STANDARDS BOARD:

The courses offered at this conference have been approved by the Wyoming Professional Teaching Standards Board. Attendees must sign the Wyoming Professional Development Credit sign-in form at the conference and provide their PTSB Identification Number or Social Security Number on this form.

CRITERIA OF COURSE COMPLETION FOR DOCUMENTING CE HOURS:

All attendees must sign in at the general registration booth at the conference each morning and after lunch, each day. Attendees must participate in their courses and submit completed course evaluation forms at the end of each day. Participants seeking College Credit or contact hours must complete the appropriate participant forms. Staff will be available at general registration for assistance in locating the appropriate CE registration booth at the conference.

CERTIFICATE OF COURSE COMPLETION

will be provided to attendees that meet the criteria of course completion. Your certificate will be emailed to your *email of record*. Attendees may call Rehab Seminars if a replacement certificate is required. For those in partial attendance (arrive late or leave early), your certificate of course completion will reflect partial credit.

ADDITIONAL STATE CE APPROVAL:

Rehab Seminars has submitted applications to various state boards for recognition as an approved CE agency. Check the conference website for approvals. If you have any questions regarding CE approval, contact the CE Administrator at info@rehabseminars.org.

OTHER PROFESSIONS:

Each course qualifies for 6.5 hours of instructional content as required by many national and state licensing boards and professional organizations (up to 19.5 hours for this three day event). Keep your course outline and certificate of course completion and contact your board or organization for specific requirements.

REGISTRATION FORM- 2019 GENERAL & SPECIAL EDUCATION CONFERENCE- WSCC- SEATTLE
March 5, 6, & 7, 2019

PRE-REGISTRATION FEE: One Day \$235 Two Days \$399 Three Days \$499

Please provide a registration form for each person attending. Visit our website at: www.rehabseminars.org to register online, or mail registration forms to: Rehab Seminars 500 Goss Road, Port Townsend, WA 98368, or fax form to (360) 379-5271. PURCHASE ORDERS are accepted. Please print legibly.

Name: _____
First Middle Last

Street Address: _____ City: _____ State: _____ Zip: _____

Day Phone: _____ Evening Phone: _____ Fax: _____

Position: _____ Employer/District: _____

Email: _____ 2nd Email: _____
(Email of Record: Required for confirmation)

Payment Type: Check Visa MasterCard Purchase Order #: _____

Credit Card Number: _____

Signature: _____ Expiration Date: _____ CVC Code: _____
(3-digit number on back of card)

Street Address: _____ City: _____ State: _____ Zip: _____
(Where credit card statement is mailed)

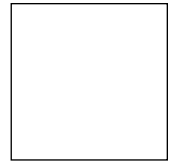
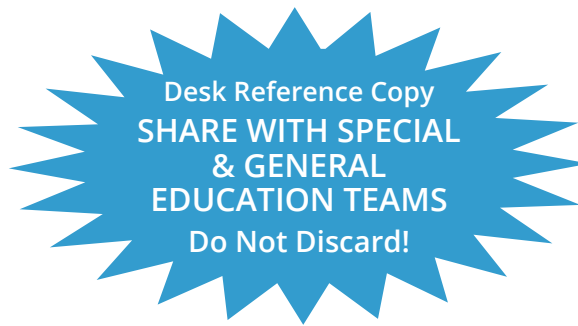
CHOOSE YOUR COURSES. Please choose **ONE** course for **each day** you attend. Courses are NOT repeated and courses are concurrent (you may switch courses or attend multiple sessions if seats are available.) ALL courses are held from 8:00 AM to 4:00 PM.

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|--------------------------------------|--|---------------------------------------|
| DAY 1: TUESDAY, MARCH 5, 2019 | DAY 2: WEDNESDAY, MARCH 6, 2019 | DAY 3: THURSDAY, MARCH 7, 2019 |
|--------------------------------------|--|---------------------------------------|
- Course #1** - The SCERTS Model: Autism & Related Dev. Disabilities, **Part 1** by Dr. Prizant
 - Course #2** - Trauma-Informed Approaches, **Part 1** by Lynne DeSousa, MS
 - Course #3** - Mindsets to Transform Behavior & Teaching by MaryAnn Brittingham, MS
 - Course #4** - iPad Boot Camp, **Part 1** by Dr. Therese Willkomm
 - Course #5** - Mindfulness & Sensory Strategies, **Part 1** by Bek Miremis, OTR/L
 - Course #6** - Secondary Math: Using Kagan Structures by Rob Jutras, BS
 - Course #7** - Executive Functions in the Classroom, **Part 1** by Shannon Kuschel, MS
 - Course #8** - Inclusive Classrooms for Visual Learners by Alyse Rostamizadeh, MSEd
 - Course #9** - Dyslexia by Dr. Sandman-Hurley & Tracy Block-Zaretsky, BS
 - Course #10** - Implementing MTSS by Dr. Marcy Stein and William Rasplica, MS
 - Course #11** - The SCERTS Model: Autism & Related Dev. Disabilities, **Part 2** by Dr. Prizant
 - Course #12** - Trauma-Informed Approaches, **Part 2** by Lynne DeSousa, MS
 - Course #13** - ACT Instead of React by MaryAnn Brittingham, MS
 - Course #14** - iPad Boot Camp, **Part 2** by Dr. Therese Willkomm
 - Course #15** - Mindfulness & Sensory Strategies, **Part 2** by Bek Miremis, OTR/L
 - Course #16** - Social Skills in the Classroom & Therapy by Felice Clark, SLP
 - Course #17** - Executive Functions in the Classroom, **Part 2** by Shannon Kuschel, MS
 - Course #18** - Practical Management of Tough Kids by Dr. William Jenson
 - Course #19** - Identification & Treatment of Neurodevelopmental Disorders by Dr. Gilbertson, Dr. Fragomeni & Dr. Isreal
 - Course #20** - Building Student Vocabulary by William Van Cleave, MA
 - Course #21** - Self-Injurious Behavior by Dr. Timothy Vollmer, BCBA
 - Course #22** - Trauma-Informed Approaches, **Part 3** by Lynne DeSousa, MS
 - Course #23** - Preschool Child Development by Dr. Kristen Missall
 - Course #24** - Assistive Technology Solutions in Minutes by Dr. Therese Willkomm
 - Course #25** - Developing Foundational Writing Skills by William Van Cleave, MA
 - Course #26** - Make and Take Therapy Ideas for Speech Pathologists by F. Clark, SLP
 - Course #27** - Mind the Gap! Neuroscience & Education by S. Kuschel, MS
 - Course #28** - Advanced Tough Kid Behavior Management by Dr. Jenson
 - Course #29** - Critical Math Tools by Kim Sutton, MA
 - Course #30** - Culturally Responsive Teaching by Dr. Caprice Hollins

| | | |
|---|---|-----------------------------------|
| FEE SUMMARY: | Registration Fee | Registration Fee |
| Check One | By March 1, 2019 | After March 1, 2019 |
| <input type="checkbox"/> One Day Registration Fee | <input type="checkbox"/> \$235.00 | <input type="checkbox"/> \$265.00 |
| <input type="checkbox"/> Two Day Registration Fee | <input type="checkbox"/> \$399.00 | <input type="checkbox"/> \$440.00 |
| <input type="checkbox"/> Three Day Registration Fee | <input type="checkbox"/> \$499.00 | <input type="checkbox"/> \$525.00 |

Group Discount- Take \$30.00 off each registration if you have 5 or more in your group.
 To receive your group discount, registration forms must be sent in together.
 Group discount does not apply to one day registrations. No group discounts after March 1, 2019. **TOTAL FEE:** _____

Registration less a 20% processing fee is refundable if cancellation occurs on or before March 1, 2019. After March 1, 2019, fees are NON-REFUNDABLE (substitutions permitted). If this course is cancelled for any reason, including labor strikes or acts of God, liability is limited to a full refund of registration fees. Registrations taken on a first-come, first-served basis. If you require special arrangements at this conference, please call (360) 379-6994 at least 30 days prior to the conference.



2019 GENERAL & SPECIAL EDUCATION CONFERENCE – SEATTLE

Circulate to:

- ___ General Education Teachers K-12,
Special Education Teachers, Resource Room
Teachers, ELL Teachers and Autism Specialists
- ___ Math Teachers
- ___ Speech-Language Pathologists, Occupational
Therapists and Physical Therapists
- ___ School Psychologists, Behavior Specialists,
Social Workers, Mental Health
Professionals, & School Counselors
- ___ Superintendents, Principals, Special Ed
Directors, and Curriculum Specialists
- ___ Paraprofessionals and Instructional Assistants

2019 General & Special Education Conference – SEATTLE March 5, 6, & 7, 2019

**Register online at:
www.rehabseminars.org**

Concurrent courses will take place in separate classrooms each day. Courses are limited in size. Indicate your selections on the registration form to reserve a seat.

7:00 to 8:00 AM – Sign-in at general registration desk. Coffee & tea served. CE and WWU credit registration booths open for registration

| | |
|----------------------|--|
| 8:00 | Concurrent courses begin |
| 10:00 – 10:15 | Break |
| 10:15 – 12:00 | Concurrent courses continue |
| 12:00 – 1:00 | Lunch – On your own |
| 1:00 – 2:45 | Sign-in: Concurrent courses continue |
| 2:45 – 3:00 | Afternoon Break |
| 3:00 – 4:00 | Concurrent courses continue |
| 4:00 | Complete and turn in your evaluation form (Note: Break times may vary slightly. See individual course schedules.) |



Phone: 360-379-6994 Fax 360-379- 5271

**BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT**

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 19, 2019

Attachments: X

From: Kathy Wright, Director of Educational Services

Item Number: 10.7

Type of item: (Action, Consent Action or Information Only): Consent Action

SUBJECT:

Request to approve the Independent Contract for Services Agreement with Sara Garcia-Rodriguez to provide folklorico dancing lessons at the Beyond the Bell After School Program at Walnut Grove Elementary School for the 2018-2019 school year at a cost not to exceed \$576.

BACKGROUND:

This is a new contract.

STATUS:

Sara Garcia-Rodriguez is an accomplished folklorico dancer and instructor and is willing to teach folklorico dancing to students at the Walnut Grove Elementary who attend Beyond the Bell After School program and desire to dance for the parents at their annual Cinco de Mayo celebration.

PRESENTER:

Kathy Wright, Director of Educational Services

OTHER PEOPLE WHO MIGHT BE PRESENT:

Lucia Becerra, Coordinator of the RDUSD After School Program

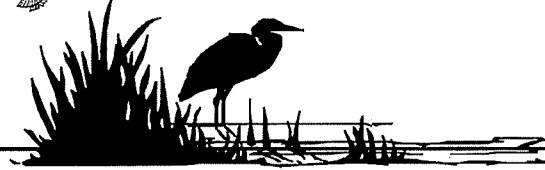
COST AND FUNDING SOURCES:

Not to exceed \$576 paid by After School Education & Safety (ASES) Program funds

RECOMMENDATION:

That the Board approves the Independent Contract for Services Agreement with Sara Garcia-Rodriguez to provide folklorico dancing lessons at the Beyond the Bell After School Program at Walnut Grove Elementary School for the 2018-2019 school year at a cost not to exceed \$576.

Time allocated: 3 minutes



RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street
Rio Vista, California 94571-1651
(707) 374-1700 Fax (707) 374-2995
<http://riverdelta.org>

INDEPENDENT CONTRACT FOR SERVICES AGREEMENT

THIS AGREEMENT is entered into by and between the River Delta Unified School District hereinafter referred to as "DISTRICT," and Sara Garcia-Rodriguez, hereinafter referred to as "CONSULTANT."

IT IS HEREBY MUTUALLY AGREED that Consultant will provide services under the following terms and conditions and the terms of this agreement shall supersede any conflicting provision in a contract provided by the Consultant which may be attached to this agreement. Consultant acknowledges and agrees that performance on this Agreement shall be subject to availability of District funds.

1. **TERM:** The term of this agreement is from Feb. 22, 20 19 through May 3, 20 19. Extension or renewal requires approval of DISTRICT Superintendent or authorized representative. Unless compensation is fixed on the basis of a daily or hourly rate, compensation will not be increased upon extension of the agreement without approval of the DISTRICT Superintendent or authorized representative. It is the right of the District to contact references, perform background checks, and/or audit data security procedures of the Consultant.

This agreement may be terminated at the convenience of either party upon _____ days advance written notice to the other party. In the event of termination, CONSULTANT shall immediately suspend any further performance of services pursuant to this agreement, except as otherwise authorized by the DISTRICT in writing, and Consultant shall be compensated only for services provided up through the date of termination.

2. **CONSULTANT SERVICES:** CONSULTANT agrees to perform, during the term of this agreement, the tasks, obligations and services detailed as follows (extra pages may be added but must be identified as part of this paragraph): Teach folklorico dancing to students at the Walnut Grove Beyond the Bell After School program. Fridays and Wednsdays from 3:15 PM -5:15 PM. 3:15-3:45: 2nd grade, 3:45-4:15: 3rd grade, 4:15-4:45: 4th grade, and 4:45-5:15: 6th grade.

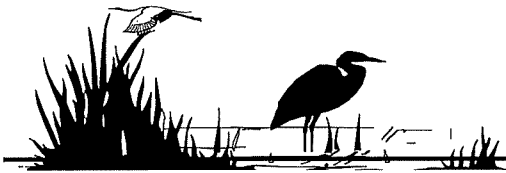
3. **PAYMENT FOR SERVICES:** CONSULTANT shall receive compensation at the rate of:
\$ 16 per \ day week month year; or per Hour
OR \$ per hour for periods of less than one day;
for a total cost not to exceed \$ 576

In the event the CONSULTANT is required to travel outside Solano, Yolo or Sacramento Counties at the request of the DISTRICT, it is agreed that actual and necessary expenses incurred while performing such services shall be reimbursed but must be pre-approved. All payments will be based on invoices submitted to DISTRICT by CONSULTANT and approved by DISTRICT'S authorized representative. The CONSULTANT shall provide an itemization of costs on submitted invoice with receipts attached.

4. **RECORDS:** CONSULTANT will maintain full and accurate records in connection with this agreement and will make them available to DISTRICT for inspection at any time. The District maintains the right to monitor the performance of Consultant and may require consultant to submit appropriate reports including but not limited to financial reports, audit reports, and/or internal control reports as determined by the District. In addition, the Consultant understands and agrees that Consultant's work product shall be subject disclosure in accordance with the Public Records Act (Gov. Code §§ 6250 *et seq.*).

Creating Excellence To Ensure That All Students Learn

Bates School Isleton School Walnut Grove School Delta High School Wind River School
Clarksburg Middle Riverview Middle D.H. White Elementary Rio Vista High School Mokelumne High School
River Delta High/Elementary School River Delta Community Day School..... Delta Elementary Charter School
Delta Elementary Charter School



RIVER DELTA UNIFIED SCHOOL DISTRICT

**445 Montezuma Street
Rio Vista, California 94571-1651
(707) 374-1700 Fax (707) 374-2995**

HOLD HARMLESS & INDEMNIFICATION AGREEMENT

To the fullest extent permitted by law, _____,
(Contractor/Consultant) agrees to defend, indemnify, hold harmless and waive all rights of 9+subrogation against River Delta Joint Unified School District, its Board of Trustees, officers, agents and employees (collectively the "District") from and against any and all claims, costs, demands, expenses (including attorney's fees), losses, damages, injuries and liabilities, whether active or passive, arising from any accident, death, or injury whatsoever or however caused or alleged to be caused whether by the District or the Contractor/Consultant to any person or property because of, arising out of, or in any way related to the performance of this agreement. Contractor/Consultant shall not be responsible for the sole or willful liability of the District. It is understood and agreed that such indemnity shall survive the termination of this agreement.

Contractor/Consultant shall maintain their own contractual liability insurance to cover its obligations under this agreement. This indemnification is independent of and shall not in any way be limited by insurance carried by the Contractor/Consultant.

In the case of Facility Use Agreements, Contractor/Consultant further agrees to comply with the insurance requirements attachment to that contract and shall name the District as an additional insured via separate endorsement from its insurance carrier, and provide acceptable proof thereof to the District.

If the Contractor/Consultant should sublet any work to another party (i.e., subcontractor), Contractor/Consultant guarantees that such subcontractor shall indemnify the District prior to permitting subcontractor to commence its work. Contractor/Consultant shall obtain a signed agreement from such subcontractor indemnifying the District as set forth above. In addition, Contractor/Consultant shall require in its purchase orders that each supplier indemnify Contractor/Consultant and the District from any and all losses arising from any materials, products, or supplies included in such work.

In the case of any conflict with these requirements and the provisions of the agreement to which it is attached, these provisions shall prevail.

Signature of Authorized Representative

Date Signed

Typed/Printed Name of Authorized Representative

Company Name

Address, Email & Phone: _____

1/14/08

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- | | | | | |
|------------------------------------|---------------------------------------|---------------------------------|-----------------------|-----------------------|
| Bates School | Isleton School | Walnut Grove School | Delta High School | Wind River School |
| Clarksburg Middle | Riverview Middle | D.H. White Elementary | Rio Vista High School | Mokelumne High School |
| River Delta High/Elementary School | River Delta Community Day School..... | Delta Elementary Charter School | | |



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www.riverdelta.k12.ca.us

Superintendent's Statement Regarding Consultant and Conflict of Interest Annual Statement Needed

This is to affirm that the Contractor/Independent Contractor (Consultant), Darrien Srimongkol by this District to perform work as indicated below and/or per attached contract/agreement:

Description of Duties: To teach folkloric dancing to students at the Walnut Grove Elementary School Beyond the Bell After School program.

9. Will these duties and/or this Contractor/Consultant in any way have any level of influence on the expenditure of district revenues and/or resources?

 No (If No, this consultant is not required to file the Form 700 with the district for the year(s) they are contracted by the district as long as the scope of duties do not change*).

 Yes (If Yes, this consultant is required to file a statement of economic interests/conflict of interest disclosure with this district for the year(s) they are contracted by the district**)

 *This contractor/consultant (although identified as a "designated position" for purposes of the District's Conflict of Interest Code/Economic Interest Statement Form 700) is hired to perform a range of duties that are limited in scope and thus is not required to comply fully with the disclosure requirements described in the District's Conflict of Interest Code.

 **Either (a) the contractor/consultant must file the Form 700 annually as long as they are contracted with the district or (b) if the contract/agreement itself (provided by the contractor/district and district Board approved), contains conflict of interest disclosures, the contractor/consultant may attach that portion of the contract/agreement to this Statement (annually) in satisfaction of this requirement.

This determination is a public record and shall be retained for public inspection in the same manner and location as the District's Conflict of Interest Code Form 700s.

Don Beno, Superintendent

Date

1/14/08 Attachment : (Conflict of Interest Code)

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Attachment to Superintendent's Statement

DISTRICT'S CONFLICT-OF-INTEREST CODE

"The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict-of-interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Reg. Sec. 18730) which contains the terms of a standard conflict-of-interest code, which can be incorporated by reference in an agency's code. After public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the conflict-of-interest code of the River Delta Joint Unified School District.

Designated employees shall file their statements with the River Delta Joint Unified School District which will make the statements available for public inspection and reproduction. (Gov. Code Section 81008.) Statements for all designated employees will be retained by the River Delta Joint Unified School District in the Superintendent's Office."

Below are excerpts from attachments to the above Code regarding consultant disclosure:

Consultants must be included in the list of designated employees and must disclose pursuant to the broadest disclosure category in this code (*) subject to the following limitation: The superintendent may determine in writing that a particular consultant, although a "designated position", is hired to perform a range of duties that are limited in scope and thus is not required to comply fully with the disclosure requirements described in this Section. Such written determination shall include a description of the consultant's duties and, based on that description, a statement of the extent of disclosure requirements. The superintendent's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict-of-Interest Code. In addition, if the contract itself contains conflict of interest disclosures, the consultant is not required to re-file under this provision.

Designated persons in this category must report: (a) Interests in real property which are located entirely or partly within district boundaries, or within two miles of district boundaries or of any land owned or used by the district. Such interests include any leasehold, beneficial or ownership interest or option to acquire such interest in real property. (b) Investments or business positions in or income, including gifts, loans, and travel payments, from sources which: (1) are engaged in the acquisition or disposal of real property within the district. (2) are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the district, or (3) manufacture or sell supplies, books, machinery or equipment of the type used by the district.

1/14/08

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|------------------------------------|------------------|---------------------------------------|---------------------------------|-----------------------|
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CONTRACTOR INSURANCE REQUIREMENTS

Contractor represents that it does carry and will continue to carry, with Insurance companies acceptable to the District, the following insurance coverages for any work or liability, including products and completed operations, arising out of or in any way connected with the work under this agreement:

Commercial General Liability Coverage—on an “occurrence form” policy containing a per occurrence limit of at least \$1,000,000 or the total cost of the project, which ever is more, protecting against bodily injury, property damage and personal injury claims arising from the exposures of (1) premises and operations; (2) products and completed operations (with a separate limit of coverage at least equal to the per occurrence limit); (3) independent subcontractors; (4) Contractual liability risk covering the indemnity obligations set forth in the hold harmless and indemnification agreement; and (5) where applicable, property damage resulting from explosion, collapse, or underground (x, c, u) exposures. The policy may not contain any exclusion or reduction in coverage for any of the above listed exposures.

Automobile Liability Coverage—insuring against bodily injury and/or property damage arising out of the operation, use, loading or unloading of any auto including owned, non-owned, hired and employee autos with limits of at least \$1,000,000.

Worker’s Compensation and Employer’s Liability Coverage—providing statutory benefits imposed by applicable state or federal laws such that the District will have no liability to Contractor or its employees, subcontractors and agents; and that Contractor will satisfy all Worker’s Compensation obligations imposed by state law. If Contractor has any employees that are subject to the rights and obligations of the Longshoremen and Harbor Workers Act, then the Worker’s Compensation Insurance must be broadened to provide such coverage. In addition, Contractor agrees to carry Employer’s Liability Coverage with limits of not less than \$1,000,000 per accident for each employee.

Professional Liability Coverage—insuring, where applicable, for any exposures resulting from professional liability with limits of at least \$1,000,000.

Additional Insured—Contractor shall add “River Delta Unified School District, its board of trustees, officers, agents and employees” (collectively the “District”) as an additional insured via separate endorsement by having the insurance carrier issue an ISO CG 20 10 edition date 11 85 Additional Insured Endorsement or its equivalent. Such endorsement must include completed operations coverage for the benefit of the additional insured. This extension shall apply to the full extent of the actual limits of Contractor’s coverages even if such actual limits exceed the minimum limits required by this agreement. The District’s additional insured status under the policy(ies) must not be limited by amendatory language to the policy. To the extent umbrella or excess insurance is available above the minimum required limits stated in this Agreement, the protection afforded the District in the umbrella or excess liability insurance shall be as broad or broader than the coverages present in the underlying insurance and in accordance with this agreement. Each general liability, umbrella, or excess policy shall specifically state that the insurance provided by the Contractor shall be considered primary, and insurance of the District shall be considered excess for purposes of responding to claims.

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Clarksburg Elementary Riverview School D.H. White Elementary Rio Vista High School Mokolumne High School
River Delta High/Elementary School River Delta Community Day School.....Delta Elementary Charter School

Contractor shall evidence that such insurance is in force by furnishing the District with acceptable proof thereof with a Certificate of Insurance together with a copy of the declarations page of the policies and all policy endorsements, or if requested by the District, certified copies of the policies. The certificate, declarations page, and all policy endorsements shall become a part of this agreement. Each certificate of insurance shall (1) contain an unqualified statement that the policy shall not be subject to cancellation, nonrenewal, adverse change, or reduction of amounts of coverage without thirty (30) days prior written notice to the District, but in the event of non-payment of premium, ten (10) days notification will be provided; (2) show the District as Additional Insured by referencing and attaching the required endorsement; (3) shall indicate that the Contractor’s coverage is primary and the District’s insurance is excess for any claims; and (4) as to CGL coverage shall state “Policy includes contractual liability coverage insuring the agreement and obligations of the insured to indemnify the District and others to the extent set forth in the Agreement between the insured and the District.”

Subcontractors and Suppliers—If the Contractor should sublet any work to another party (subcontractor), Contractor guarantees that such subcontractor shall indemnify the District as set forth in this agreement and shall carry insurance as set forth in these requirements prior to permitting subcontractor to commence its work. Contractor shall obtain a signed agreement from such subcontractor indemnifying the District as set forth in this Agreement and agreeing to carry insurance as set forth above. In addition, Contractor shall require in its purchase orders that each supplier indemnifies Contractor and the District from all losses arising from any materials, products, or supplies included in such work.

Any attempt by the Contractor to cancel or modify such insurance coverage, or any failure by the Contractor to maintain such coverage, shall be default under this Agreement and, upon such default, the District will have the right to terminate this Agreement and/or exercise any of its rights at law or at equity. In addition to other remedies, the District may, at its discretion, withhold payment of any sums due under this Agreement until Contractor provides adequate proof of insurance.

These insurance requirements are independent of and shall not in any way limit the indemnity obligations of the Contractor under this agreement.

The amounts and types of insurance set forth above are minimums required by the District and shall not substitute for an independent determination by Contractor of the amounts and types of Insurance which Contractor shall determine to be reasonably necessary to protect itself and its work. The District reserves the right to modify these provisions relating to indemnification and insurance, and Contractor agrees to be bound by such modifications 30 days after receipt of the modified provisions.

Failure to enforce any of the provisions of these requirements or any of the provisions of this agreement shall in no way constitute a waiver of such provisions. In the case of any conflict with these requirements and the provisions of the agreement to which it is attached, these provisions shall prevail.

Signature of Authorized Representative

Date Signed

Typed/Printed Name of Authorized Representative
Address, Email & Phone: _____

Company Name

1/14/08

BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 19, 2019

Attachments: X

From: Kathy Wright, Director of Educational Services

Item Number: 10.8

Type of item: (Action, Consent Action or Information Only): Consent Action

SUBJECT:

Request to approve the General Agreement for Nonpublic, Nonsectarian School/Agency, Point Quest, to provide Instructional Assistants for the 2018-2019 school year at a cost not to exceed \$20,000.

BACKGROUND:

The limit approved by the Board at the beginning of this school year was \$65,000. The request is for an additional amount of \$20,000 from Special Education funds.

STATUS:

Point Quest has been providing Instructional Assistants for the district during the 2018-2019 school year. Additional Instructional Assistants are needed to be able to serve the needs of our Special Education students according to their IEPs.

PRESENTER:

Kathy Wright, Director of Educational Services

OTHER PEOPLE WHO MIGHT BE PRESENT:

Danielle Tharp, Coordinator of Special Education

COST AND FUNDING SOURCES:

Not to exceed \$20,000 paid by Special Education funds

RECOMMENDATION:

That the Board approves the additional funding for General Agreement for Nonpublic, Nonsectarian School/Agency, Point Quest, to provide Instructional Assistants for the 2018-2019 school year at a cost not to exceed an additional \$20,000.

Time allocated: 3 minutes

SACRAMENTO COUNTY SELPA

*NONPUBLIC, NONSECTARIAN
SCHOOL/AGENCY SERVICES*

MASTER CONTRACT

2018–2019

MASTER CONTRACT

GENERAL AGREEMENT FOR NONSECTARIAN,
NONPUBLIC SCHOOL AND AGENCY SERVICES

District RIVER DELTA UNIFIED

Contract Year 2018-2019

 Nonpublic School
 X Nonpublic Agency

Type of Contract:

 X Master Contract for fiscal year with Individual Service Agreements (ISA) to be approved throughout the term of this contract.

 Individual Master Contract for a specific student incorporating the Individual Service Agreement (ISA) into the terms of this Individual Master Contract specific to a single student.

 Interim Contract: an extension of the previous fiscal years approved contracts and rates. The sole purpose of this Interim Contract is to provide for ongoing funding at the prior year's rates for 90 days at the sole discretion of the District. Expiration Date:

When this section is included as part of any Master Contract, the changes specified above shall amend Section 4 – Term of Master Contract.

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2018-2019

CONTRACT NUMBER:

LEA: River Delta Unified School District

NONPUBLIC SCHOOL/AGENCY/RELATED SERVICES PROVIDER: Point Quest

NONPUBLIC, NONSECTARIAN SCHOOL/AGENCY SERVICES
MASTER CONTRACT

AUTHORIZATION FOR MASTER CONTRACT AND GENERAL PROVISIONS

1. MASTER CONTRACT

This Master Contract is entered into on February 1, 2019, between the River Delta Unified School District (hereinafter referred to as the local educational agency "LEA" or "District") and Point Quest (nonpublic, nonsectarian school or agency, hereinafter referred to as "CONTRACTOR") for the purpose of providing special education and/or related services to LEA students with exceptional needs under the authorization of California Education Code sections 56157, 56361 and 56365 *et seq.* and Title 5 of the California Code of Regulations section 3000 *et seq.*, AB490 (Chapter 862, Statutes of 2003) and AB1858 (Chapter 914, Statutes of 2004). It is understood that this Master Contract does not commit LEA to pay for special education and/or related services provided to any LEA student, or CONTRACTOR to provide such special education and/or related services, unless and until an authorized LEA representative approves the provision of special education and/or related services by CONTRACTOR.

Upon acceptance of a student, LEA shall submit to CONTRACTOR an Individual Services Agreement (hereinafter referred to as "ISA"), and a Nonpublic Services Student Enrollment form. CONTRACTOR shall work with LEA to complete and return these forms to LEA prior to initiating any services for any student.

Unless otherwise agreed in writing, the ISA and the Nonpublic Services Student Enrollment form shall acknowledge CONTRACTOR'S obligation to provide all services specified in the student's Individualized Education Plan (hereinafter referred to as "IEP"). The ISA shall be executed within ninety (90) days of an LEA student's enrollment. LEA and CONTRACTOR shall enter into an ISA for each LEA student served by CONTRACTOR. As available and appropriate, LEA shall make available access to any electronic IEP system and/or electronic database for ISA development, including invoicing.

Unless placement is made pursuant to an Office of Administrative Hearings (hereinafter referred to as "OAH") order, a lawfully executed agreement between LEA and parent, or authorized by LEA for a transfer student pursuant to California Education Code section 56325, LEA is not responsible for the costs associated with nonpublic school placement until the date on which an IEP team meeting is convened, the IEP team determines that a nonpublic school placement is appropriate, and the IEP is signed by LEA student's parent.

2. CERTIFICATION AND LICENSES

CONTRACTOR shall be certified by the California Department of Education (hereinafter referred to as "CDE") as a nonpublic, nonsectarian school/agency. All nonpublic school and nonpublic agency services shall be provided consistent with the area of certification specified by CDE Certification and as defined in California Education Code section 56366 *et seq.* and within the professional scope of practice of each provider's license, certification and/or credential. A current copy of CONTRACTOR'S nonpublic school/agency certification or a waiver of such certification issued by the CDE pursuant to California Education Code section 56366.2 must be provided to LEA on or before the date this Master Contract is executed by CONTRACTOR. This Master Contract shall be null and void if such certification or waiver is expired, revoked, rescinded, or otherwise nullified during the effective period of this Master Contract. Total

student enrollment shall be limited to capacity as stated on the applicable CDE certification. Total LEA student enrollment shall be limited to capacity as stated in Section 24 of the Master Contract.

In addition to meeting the certification requirements of the state of California, a CONTRACTOR that operates a program outside of this state shall be certified or licensed by that state to provide special education and related services and designated instruction and related services to pupils under the Federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 *et seq.*).

If CONTRACTOR is a licensed children's institution (hereinafter referred to as "LCI"), CONTRACTOR shall be licensed by the state, or other public agency having delegated authority by contract with the state to license, to provide nonmedical care to children, including, but not limited to, individuals with exceptional needs. The LCI must also comply with all licensing requirements relevant to the protection of the child, and have a special permit, if necessary, to meet the needs of each child so placed. If the CONTRACTOR operates a program outside of this state, CONTRACTOR must obtain all required licenses from the appropriate licensing agency in both California and in the state where the LCI is located.

With respect to CONTRACTOR'S certification, failure to notify LEA and CDE of any changes in: (1) credentialed/licensed staff; (2) ownership; (3) management and/or control of the agency; (4) major modification or relocation of facilities; or (5) significant modification of the program may result in the suspension or revocation of CDE certification and shall also be good cause for the suspension or termination of this Master Contract by LEA.

3. COMPLIANCE WITH LAWS, STATUTES, REGULATIONS

During the term of this Master Contract, unless otherwise agreed, CONTRACTOR shall comply with all applicable Federal, state, and local statutes, laws, ordinances, rules, policies, and regulations. CONTRACTOR shall also comply with all applicable LEA policies and procedures unless CONTRACTOR and LEA specifically agree, in writing, that a policy or policies, or a portion of a policy, does/do not reasonably apply to CONTRACTOR. CONTRACTOR hereby acknowledges and agrees that it accepts all risks and responsibilities for its failure to comply with LEA policies and shall indemnify LEA under the provisions of Section 16 of this Agreement for all liability, loss, damage and expense (including reasonable attorneys' fees) resulting from or arising out of CONTRACTOR'S failure to comply with applicable LEA policies (e.g., those policies relating to the provision of special education and/or related services, facilities for individuals with exceptional needs, LEA student enrollment and transfer, LEA student inactive status, corporal punishment, student discipline, and positive behavior interventions).

CONTRACTOR acknowledges and understands that LEA may report to the CDE any violations of the provisions of this Master Contract, and that this may result in the suspension and/or revocation of CDE nonpublic school/agency certification pursuant to California Education Code section 56366.4(a).

4. TERM OF MASTER CONTRACT

The term of this Master Contract shall be from February 1, 2019 to June 30, 2019 unless otherwise stated. (Cal. Code Regs., tit. 5, § 3062(a).) Neither the CONTRACTOR nor LEA is required to renew this Master Contract in subsequent contract years. The parties acknowledge that any subsequent Master Contract is to be re-negotiated prior to June 30, 2019. In the event a subsequent Master Contract is not renegotiated by June 30, 2019, an interim contract may be made available as mutually agreed upon for up to 90 days from July 1 of the new fiscal year. (Cal. Code Regs., tit. 5, § 3062(d).) No Master Contract will be offered unless and until all of the contracting requirements have been satisfied. The offer of a Master Contract to a CONTRACTOR is at the sole discretion of LEA.

The provisions of this Master Contract apply to CONTRACTOR and any of its employees or independent contractors. Notice of any change in CONTRACTOR'S ownership or authorized representative shall be provided in writing to LEA within thirty (30) calendar days of change of ownership or change of authorized representative.

5. INTEGRATION/CONTINUANCE OF CONTRACT FOLLOWING EXPIRATION OR TERMINATION

This Master Contract includes LEA Procedures and each Individual Services Agreement which are incorporated herein by this reference. This Master Contract supersedes any prior or contemporaneous written or oral understanding or agreement. This Master Contract may be amended only by written amendment executed by both parties. Notwithstanding the foregoing, LEA may modify LEA procedures from time to time without the consent of CONTRACTOR.

CONTRACTOR shall provide LEA with all information as requested in writing to secure a Master Contract or a renewal.

At a minimum, such information shall include copies of teacher credentials and clearance, insurance documentation, and CDE certification. LEA may require additional information as applicable. If the application packet is not completed and returned to LEA, no Master Contract will be issued. If CONTRACTOR does not return the Master Contract to LEA duly signed by an authorized representative within ninety (90) calendar days of issuance by LEA, the new contract rates will not take effect until the newly executed Master Contract is received by LEA and will not be retroactive to the first day of the new Master Contract's effective date. If CONTRACTOR fails to execute the new Master Contract within such ninety day period, all payments shall cease until such time as the new Master Contract for the current school year is signed and returned to LEA by CONTRACTOR. (Ed. Code §§ 56366(c)(1), (2).) In the event that this Master Contract expires or terminates, CONTRACTOR shall continue to be bound to all of the terms and conditions of the most recent executed Master Contract between CONTRACTOR and LEA for so long as CONTRACTOR is servicing authorized LEA students at the discretion of LEA.

6. INDIVIDUAL SERVICES AGREEMENT

This Master Contract shall include an ISA developed for each LEA student for whom CONTRACTOR is to provide special education and/or related services. An ISA shall only be issued for LEA students enrolled with the approval of LEA pursuant to California Education Code section 56366(a)(2)(A). An ISA may be effective for more than one contract year provided that there is a concurrent Master Contract in effect. In the event that this Master Contract expires or terminates, CONTRACTOR shall continue to be bound to all of the terms and conditions of the most recent executed ISAs between CONTRACTOR and LEA for so long as CONTRACTOR is servicing authorized LEA students.

Any and all changes to a LEA student's educational placement/program provided under this Master Contract and/or an ISA shall be made solely on the basis of a revision to LEA student's IEP. At any time during the term of this Master Contract, a LEA student's parent, CONTRACTOR, or LEA may request a review of a LEA student's IEP subject to all procedural safeguards required by law.

Unless otherwise provided in this Master Contract, the CONTRACTOR shall provide all services specified in the IEP unless the CONTRACTOR and LEA agree otherwise in the ISA. (Ed. Code § 56366(a)(5); Cal. Code Regs., tit. 5, § 3062(e).) In the event the CONTRACTOR is unable to provide a specific service at any time during the life of the ISA, the CONTRACTOR shall notify LEA in writing within five (5) business days of the last date a service was provided. CONTRACTOR shall provide any and all subsequent compensatory service hours awarded to an LEA student as a result of lack of provision of services while the student was served by the nonpublic school or agency.

If a parent or LEA contests the termination of an ISA by initiating a due process proceeding with the OAH, CONTRACTOR shall abide by the "stay-put" requirement of state and Federal law unless the parent and LEA voluntarily agree otherwise, or an interim alternative educational setting is deemed lawful by OAH consistent with section 1415(k) of Title 20 of the United States Code. CONTRACTOR shall adhere to all LEA requirements concerning changes in placement.

Disagreements between LEA and CONTRACTOR concerning the formulation of an ISA or the Master Contract may be appealed to the County Superintendent of Schools of the County where LEA is located, or

the State Superintendent of Public Instruction pursuant to the provisions of California Education Code section 56366(c)(2).

7. DEFINITIONS

The following definitions shall apply for purposes of this contract:

- a. The term “CONTRACTOR” means a nonpublic, nonsectarian school/agency certified by the California Department of Education and its officers, agents, and employees.
- b. The term “authorized LEA representative” means a LEA administrator designated to be responsible for nonpublic school/agencies. It is understood that a representative of the Special Education Local Plan Area (“SELPA”) of which LEA is a member is an authorized LEA representative in collaboration with LEA. LEA maintains sole responsibility for the Master Contract, unless otherwise specified in the Master Contract.
- c. The term “credential” means a valid credential, life diploma, permit, or document in special education or Pupil Personnel Services issued by, or under the jurisdiction of, the California State Board of Education if issued prior to 1970 or the California Commission on Teacher Credentialing, which entitles the holder thereof to perform services for which certification qualifications are required as defined in Title 5 of the California Code of Regulations section 3001(g).
- d. As defined in Title 5 of the California Code of Regulations section 3001(r), the term "qualified" means that a person has met Federal and state certification, licensing, registration, or other comparable requirements which apply to the area in which he or she is providing special education or related services (including but not limited to, for example, the requirements set forth in Title 34 of the Code of Federal Regulations sections 200.56 and 200.58, California Code of Regulations, title 5, sections 3064 and 3065 and California Education Code section 56366.1(n)(1)), or, in the absence of such requirements, the state-education-agency–approved or recognized requirements, and adheres to the standards of professional practice established in Federal and state law or regulation, including the standards contained in the California Business and Professions Code and the scope of practice as defined by the licensing or credentialing body.) Nothing in this definition shall be construed as restricting the activities or services of a graduate needing direct hours leading to licensure, or of a student teacher or intern leading to a graduate degree at an accredited or approved college or university, as authorized by state laws or regulations.
- e. The term “license” means a valid non-expired document issued by a licensing agency within the Department of Consumer Affairs or other state licensing office authorized to grant licenses and authorizing the bearer of the document to provide certain professional services or refer to themselves using a specified professional title. This includes, but is not limited to mental health and board and care services at a residential placement. If a license is not available through an appropriate state licensing agency, a certificate of registration with the appropriate professional organization at the national or state level which has standards established for the certificate that are equivalent to a license shall be deemed to be a license as defined in Title 5 of the California Code of Regulations section 3001(l).
- f. “Parent” means a biological or adoptive parent unless the biological or adoptive parent does not have legal authority to make educational decisions for the child, a guardian generally authorized to act as the child’s parent or authorized to make educational decisions for the child, an individual acting in the place of a biological or adoptive parent, including a grandparent, stepparent, or other relative with whom the child lives, or an individual who is legally responsible for the child’s welfare, a surrogate parent, a foster parent if the authority of the biological or adoptive parent to make educational decisions on the child’s behalf has been specifically limited by court order in accordance with Title 34 of the Code of Federal Regulations sections 300.30(b)(1) or (2). Parent does not include the state or any political subdivision of government or the nonpublic school or agency under contract

with LEA for the provision of special education or designated instruction and services for a child. (Ed. Code § 56028.)

- g. The term “days” means calendar days unless otherwise specified.
- h. The phrase “billable day” means a school day in which instructional minutes meet or exceed those in comparable LEA programs.
- i. The phrase “billable day of attendance” means a school day as defined in California Education Code section 46307, in which a LEA student is in attendance and in which instructional minutes meet or exceed those in comparable LEA programs unless otherwise stipulated in an IEP or ISA.
- j. It is understood that the term “Master Contract” also means “Agreement” and may be referred to as such in this document.

ADMINISTRATION OF CONTRACT

8. NOTICES

All notices provided for by this Master Contract shall be in writing. Notices shall be mailed or delivered by hand and shall be effective as of the date of receipt by addressee.

All notices mailed to LEA shall be addressed to the person and address as indicated on the signature page of the Master Contract. Notices to CONTRACTOR shall be addressed as indicated on signature page of this Master Contract.

9. MAINTENANCE OF RECORDS

All records shall be maintained by CONTRACTOR as required by state and Federal laws and regulations. Notwithstanding the foregoing sentence, CONTRACTOR shall maintain all records for at least five (5) years after the termination of this Master Contract. For purposes of this Master Contract, “records” shall include, but not be limited to pupil records as defined by California Education Code section 49061(b) including electronically stored information; cost data records as set forth in Title 5 of the California Code of Regulations section 3061; registers and roll books of teachers and/or daily service providers; chart notes, Medi-Cal logs, daily service logs and notes and other documents used to record the provision of related services including supervision; daily service logs and notes used to record the provision of services provided by instructional assistants, NPA behavior intervention aides, and bus aides and supervisors; absence verification records (parent/doctor notes, telephone logs, and related documents); bus rosters; staff lists specifying credentials held; business licenses held; documents evidencing other staff qualifications including social security numbers, dates of hire, and dates of termination; records of employee training and certification, staff time sheets; non-paid staff and volunteer sign-in sheets; transportation and other related services subcontracts; school calendars; bell/class schedules when applicable; liability and worker’s compensation insurance policies; state nonpublic school and/or agency certifications; by-laws; lists of current board of directors/trustees, if incorporated; statements of income and expenses; general journals; cash receipts and disbursement books, general ledgers and supporting documents; documents evidencing financial expenditures; Federal/state payroll quarterly reports (Form 941/DE3DP); and bank statements and canceled checks or facsimile thereof.

CONTRACTOR shall maintain LEA student records in a secure location to ensure confidentiality and prevent unauthorized access. CONTRACTOR shall maintain a current list of the names and positions of CONTRACTOR’S employees who have access to confidential records. CONTRACTOR shall maintain an access log for each LEA student’s record which lists all persons, agencies, or organizations requesting or receiving information from the record and the legitimate interests therefore. Such log shall be maintained as required by California Education Code section 49064 and include the name, title, agency/organization affiliation, and date/time of access for each individual requesting or receiving information from LEA student’s record. Such log needs not to record access to LEA student’s records by: (a) LEA student’s parent;

(b) an individual to whom written consent has been executed by LEA student's parent; or (c) employees of LEA or CONTRACTOR having a legitimate educational interest in requesting or receiving information from the record. CONTRACTOR/LEA shall maintain copies of any written parental concerns granting access to student records. For purposes of this paragraph, "employees of LEA or CONTRACTOR" do not include subcontractors. CONTRACTOR shall grant parents access to student records and comply with parents' requests for copies of student records, as required by state and Federal laws and regulations. CONTRACTOR agrees, in the event of school or agency closure, to forward all records within ten (10) business days to LEA. LEA shall have access to and receive copies of any and all documents required to be maintained by CONTRACTOR within five (5) business days of a request.

10. SEVERABILITY CLAUSE

If any provision of this Master Contract is held, in whole or in part, to be unenforceable for any reason, the remainder of that provision and of the entire Master Contract shall be severable and remain in effect.

11. SUCCESSORS IN INTEREST

This contract binds CONTRACTOR'S successors and assignees. CONTRACTOR shall notify LEA, in writing, of any change of ownership or corporate control within ten (10) business days of such change.

12. VENUE AND GOVERNING LAW

The laws of the State of California shall govern the terms and conditions of this Master Contract with venue in the County where LEA is located.

13. MODIFICATIONS AND AMENDMENTS REQUIRED TO CONFORM TO LEGAL AND ADMINISTRATIVE GUIDELINES

This Master Contract may be modified or amended by LEA to conform to administrative and statutory guidelines issued by any state, Federal or local governmental agency. LEA shall provide CONTRACTOR thirty (30) days' notice of any such changes or modifications made to conform to administrative or statutory guidelines and a copy of the statute or regulation upon which the modification or changes are based.

14. TERMINATION

This Master Contract or an Individual Services Agreement may be terminated for cause. Cause shall include but not be limited to non-maintenance of current nonpublic school certification, failure of either LEA or the CONTRACTOR to maintain the standards required under the Master Contract and/or Individual Services Agreement, or other material breach of this Master Contract by CONTRACTOR or LEA. For purposes of Non Public School placement, the cause shall not be the availability of a public class initiated during the period of the Master Contract unless the parent agrees to the transfer of the student to a public school program at an IEP team meeting. To terminate the Master Contract, either party shall give twenty (20) days prior written notice to the other party (Ed. Code § 56366(a)(4)), or immediately, if CONTRACTOR and LEA mutually agree that there are significant health or safety concerns. At the time of termination, CONTRACTOR shall provide to LEA any and all documents CONTRACTOR is required to maintain under this Master Contract. ISAs are void upon termination of this Master Contract, except as provided in Sections 5 or 6. CONTRACTOR or LEA may terminate an ISA for cause, without terminating the Master Contract in its entirety. To terminate the ISA, either party shall also give twenty (20) days prior written notice to the other.

15. INSURANCE

CONTRACTOR shall, at his, her, or its sole cost and expense, maintain in full force and effect, during the term of this Agreement, the following insurance coverage from a California licensed and/or admitted insurer with an A minus (A-), VII, or better rating from A.M. Best, sufficient to cover any claims, damages, liabilities, costs and expenses (including counsel fees) arising out of or in connection with CONTRACTOR's fulfillment of any of its obligations under this Agreement or either party's use of the work or any component or part thereof:

PART I

- A. **Commercial General Liability Insurance**, including both bodily injury and property damage, with limits as follows:

\$2,000,000 per occurrence
\$ 500,000 fire damage
\$ 5,000 medical expenses
\$1,000,000 personal & adv. injury
\$3,000,000 general aggregate
\$2,000,000 products/completed operations aggregate

The policy may not contain an exclusion for coverage of claims arising from claims for sexual molestation or abuse. In the event that CONTRACTOR's policy should have an exclusion for sexual molestation or abuse claims, then CONTRACTOR shall be required to procure a supplemental policy providing such coverage.

- B. **Business Auto Liability Insurance** for all owned scheduled, non-owned or hired automobiles with a \$1 million combined single limit.

If no owned automobiles, then only hired and non-owned is required.

If CONTRACTOR uses a vehicle to travel to/from school sites, between schools and/or to/from students' homes or other locations as approved service locations by the LEA, CONTRACTOR must comply with State of California auto insurance requirements.

- C. **Workers' Compensation and Employers Liability Insurance** in a form and amount covering CONTRACTOR's full liability under the California Workers' Compensation Insurance and Safety Act and in accordance with applicable state and Federal laws.

Part A – Statutory Limits

Part B – \$1,000,000/\$1,000,000/\$1,000,000 Employers Liability

- D. **Errors & Omissions (E & O)/Malpractice (Professional Liability) Insurance**, including sexual molestation and abuse coverage, unless that coverage is afforded elsewhere in the Commercial General Liability policy by endorsement or separate policy, with the following limits:

\$1,000,000 per occurrence
\$2,000,000 general aggregate

- E. CONTRACTOR, upon execution of this Master Contract and periodically thereafter upon request, shall furnish the LEA with certificates of insurance evidencing such coverage. The certificate of insurance shall include a ten (10) day non-renewal notice provision. The Commercial General Liability and Automobile Liability policy shall name the LEA as additional insured and shall be endorsed on all policies. Certificate of Insurance, additional insured endorsement and declaration of insurance coverages shall be provided to LEA. All premiums on all insurance policies shall be

paid by CONTRACTOR and shall be deemed included in CONTRACTOR's obligations under this contract at no additional charge.

- F. Any deductibles or self-insured retentions above \$100,000 must be disclosed to and approved by the LEA. At its option, LEA may require the CONTRACTOR, at the CONTRACTOR's sole cost, to: (a) cause its insurer to reduce to levels specified by the LEA or eliminate such deductibles or self-insured retentions with respect to the LEA, its officials and employees, or (b) procure a bond guaranteeing payment of losses and related investigation.
- G. For any claims related to the services contracted for under this Agreement, the CONTRACTOR's insurance coverage shall be primary insurance as respects to the LEA, its subsidiaries, officials and employees. Any insurance or self-insurance maintained by the LEA, its subsidiaries, officials and employees shall be excess of the CONTRACTOR's insurance and shall not contribute with it.
- H. All Certificates of Insurance may reference the contract number, name of the school or agency submitting the certificate, and the location of the school or agency submitting the certificate on the certificate.

PART II – INSURANCE REQUIREMENTS FOR NONPUBLIC SCHOOLS AFFILIATED WITH A RESIDENTIAL TREATMENT FACILITY (“RTC”)

When CONTRACTOR is a nonpublic school affiliated with a residential treatment center (“NPS/RTC”), the following insurance policies are required:

- A. **Commercial General Liability Insurance** of \$3,000,000 per Occurrence and \$6,000,000 in General Aggregate. The policy shall be endorsed to name the LEA and the Board of Education as named additional insureds and shall provide specifically that any insurance carried by the LEA which may be applicable to any claims or loss shall be deemed excess and the RTC's insurance primary despite any conflicting provisions in the RTC's policy. Coverage shall be maintained with no self-insured retention above \$100,000 without the prior written approval of the LEA.
- B. **Workers' Compensation Insurance** in accordance with provisions of the California Labor Code adequate to protect the RTC from claims that may arise from its operations pursuant to the Workers' Compensation Act (Statutory Coverage). The Workers' Compensation Insurance coverage must also include Employers Liability coverage with limits of \$1,000,000/\$1,000,000/\$1,000,000.
- C. **Commercial Auto Liability** coverage with limits of \$1,000,000 Combined Single Limit per Occurrence if the RTC does not operate a student bus service. If the RTC provides student bus services, the required coverage limit is \$5,000,000 Combined Single Limit per Occurrence.
- D. **Fidelity Bond or Crime** coverage shall be maintained by the RTC to cover all employees who process or otherwise have responsibility for RTC funds, supplies, equipment or other assets. Minimum amount of coverage shall be \$250,000 per occurrence, with no self-insured retention.
- E. **Professional Liability/Errors & Omissions/Malpractice** coverage with minimum limits of \$3,000,000 per occurrence and \$6,000,000 general aggregate.
- F. **Sexual Molestation and Abuse** coverage, unless that coverage is afforded elsewhere in the Commercial General Liability or Professional liability policy by endorsement, with minimum limits of \$3,000,000 per occurrence and \$6,000,000 general aggregate.

If LEA or CONTRACTOR determines that a change in insurance coverage obligations under this section is necessary, either party may reopen negotiations to modify the insurance obligations.

16. INDEMNIFICATION AND HOLD HARMLESS

Except with respect to claims arising from a Party's separate negligence or willful acts, which shall remain that Party's personal obligation, each Party agrees to defend, indemnify and hold harmless the other Party and its directors, officers, employees, agents, attorneys, volunteers, and subcontractors with respect to a claim resulting from or arising out of this Master Contract or its performance and arising from the Party's actual or alleged act, failure to act, error, or omission in the performance of their obligations under this Agreement or any governing law or regulations.

17. INDEPENDENT CONTRACTOR

Nothing herein contained shall be construed to imply a joint venture, partnership or principal-agent relationship between LEA and CONTRACTOR. CONTRACTOR shall provide all services under this Agreement as an independent contractor, and neither party shall have the authority to bind or make any commitment on behalf of the other. Nothing contained in this Agreement shall be deemed to create any association, partnership, joint venture or relationship of principal and agent, master and servant, or employer and employee between the Parties or any affiliates of the Parties, or between LEA and any individual assigned by CONTRACTOR to perform any services for LEA.

If LEA is held to be a partner, joint venturer, co-principal, employer or co-employer of CONTRACTOR, CONTRACTOR shall indemnify and hold harmless LEA from and against any and all claims for loss, liability, or damages arising from that holding, as well as any expenses, costs, taxes, penalties and interest charges incurred by LEA as a result of that holding.

18. SUBCONTRACTING

CONTRACTOR shall not enter into any subcontracting relationship without first obtaining final written approval of LEA. Should CONTRACTOR wish to subcontract for special education and/or related services pursuant to this Master Contract, it must provide written notification to LEA before any subcontracting arrangement is made. In the event LEA determines that it can provide the subcontracted service(s) at a lower rate, LEA may elect to provide such service(s). If LEA elects to provide such service(s), LEA shall provide written notification to CONTRACTOR within five (5) days of receipt of CONTRACTOR'S original request and CONTRACTOR shall not subcontract for said services.

Should LEA approve in concept of CONTRACTOR subcontracting for services, CONTRACTOR shall submit the proposed subcontract to LEA for approval. CONTRACTOR shall incorporate all of the provisions of this Master Contract in all subcontracts to the fullest extent possible. Furthermore, when CONTRACTOR creates subcontracts for the provision of special education and/or related services (including without limitation, transportation) for any student, CONTRACTOR shall cause each subcontractor to procure and maintain indemnification and insurance requirements which comply with the provisions of Sections 15 and 16 of this Master Contract, for the duration of the term of each subcontract. If a proposed subcontract is approved by LEA, each subcontractor must furnish LEA with original endorsements and certificates of insurance effective coverage required by Section 15 of this Master Contract. The endorsements are to be signed by a person authorized by that insurer to bind coverage on its behalf. Unless otherwise agreed to by LEA, the endorsements are to be on forms provided by the LEA. The Commercial General Liability and Automobile Liability policies shall name the LEA/SELPA and the LEA Board of Education as additional insured. All endorsements are to be received and approved by LEA before the subcontractor's work commences. In addition, all sub-contractors must meet the requirements as contained in Section 45 (Clearance Requirements) and Section 46 (Staff Qualifications) of this Master Contract. No subcontract shall be considered final without LEA approval.

19. CONFLICTS OF INTEREST

CONTRACTOR shall provide to LEA upon request a copy of its current bylaws and a current list of its Board of Directors (or Trustees), if it is incorporated. CONTRACTOR and any member of its Board of Directors (or Trustees) shall avoid and disclose any relationship with LEA that constitutes or may constitute a conflict of interest pursuant to California Education Code section 56042 including, but not limited to, employment with LEA, provision of private party assessments and/or reports, and attendance at IEP team meetings acting as a student's advocate. Pursuant to California Education Code section 56042, an attorney or advocate for a parent of an individual with exceptional needs shall not recommend placement at CONTRACTOR'S facility if the attorney or advocate is employed or contracted by the CONTRACTOR, or will receive a benefit from the CONTRACTOR, or otherwise has a conflict of interest.

Unless CONTRACTOR and LEA otherwise agree in writing, LEA shall neither execute an ISA with CONTRACTOR nor amend an existing ISA for a LEA student when a recommendation for special education and/or related services is based in whole or in part on assessment(s) or reports provided by CONTRACTOR to LEA student without prior written authorization by LEA. This paragraph shall apply to CONTRACTOR regardless of when an assessment is performed or a report is prepared (i.e. before or after LEA student is enrolled in CONTRACTOR'S school/agency) or whether an assessment of LEA student is performed or a report is prepared in the normal course of the services provided to LEA student by CONTRACTOR. To avoid a conflict of interest, and in order to ensure the appropriateness of an Independent Educational Evaluation (hereinafter referred to as "IEE") and its recommendations, LEA may, in its discretion, not fund an IEE by an evaluator who provides ongoing service(s) or is sought to provide service(s) to the student for whom the IEE is requested. Likewise, LEA may, in its discretion, not fund services through the evaluator whose IEE LEA agrees to fund. When no other appropriate assessor is available, LEA may request and if CONTRACTOR agrees, the CONTRACTOR may provide an IEE.

When CONTRACTOR is a nonpublic agency, CONTRACTOR acknowledges that its authorized representative has read and understands California Education Code section 56366.3 which provides, in relevant part, that no special education and/or related services provided by CONTRACTOR shall be paid for by LEA if provided by an individual who was an employee of LEA within three hundred and sixty five (365) days prior to executing this Master Contract. This provision does not apply to any person who is able to provide designated instruction and services during the extended school year because he or she is otherwise employed for up to ten months of the school year by LEA.

CONTRACTOR shall not admit a student living within the jurisdictional boundaries of LEA on a private pay or tuition free "scholarship" basis and concurrently or subsequently advise/request parent(s) to pursue funding for the admitted school year from LEA through due process proceedings. Such action shall constitute sufficient good cause for termination of this Master Contract.

20. NON-DISCRIMINATION

CONTRACTOR shall not unlawfully discriminate on the basis of gender, nationality, race or ethnicity, religion, age, sexual orientation, gender identity, gender expression, or disability or any other classification protected by Federal or state law, in employment or operation of its programs.

EDUCATIONAL PROGRAM

21. FREE AND APPROPRIATE PUBLIC EDUCATION ("FAPE")

LEA shall provide CONTRACTOR with a copy of the IEP including the Individualized Transition Plan (hereinafter referred to as "ITP") of each LEA student served by CONTRACTOR. CONTRACTOR shall provide to each LEA student special education and/or related services (including transition services) within the nonpublic school or nonpublic agency consistent with LEA student's IEP and as specified in the ISA. If CONTRACTOR is a nonpublic school, CONTRACTOR shall not accept a LEA student if it cannot provide or ensure the provision of the services outlined in the student's IEP. If a LEA student's services are provided by a third party (i.e. a related services provider) CONTRACTOR shall notify LEA, in writing, if the provision of services ceases.

Unless otherwise agreed to between CONTRACTOR and LEA, CONTRACTOR shall be responsible for the provision of all appropriate supplies, equipment, and/or facilities for LEA students, as specified in LEA student's IEP and ISA. CONTRACTOR shall make no charge of any kind to parents for special education and/or related services as specified in LEA student's IEP and ISA (including, but not limited to, screenings, assessments, or interviews that occur prior to or as a condition of LEA student's enrollment under the terms of this Master Contract). LEA shall provide low incidence equipment for eligible students with low incidence disabilities when specified in the student's IEP and ISA. Such equipment remains the property of the SELPA/LEA and shall be returned to the SELPA/LEA when the IEP team determines the equipment is no longer needed or when the student is no longer enrolled in the nonpublic school. CONTRACTOR shall ensure that facilities are adequate to provide all LEA students with an environment which meets all pertinent health and safety regulations. CONTRACTOR may charge a LEA student's parent(s) for services and/or activities not necessary for LEA student to receive a free appropriate public education after: (a) written notification to LEA student's parent(s) of the cost and voluntary nature of the services and/or activities; and (b) receipt by LEA of the written notification and a written acknowledgment signed by LEA student's parent(s) of the cost and voluntary nature of the services and/or activities. CONTRACTOR shall adhere to all LEA requirements concerning parent acknowledgment of financial responsibility.

Voluntary services and/or activities not necessary for an LEA student to receive a free appropriate public education shall not interfere with LEA student's receipt of special education and/or related services as specified in LEA student's IEP and ISA unless LEA and CONTRACTOR agree otherwise in writing.

22. GENERAL PROGRAM OF INSTRUCTION

All nonpublic school and nonpublic agency services shall be provided consistent with the area of certification specified by CDE Certification and as defined in California Education Code section 56366 *et seq.* and shall ensure that facilities are adequate to provide LEA students with an environment which meets all pertinent health and safety regulations.

When CONTRACTOR is a nonpublic school, CONTRACTOR'S general program of instruction shall: (a) utilize evidence-based practices and predictors and be consistent with LEA's standards regarding the particular course of study and curriculum; (b) include curriculum that addresses mathematics, literacy and the use of educational, assistive technology and transition services; (c) be consistent with CDE's standards regarding the particular course of study and curriculum; (d) provide the services as specified in LEA student's IEP and ISA. LEA students shall have access to: (a) State Board of Education ("SBE") - adopted Common Core State Standards ("CCSS") for curriculum and the same instructional materials for kindergarten and grades 1 to 8, inclusive; and provide standards-aligned core curriculum and instructional materials for grades 9 to 12, inclusive, used by a local education agency ("LEA"), that contracts with the nonpublic school: (b) college preparation courses; (c) extracurricular activities such as art, sports, music and academic clubs; (d) career preparation and vocational training, consistent with transition plans pursuant to state and Federal law and; (e) supplemental assistance, including individual academic tutoring, psychological counseling, and career and college counseling. When appropriate, CONTRACTOR shall utilize the designated curriculum guidelines for students with moderate to severe disabilities who participate in the State's alternative assessment. These students shall have access to the core content, activities, and instructional materials delineated within these curriculum guidelines. CONTRACTOR'S general program of instruction shall be described in writing and a copy provided to LEA prior to the effective date of this Master Contract.

When CONTRACTOR serves LEA students in grades nine through twelve inclusive, LEA shall provide to CONTRACTOR a specific list of the course requirements to be satisfied by the CONTRACTOR leading toward graduation or completion of LEA's diploma requirements. CONTRACTOR shall not award a high school diploma to LEA students who have not successfully completed all of LEA's graduation requirements.

When CONTRACTOR is a nonpublic agency and/or related services provider, CONTRACTOR'S general program of instruction and/or services shall utilize evidence-based practices and predictors and be consistent with LEA and CDE guidelines/certifications and any state licensing requirements and shall be provided as

specified in LEA student's IEP and ISA. The nonpublic agency providing Behavior Intervention Services shall develop a written plan that specifies the nature of their nonpublic agency service for each student within thirty (30) days of enrollment and shall be provided in writing to LEA. School-based services may not be unilaterally converted by CONTRACTOR to a substitute program or provided at a location not specifically authorized by the IEP team. Except for services provided by a contractor that is a licensed children's institution ("LCI"), all services not provided in the school setting require the presence of a parent, guardian or adult caregiver during the delivery of services, provided such guardian or caregiver has a signed authorization by the parent or legal guardian to authorize emergency services as requested. LCI contractors shall ensure that appropriate and qualified residential or clinical staff is present during the provision of services under this Master Contract. CONTRACTOR shall immediately notify LEA in writing if no parent, guardian, or adult caregiver is present. CONTRACTOR shall provide to LEA a written description of the services and location provided prior to the effective date of this Master Contract. Contractors providing Behavior Intervention Services must have on staff individuals trained as the law requires. (Cal. Code Regs., tit. 5, § 3051.23.) It is understood that Behavior Intervention Services are limited per CDE Certification and do not constitute an instructional program.

When CONTRACTOR is a nonpublic agency, CONTRACTOR shall not provide transportation nor subcontract for transportation services for students unless LEA and CONTRACTOR agree otherwise in writing.

23. INSTRUCTIONAL MINUTES

When CONTRACTOR is a nonpublic school, the total number of instructional minutes per school day provided by CONTRACTOR shall be at least equivalent to the number of instructional minutes per school day provided to LEA students at like grade level attending LEA schools and shall be specified in LEA student's ISA developed in accordance with LEA student's IEP.

For students in grades kindergarten through 12, inclusive, unless otherwise specified in the student's IEP and ISA, the number of instructional minutes, excluding breakfast, recess, lunch and pass time shall be the same as the California Education Code prescribes for the LEA.

The total number of annual instructional minutes shall be at least equivalent to the total number of annual instructional minutes provided to LEA students attending LEA schools in like grade levels unless otherwise specified in LEA student's IEP and ISA.

When CONTRACTOR is a nonpublic agency and/or related services provider, the total number of minutes per school day provided by CONTRACTOR shall be specified in LEA student's ISA developed in accordance with LEA student's IEP.

24. CLASS SIZE

When CONTRACTOR is a nonpublic school, CONTRACTOR shall ensure that class size shall not exceed a ratio of one teacher per twelve (12) students unless CONTRACTOR and LEA agree otherwise in writing. Upon prior written approval by an authorized LEA representative, class size may be temporarily increased by a ratio of 1 teacher to fourteen (14) students when necessary during the regular or extended school year to provide services to students with disabilities.

In the event a nonpublic school is unable to fill a vacant teaching position responsible for direct instruction to students, and the vacancy has direct impact on the California Department of Education Certification of that school, the nonpublic school shall develop a plan to ensure appropriate coverage of students by first utilizing existing certificated staff. The nonpublic school and LEA may agree to one 30 school day period per contract year where class size may be increased to ensure coverage by an appropriately credentialed teacher. Such an agreement shall be in writing and signed by both Parties. This provision does not apply to a nonpublic agency.

25. CALENDARS

When CONTRACTOR is a nonpublic school, CONTRACTOR shall submit to LEA a school calendar with the total number of billable days not to exceed 180 days, plus extended school year billable days equivalent to the number of days determined by LEA's extended school year calendar. Billable days shall include only those days that are included on the submitted and approved school calendar, and/or required by the IEP (developed by LEA) for each student. CONTRACTOR shall not be allowed to change its school calendar and/or amend the number of billable days without the prior written approval of LEA. Nothing in this Master Contract shall be interpreted to require LEA to accept any requests for calendar changes. In the event LEA adjusts the number of school days for the regular school year and/or extended school year, the approved number of days shall become the total billable days for the nonpublic school or agency. In such a case, an amended calendar shall be provided by CONTRACTOR for LEA approval.

Unless otherwise specified by the student's IEP, educational services shall occur at the school site. A student shall only be eligible for extended school year services if such are recommended by his/her IEP team and the provision of such is specifically included in the ISA. Extended school year shall consist of twenty (20) instructional days, unless otherwise agreed upon by the IEP team convened by LEA. Any days of extended school year in excess of twenty (20) billable days must be mutually agreed to, in writing, prior to the start of the extended school year.

Student must have actually been in attendance during the regular school year and/or during extended school year and actually received services on a billable day of attendance in order for CONTRACTOR to be eligible for payment. It is specifically understood that services may not be provided on weekends/holidays and other times when school is not in session, unless agreed to by LEA, in writing, in advance of the delivery of any nonpublic school service. Any instructional days provided without this written agreement shall be at the sole financial responsibility of the CONTRACTOR.

CONTRACTOR shall observe only the same legal holidays as LEA. As of the execution of this Master Contract, these holidays are: Labor Day, Veteran's Day, Thanksgiving Day, Christmas Day, New Year's Day, Martin Luther King, Jr. Day, Lincoln's Birthday, Washington's Birthday, Memorial Day, and Independence Day. With the approval of LEA, CONTRACTOR may revise the date upon which CONTRACTOR closes in observance of any of the holidays observed by LEA.

When CONTRACTOR is a nonpublic agency, CONTRACTOR shall be provided with a LEA-developed/approved calendar prior to the initiation of services. CONTRACTOR herein agrees to observe holidays as specified in LEA-developed/approved calendar. CONTRACTOR shall provide services pursuant to LEA-developed/approved calendar; or as specified in LEA student's IEP and ISA. Unless otherwise specified in LEA student's ISA, CONTRACTOR shall provide related services to LEA students on only those days that LEA student's school of attendance is in session and LEA student attends school. CONTRACTOR shall bill only for services provided on billable days of attendance as indicated on LEA calendar unless CONTRACTOR and LEA agree otherwise, in writing. Student must have actually been in attendance and/or received services on a billable day of attendance in order for CONTRACTOR to be eligible for payment. It is specifically understood that services may not be provided on weekends/holidays and other times when school is not in session, unless agreed to by LEA, in writing, in advance of the delivery of any nonpublic agency service provided by CONTRACTOR. Any instructional days provided without this written agreement shall be at the sole financial responsibility of the CONTRACTOR.

26. DATA REPORTING

CONTRACTOR agrees to provide to LEA, all data (including billing information) related to students who are served by the CONTRACTOR. CONTRACTOR agrees to provide all data related to or referenced in any and all sections of this Master Contract if requested by LEA. CONTRACTOR agrees to provide all requested information in the format required by LEA. It is understood that all nonpublic schools and nonpublic agencies shall utilize the Special Education Information System ("SEIS") or comparable program/system approved by LEA/SELPA for all IEP development and progress reporting. Additional

progress reporting may be required by LEA. LEA shall provide the CONTRACTOR with appropriate software, user training and proper internet permissions to allow adequate access so that this information may be compiled.

LEA shall provide CONTRACTOR with approved forms and/or format for such data including but not limited to invoicing, attendance reports and progress reports. LEA may approve use of CONTRACTOR-provided forms at its discretion.

27. LEAST RESTRICTIVE ENVIRONMENT/DUAL ENROLLMENT

CONTRACTOR and LEA shall follow all LEA policies and procedures that support Least Restrictive Environment (“LRE”) options (and/or dual enrollment options if available and appropriate) for students to have access to the general curriculum and to be educated with their nondisabled peers to the maximum extent appropriate.

CONTRACTOR and LEA shall ensure that LRE placement options are addressed at all IEP team meetings regarding students for whom ISAs have been or may be executed. This shall include IEP team consideration of supplementary aids and services and goals and objectives necessary for placement in the LRE and necessary to enable students to transition to less restrictive settings.

When an IEP team has determined that a student should be transitioned into the public school setting, CONTRACTOR shall assist LEA in implementing the IEP team’s recommendations and/or activities to support the transition.

28. STATEWIDE ACHIEVEMENT TESTING

When CONTRACTOR is a nonpublic school, CONTRACTOR shall administer all Statewide assessments within the California Assessment of Student Performance and Progress (“CAASPP”), Desired Results Developmental Profile (“DRDP”), California Alternative Assessment (“CAA”), achievement and abilities tests (using LEA-authorized assessment instruments), the Fitness Gram, California English Language Development Test (“CELDT”), and the English Language Proficiency Assessments for California (“ELPAC”), as appropriate to the student and mandated by LEA pursuant to LEA and state and Federal guidelines.

CONTRACTOR is subject to the alternative accountability system developed pursuant to California Education Code section 52052, in the same manner as public schools. Each LEA student placed with CONTRACTOR by the LEA shall be tested by qualified staff of CONTRACTOR in accordance with that accountability program. LEA shall provide test administration training to CONTRACTOR’S qualified staff. CONTRACTOR shall attend LEA test training and comply with completion of all coding requirements as required by LEA.

29. MANDATED ATTENDANCE AT LEA MEETINGS

CONTRACTOR shall attend LEA mandated meetings when legal mandates, and/or LEA policy and procedures are reviewed, including but not limited to the areas of: curriculum, high school graduation, standards-based instruction, behavior intervention, cultural and linguistic needs of students with disabilities, dual enrollment responsibilities, LRE responsibilities, transition services, standardized testing, and IEPs. LEA shall provide CONTRACTOR with reasonable notice of mandated meetings. Attendance at such meetings does not constitute a billable service hour(s).

30. POSITIVE BEHAVIOR INTERVENTIONS AND SUPPORTS

CONTRACTOR shall comply with all requirements of California Education Code sections 56521.1 and 56521.2 regarding positive behavior interventions and supports. Failure to do so shall constitute sufficient good cause for termination of this Master Contract.

LEA students who exhibit behaviors that interfere with their learning or the learning of others must receive timely and appropriate assessments and positive supports and interventions in accordance with Federal and state law and implementing regulations. If the individualized education program (“IEP”) team determines that a student’s behavior impedes his or her learning or the learning of others, the IEP team is required to consider the use of positive behavioral interventions and supports, and other strategies, to address that behavior, consistent with Section 1414(d)(3)(B)(i) and (d)(4) of Title 20 of the United States Code and associated Federal regulations. This could mean that instead of developing a Behavior Intervention Plan (“BIP”), the IEP team may conclude it is sufficient to address the student’s behavioral problems through the development of behavioral goals and behavioral interventions to support those goals.

CONTRACTOR shall maintain a written policy consistent with California Education Code section 56521.1 regarding emergency interventions and Behavioral Emergency Reports (“BERs”). Further, CONTRACTOR shall affirmatively inform each of its employees about the policy and provide each employee a copy thereof. CONTRACTOR shall also ensure that all of its staff members are trained annually in crisis intervention and emergency procedures as related to appropriate behavior management strategies. Training includes certification with an approved SELPA crisis intervention program. Evidence of such training shall be submitted to the LEA at the beginning of the school year and within 6 days of any new hire.

Pursuant to California Education Code section 56521.1, emergency interventions shall not be used as a substitute for a BIP and shall not be employed longer than necessary to contain the behavior. Emergency interventions may only be used to control unpredictable, spontaneous behavior that poses clear and present danger of serious physical harm to the LEA student or others and that cannot be immediately prevented by a response less restrictive than the temporary application of a technique used to contain the behavior. If a situation requires prolonged use of an emergency intervention, staff must seek assistance from the school site administrator or a law enforcement agency, as suitable to the situation.

To prevent emergency interventions from being used in lieu of planned, systematic behavioral interventions, the parent, guardian, and residential care provider, if appropriate, shall be notified within one school day, if an emergency intervention is used or serious property damage occurs. CONTRACTOR shall immediately complete and maintain in the file of LEA student a BER which shall include all of the following: (1) The name and age of the individual with exceptional needs; (2) The setting and location of the incident; (3) The name of the staff or other persons involved; (4) A description of the incident and the emergency intervention used, and whether the LEA student is currently engaged in any systematic behavioral intervention plan; and (5) Details of any injuries sustained by LEA student or others, including staff, as a result of the incident. The BER shall immediately be forwarded to LEA for administrative action. CONTRACTOR shall also notify Parent within twenty-four (24) hours via telephone.

Consistent with the requirements of California Education Code section 56521.1(g), if a BER is written regarding an LEA student who does not have a behavior intervention plan, the designated responsible administrator shall, within two days, schedule an IEP team meeting to review the emergency report, to determine the necessity for a functional behavioral assessment, and to determine the necessity for an interim plan. The IEP team shall document the reasons for not conducting the functional behavioral assessment, not developing an interim plan, or both. Consistent with the requirements of California Education Code section 56521.1(h), if a behavioral emergency report is written regarding an LEA student who has a positive behavioral intervention plan, an incident involving a previously unseen serious behavior problem, or where a previously designed intervention is ineffective, shall be referred to the IEP team to review and determine if the incident constitutes a need to modify the positive behavioral intervention plan.

Pursuant to Education Code section 56521.2, CONTRACTOR shall not authorize, order, consent to, or pay for the following interventions, or any other interventions similar to or like the following:

(1) Any intervention that is designed to, or likely to, cause physical pain, including, but not limited to, electric-shock; (2) An intervention that involves the release of noxious, toxic, or otherwise unpleasant sprays, mists, or substances in proximity to the face of the individual; (3) An intervention that denies adequate sleep, food, water, shelter, bedding, physical comfort, or access to bathroom facilities; (4) An intervention that is

designed to subject, used to subject, or likely to subject, the individual to verbal abuse, ridicule, or humiliation, or that can be expected to cause excessive emotional trauma; (5) Restrictive interventions that employ a device, material, or objects that simultaneously immobilize all four extremities, including the procedure known as prone containment, except that prone containment or similar techniques may be used by trained personnel as a limited emergency intervention; (6) Locked seclusion, unless it is in a facility otherwise licensed or permitted by state law to use a locked room; (7) An intervention that precludes adequate supervision of the individual; (8) An intervention that deprives the individual of one or more of his or her senses. In the case of a child whose behavior impedes the child's learning or that of others, the IEP team shall consider the use of positive behavioral interventions and supports, and other strategies, to address that behavior, consistent with Section 1414(d)(3)(B)(i) and (d)(4) of Title 20 of the United States Code and associated Federal regulations.

All restraint practices must be reviewed and revised when they have an adverse effect on a student and are used repeatedly for an individual child, either on multiple occasions within the same classroom or multiple uses by the same individual. CONTRACTOR shall notify the student's parent/guardian when any type of physical or mechanical restraint or seclusion has been used. Upon the use of any type of physical or mechanical restraint or seclusions of a District student, CONTRACTOR shall complete a BER per the reporting and notification requirements listed above.

31. STUDENT DISCIPLINE

CONTRACTOR shall maintain and abide by a written policy for student discipline that is consistent with state and Federal law and regulations.

When CONTRACTOR seeks to remove a LEA student from his/her current educational placement for disciplinary reasons, CONTRACTOR shall submit a written discipline report within 24 hours to LEA and a manifestation IEP team meeting shall be scheduled. Written discipline reports shall include, but not be limited to: LEA student's name; the time, date, and description of the misconduct; the disciplinary action taken by CONTRACTOR; and the rationale for such disciplinary action. A copy of LEA student's behavior plan, if any, shall be submitted with the written discipline report. CONTRACTOR and LEA agree to participate in a manifestation determination at an IEP meeting no later than the tenth (10th) day of suspension. CONTRACTOR shall notify and invite LEA representatives to the IEP team meeting where the manifestation determination will be made.

32. IEP TEAM MEETINGS

An IEP team meeting shall be convened at least annually to evaluate: (1) the educational progress of each student placed with CONTRACTOR, including all state assessment results pursuant to the requirements of California Education Code section 52052; (2) whether or not the needs of the student continue to be best met at the nonpublic school and/or by the nonpublic agency; and (3) whether changes to the student's IEP are necessary, including whether the student may be transitioned to a public school setting. (Ed. Code §§ 56366(a)(2)(B)(i), (ii); 56345(b)(4).)

If an LEA student is to be transferred from a nonpublic school setting into a regular class setting in a public school for any part of the school day, the IEP team shall document, if appropriate, a description of activities provided to integrate the student into the regular education program, including the nature of each activity as well as the time spent on the activity each day or week and a description of the activities provided to support the transition of the student from the special education program into the regular education program. Each student shall be allowed to provide confidential input to any representative of his or her IEP team. Except as otherwise provided in the Master Contract, CONTRACTOR and LEA shall participate in all IEP team meetings regarding LEA students for whom ISAs have been or may be executed. At any time during the term of this Master Contract, a parent, the CONTRACTOR or LEA may request a review of the student's IEP, subject to all procedural safeguards required by law, including reasonable notice given to, and participation of, the CONTRACTOR in the meeting. Every effort shall be made to schedule IEP team meetings at a time and place that is mutually convenient to the parent(s), the CONTRACTOR and LEA.

CONTRACTOR shall provide to LEA, at no cost and prior to an annual or triennial IEP team meeting, documentation which shows progress on goals and any and all assessments and written assessment reports (including testing protocols) created by CONTRACTOR and any of its agents or subcontractors, upon request and/or pursuant to LEA policy and procedures. It is understood that attendance at an IEP meeting is part of CONTRACTOR'S professional responsibility and is not a billable service under this Master Contract.

It is understood that the CONTRACTOR shall utilize the Special Education Information System ("SEIS") or other comparable program/system as approved by LEA solely at LEA's discretion, for all IEP planning and progress reporting. LEA shall provide training for any nonpublic school and nonpublic agency to ensure access to SEIS or the comparable program/system designated and approved for use by LEA. The nonpublic school and/or nonpublic agency shall maintain confidentiality of all IEP data on SEIS or on the LEA-approved comparable program/system, and shall protect the password requirements of the system. When a student disenrolls from the nonpublic school or stops receiving services from the nonpublic agency, such CONTRACTOR shall discontinue use of SEIS and/or LEA-approved comparable program/system for that student.

Changes in any LEA student's educational program, including instruction, services, or instructional setting provided under this Master Contract may only be made on the basis of revisions to the student's IEP. In the event that the CONTRACTOR believes the student requires a change of placement, the CONTRACTOR may request a review of the student's IEP for the purpose of considering a change in the student's placement. Student is entitled to remain in the last agreed upon and implemented placement unless parent agrees otherwise or an interim alternative educational setting is deemed lawful and appropriate.

33. SURROGATE PARENTS AND FOSTER YOUTH

CONTRACTOR shall comply with all LEA surrogate parent assignments. A pupil in foster care shall be defined pursuant to California Education Code section 42238.01(b). The LEA shall annually notify the CONTRACTOR who the LEA has designated as the educational liaison for foster children. When a pupil in foster care is enrolled in a nonpublic school by the LEA any time after the completion of the pupil's second year of high school, the CONTRACTOR shall schedule the pupil in courses leading towards graduation based on the diploma requirements of the LEA unless provided notice otherwise in writing pursuant to Section 51225.1

34. DUE PROCESS PROCEEDINGS

CONTRACTOR shall fully participate in special education due process proceedings including mediations and hearings, as requested by LEA. CONTRACTOR shall also fully participate in the investigation and provision of documentation related to any complaint filed with the State of California, the Office for Civil Rights, or any other state and/or Federal governmental body or agency. Full participation shall include, but in no way be limited to, cooperating with LEA representatives to provide complete answers raised by any investigator and/or the immediate provision of any and all documentation that pertains to the operation of CONTRACTOR'S program and/or the implementation of a particular student's IEP/ISA.

35. COMPLAINT PROCEDURES

CONTRACTOR shall maintain and adhere to its own written procedures for responding to parent complaints. These procedures shall include annually notifying and providing parents of LEA students with appropriate information (including complaint forms) for the following: (1) Uniform Complaint Procedures pursuant to Title 5 of the California Code of Regulations section 4600 *et seq.*; (2) Nondiscrimination Policy pursuant to Title 5 of the California Code of Regulations section 4960(a); (3) Sexual Harassment Policy pursuant to California Education Code section 231.5; (4) Title IX Student Grievance Procedures pursuant to Title 34 of the Code of Federal Regulations sections 106.8 and 106.9; (5) Notice of Privacy Practices in compliance with Health Insurance Portability and Accountability Act ("HIPPA"), 45 C.F.R. § 164.520; and (6) Notification and Complaint Procedures for Disability Access, pursuant to 42 U.S.C. §§ 12101 *et seq.* CONTRACTOR shall include verification of these procedures to LEA.

36. LEA STUDENT PROGRESS REPORTS/REPORT CARDS AND ASSESSMENTS

Unless LEA requests in writing that progress reports be provided on a monthly basis, CONTRACTOR shall provide to parents, with a concurrent copy sent to LEA, at least four written progress reports/report cards. At a minimum, progress reports shall include progress over time towards IEP goals and objectives. A copy of the progress reports/report cards shall be maintained at the CONTRACTOR'S place of business.

CONTRACTOR shall also provide an LEA representative access to supporting documentation used to determine progress on any goal or objective, including but not limited to log sheets, chart notes, observation notes, data sheets, pre/post tests, rubrics and other similar data collection used to determine progress or lack of progress on approved goals, objectives, transition plans or behavior support and/or intervention plans. LEA may request copies of such data at any time within five years of the date of service. CONTRACTOR agrees to maintain the information for at least five years and also shall provide this data supporting progress within 5 business days of request. Additional time may be granted as needed by LEA.

CONTRACTOR shall complete academic or other assessment of a LEA student ten (10) days prior to LEA student's annual or triennial review IEP team meeting for the purpose of reporting LEA student's present levels of performance at the IEP team meeting as required by state and Federal laws and regulations and pursuant to LEA policies, procedures, and/or practices. Sufficient copies of reports, projected goals and/or any other relevant documents to be reviewed by the IEP team shall be provided to the District no later than five (5) business days prior to an annual or triennial IEP team meeting. CONTRACTOR shall maintain all supporting documentation including but not limited to test protocols and data collection, which shall be made available to LEA within 5 business days of request.

CONTRACTOR is responsible for all assessment costs regarding the updating of goals and objectives, progress reporting and the development of present levels of performance. All other assessments shall be provided by LEA unless LEA specifies in writing a request that CONTRACTOR perform such additional assessment. Such assessment costs may be added to the ISA and/or approved separately by LEA at LEA's sole discretion.

It is understood that all billable hours must be in direct services to pupils as specified in the ISA. For nonpublic agency services, supervision provided by a qualified individual as specified in Title 5 of the California Code of Regulations section 3065, shall be determined as appropriate and included in the ISA. Supervision means the direct observation of services, data review, case conferencing and program design consistent with professional standards for each professional's license, certification, or credential.

CONTRACTOR shall not charge LEA student's parent(s) or LEA for the development or provision of progress reports, report cards, and/or any assessments, interviews, or attendance at any meetings, including but not limited to IEP meetings. It is understood that all billable hours have limits to those specified on the ISA consistent with the IEP. It is understood that copies of data collection notes, forms, charts and other such data are part of the pupil's record and shall be made available to LEA upon written request.

37. TRANSCRIPTS

When CONTRACTOR is a nonpublic school, CONTRACTOR shall prepare transcripts at the close of each semester, or upon LEA student transfer, for LEA students in grades nine (9) through twelve (12) inclusive. CONTRACTOR shall submit all transcripts on LEA-approved forms to LEA student's school of residence for evaluation of progress toward completion of diploma requirements as specified in LEA Procedures. CONTRACTOR shall submit to LEA names of LEA students and their schools of residence for whom transcripts have been submitted as specified by LEA. All transcripts shall be maintained by CONTRACTOR and furnished to LEA upon request, consistent with the parameters of Sections 9 and 26 of this Master Contract.

38. LEA STUDENT CHANGE OF RESIDENCE

Upon enrollment, CONTRACTOR shall notify parents in writing of their obligation to notify CONTRACTOR of LEA student's change of residence. Within five (5) school days after CONTRACTOR becomes aware of a LEA student's change of residence, CONTRACTOR shall notify LEA, in writing, of LEA student's change of residence. CONTRACTOR shall maintain, and provide upon request by LEA, documentation of such notice to parents.

If CONTRACTOR had knowledge or should reasonably have had knowledge of LEA student's change of residence boundaries and CONTRACTOR fails to follow the procedures specified in this provision, LEA shall not be responsible for the costs of services delivered after LEA student's change of residence.

39. WITHDRAWAL OF LEA STUDENT FROM PROGRAM

CONTRACTOR shall immediately report, by telephone, with a follow-up written notification within five (5) business days to LEA Representative responsible for overseeing nonpublic schools and nonpublic agencies, and any other required representative from the California Department of Education, when a LEA student is withdrawn without prior notice from school and/or services. CONTRACTOR shall confirm such telephone call on LEA approved forms and submit to LEA and the Department of Education, if required, within five (5) business days of the withdrawal, including a student's change in residence to a residence outside of LEA service boundaries, and the student's discharge against professional advice from a Nonpublic School/Residential Treatment Center ("NPS/RTC"). CONTRACTOR shall assist LEA to verify potential dropouts three (3) times per year.

40. PARENT ACCESS

CONTRACTOR shall provide for reasonable parental access to LEA students and all facilities including, but not limited to, the instructional setting, recreational activity areas, meeting rooms and LEA student's living quarters. CONTRACTOR shall comply with any known court orders regarding parental visits and access to LEA students.

CONTRACTORS operating programs associated with a NPS/RTC shall cooperate with a parent's reasonable request for LEA student therapeutic visits in their home or at the NPS/RTC. CONTRACTOR shall require that parents obtain prior written authorization for therapeutic visits from the CONTRACTOR and the LEA at least thirty (30) days in advance. CONTRACTOR shall facilitate all parent travel and accommodations and provide travel information to the parent as appropriate. Payment by LEA for approved travel-related expenses shall be made directly through the LEA.

41. SERVICES AND SUPERVISION AND PROFESSIONAL CONDUCT

If CONTRACTOR provides services on a LEA public school campus, CONTRACTOR shall comply with California Penal Code section 627.1 *et seq.*, as well as all other LEA and campus-specific policies and procedures regarding visitors to/on school campuses. CONTRACTOR shall be responsible for the purchase and provision of the supplies and assessment tools necessary to implement the provision of CONTRACTOR services on LEA public school campuses.

For services provided on a public school campus, sign in/out procedures shall be followed along with all procedures for being on campus consistent with school and LEA policy. It is understood that the public school credentialed classroom teacher is responsible for the educational program and all nonpublic agency service providers shall work collaboratively with the classroom teacher who shall remain in charge of the instructional program.

It is understood that all employees, subcontractors and volunteers of any certified nonpublic school or agency shall adhere to customary professional standards when providing services. All practices shall be within the

scope of professional responsibility as defined in the professional code of conduct for each profession. Reports regarding student progress shall be consistent with the provision of the Master Contract.

CONTRACTOR providing services outside of the student's school as specified in the IEP shall ensure that at least one parent of the child or an adult caregiver with written and signed authority to make decisions in an emergency is present during provision of services. The names of any adult caregiver other than the parent shall be provided to LEA prior to the start of any home-based services, including written and signed authorization in emergency situations. The adult caregiver cannot also be an employee or volunteer associated with the NPS/NPA service provider. All problems and/or concerns reported by CONTRACTOR to parents or guardians, in either verbal or written form, shall be reported to LEA.

CONTRACTOR, if providing services in a student's home as specified in the IEP, shall assure that at least one parent of the child or an adult caregiver with written and signed authorization to make decisions in an emergency is present during the provision of services. The names of any adult caregiver other than the parent shall be provided to LEA prior to the start of any home based services, including written and signed authorization in emergency situations. The parent shall inform LEA of any changes of caregivers and provide written authorization for emergency situations. The adult caregiver cannot be an employee or volunteer associated with the nonpublic school or nonpublic agency service provider. Moreover, for services provided in a pupil's home as specified in the IEP, CONTRACTOR must assure that the parent or LEA-approved responsible adult is present during the provision of services. All problems and/or concerns reported to parents, both verbal and written, shall also be provided to the LEA.

42. LICENSED CHILDREN'S INSTITUTION ("LCI") CONTRACTORS AND RESIDENTIAL TREATMENT CENTER ("RTC") CONTRACTORS

If CONTRACTOR is a licensed children's institution ("LCI"), CONTRACTOR shall adhere to all legal requirements regarding educational placements for LCI students as stated in California Education Code sections 56366(a)(2)(C) and 56366.9, California Health and Safety Code section 1501.1(b), (AB1858, AB490 (Chapter 862, Statutes of 2003)) and the procedures set forth in LEA Procedures. A LCI shall not require that a pupil be placed in its nonpublic school as a condition of being placed in its residential facility.

If CONTRACTOR is a nonpublic, nonsectarian school that is owned, operated by, or associated with a LCI, CONTRACTOR shall provide to LEA, on a quarterly basis, a list of all LEA students, including those identified as eligible for special education. For those identified special education students, the list shall include: 1) special education eligibility at the time of enrollment and 2) the educational placement and services specified in each student's IEP at the time of enrollment.

If CONTRACTOR is a nonpublic, nonsectarian school that is owned, operated by, or associated with a residential treatment center (hereinafter referred to as "NPS/RTC"), CONTRACTOR shall adhere to all legal requirements under the Individuals with Disabilities Education Act ("IDEA"), 20 U.S.C. section 1411 *et seq.* and California Education Code section 56000, *et seq.*; amended and reorganized by the Individuals with Disabilities Education Improvement Act of 2004 ("IDEIA"), 20 U.S.C. section 1401(29); California Education Code section 56031; Title 5, California Code of Regulations section 3001 *et seq.*, Title 2, California Code of Regulations section 60100 *et seq.* regarding the provision of counseling services, including residential care for students to receive a FAPE as set forth in LEA student's IEPs.

Unless placement is made pursuant to an Office of Administrative Hearings order or a lawfully executed agreement between LEA and parent, LEA is not responsible for the costs associated with nonpublic school placement until the date on which an IEP team meeting is convened, the IEP team determines that a nonpublic school placement is appropriate, and the IEP is signed by LEA student's parent or another adult with educational decision-making rights.

In addition to meeting the certification requirements of the State of California, a CONTRACTOR that operates a program outside of this state shall be certified or licensed by that state to provide special education

and related services and designated instruction and related services to pupils under the Federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.).

43. STATE MEAL MANDATE

When CONTRACTOR is a nonpublic school, CONTRACTOR and LEA shall satisfy the State Meal Mandate under California Education Code sections 49530, 49530.5 and 49550.

44. MONITORING

CONTRACTOR shall allow LEA representatives access to its facilities for the purpose of periodic monitoring of each LEA student's instructional program, and shall be invited to participate in the formal review of each student's progress. LEA representatives shall have access to observe each LEA student at work, observe the instructional setting, interview CONTRACTOR, and review each LEA student's records and progress. Such access shall include unannounced monitoring visits. When making site visits, LEA shall initially report to CONTRACTOR'S site administrative office. CONTRACTOR shall be invited to participate in the review of each student's progress.

If CONTRACTOR is also a LCI and/or NPS/RTC, CDE shall annually evaluate whether CONTRACTOR is in compliance with California Education Code section 56366.9 and California Health and Safety Code section 1501.1(b). LEA may also conduct its own on-site review of a NPS using the LEA's Quality On-Site NPS Review Rubric.

The State Superintendent of Public Instruction ("Superintendent") shall monitor CONTRACTOR'S facilities, the educational environment, and the quality of the educational program, including the teaching staff, the credentials authorizing service, the standards-based core curriculum being employed, and the standards-focused instructional materials used on a three-year cycle, as follows: (1) CONTRACTOR shall complete a self-review in year one; (2) the Superintendent shall conduct an onsite review in year two; and (3) the Superintendent shall conduct a follow-up visit in year three.

CONTRACTOR shall fully participate in any LEA and CDE compliance review, if applicable, to be conducted as aligned with the CDE Onsite Review and monitoring cycle in accordance with California Education Code section 56366.1(j). This review will address programmatic aspects of the nonpublic school/agency, compliance with relevant state and Federal regulations, and Master Contract compliance. If requested by LEA, CONTRACTOR shall complete and submit a Nonpublic School/Agency Self-Review Assessment submitted as specified by LEA. CONTRACTOR shall conduct any follow-up or corrective action procedures related to review findings.

CONTRACTOR understands that LEA reserves the right to institute a program audit with or without cause. The program audit may include, but is not limited to, a review of core compliance areas of health and safety; curriculum/instruction; related services; and contractual, legal, and procedural compliance.

When CONTRACTOR is a nonpublic school, CONTRACTOR shall collect all applicable data and prepare the applicable portion of a School Accountability Report Card in accordance with California Education Code Section 33126.

PERSONNEL

45. CLEARANCE REQUIREMENTS

CONTRACTOR shall comply with the requirements of California Education Code sections 44237, 35021.1 and 35021.2 including, but not limited to: obtaining clearance from both the California Department of Justice ("CDOJ") and clearance from the Federal Bureau of Investigation (hereinafter referred to as "FBI") for all of CONTRACTOR'S employees and volunteers who will have or likely may have any direct contact with LEA students. CONTRACTOR hereby agrees that CONTRACTOR'S employees and volunteers shall not come

in contact with LEA students until both CDOJ and FBI clearance are ascertained. CONTRACTOR shall further certify in writing to LEA that none of its employees, volunteers, or subcontractors who will have, or likely may have any direct contact with LEA students, have been convicted of a violent or serious felony as those terms are defined in California Education Code section 44237(h), unless despite the employee's conviction of a violent or serious felony, he or she has met the criteria to be eligible for employment pursuant to California Education Code section 44237(i) or (j). Clearance certification shall be submitted to LEA. In addition, CONTRACTOR shall make a request for subsequent arrest service from the CDOJ as required by California Penal Code section 11105.2.

The passage of AB 389 amends California Education Code sections 44237 and 56366.1 as to the verification that the CONTRACTOR has received a successful criminal background check clearance and has enrolled in subsequent arrest notification service, as specified, for each owner, operator, and employee of the nonpublic, nonsectarian school or agency. Further this bill deletes the exemption for applicants possessing a valid California state teaching credential or who are currently licensed by another state agency that requires a criminal record summary, from submitting 2 sets of fingerprints for the purpose of obtaining a criminal record summary from the California Department of Justice ("CDOJ") and the Federal Bureau of Investigation ("FBI"). Notwithstanding the restrictions on sharing and destroying criminal background check information, CONTRACTOR, upon demand, shall make available to the LEA evidence of a successful criminal background check clearance and enrollment in subsequent arrest notification service, as provided, for each owner, operator, and employee of the nonpublic, nonsectarian school or agency. CONTRACTOR is required to retain the evidence on-site, as specified, for all staff, including those licensed or credentialed by another state agency. Background clearances and proof of subsequent arrest notification service as required by California Penal Code section 11105.2 for all staff shall be provided to LEA upon request.

46. STAFF QUALIFICATIONS

CONTRACTOR shall ensure that all individuals employed, contracted, and/or otherwise hired by CONTRACTOR to provide classroom and/or individualized instruction or related services are qualified as defined in Section 7(d) of this Mater Contract, including but not limited to holding a license, certificate, permit, or other document equivalent to that which staff in a public school are required to hold to render the service consistent with California Education Code section 56366.1(n)(1) and are qualified pursuant to Title 34 of the Code of Federal Regulations sections 200.56 and 200.58 and Title 5 of the California Code of Regulations, sections 3064 and 3065. Such qualified staff may only provide related services within the scope of their professional license, certification or credential and ethical standards set by each profession and not assume responsibility or authority for another related services provider or special education teacher's scope of practice.

CONTRACTOR shall ensure that all staff are appropriately credentialed to provide instruction and/or services to students with the disabling conditions placed in their program/school through documentation provided to the CDE. (Cal. Code Regs., tit. 5, § 3064(a).)

When CONTRACTOR is a nonpublic school, an appropriately qualified person shall serve as curricular and instructional leader, and be able to provide leadership, oversight and professional development.

Only those nonpublic, nonsectarian schools or agencies located outside of California that employ staff who hold a current valid credential or license to render special education and related services as required by that state shall be eligible to be certified.

CONTRACTOR shall comply with personnel standards and qualifications regarding instructional aides and teacher assistants respectively pursuant to Federal requirements and California Education Code sections 45340 *et seq.* and 45350 *et seq.* All paraprofessionals, including, but not limited to instructional aides and teacher assistants, employed, contracted, and/or otherwise hired or subcontracted by CONTRACTOR to provide classroom and/or individualized instruction or related services, shall possess a high school diploma (or its recognized equivalent) and at least one of the following qualifications: (a) completed at least two (2) years of study at an institution of higher education; or (b) obtained an associate's (or higher) degree; or (c)

met a rigorous standard of quality and can demonstrate, through a formal state or local assessment (i) knowledge of, and the ability to assist in instructing, reading, writing, and mathematics; or (ii) knowledge of, and the ability to assist in instructing, reading readiness, writing readiness, and mathematics readiness, as appropriate. CONTRACTOR shall comply with all laws and regulations governing the licensed professions, including but not limited to, the provisions with respect to supervision.

In addition to meeting the certification requirements of the State of California, a CONTRACTOR that operates a program outside of this State and serving a LEA student shall be certified or licensed by that state to provide special education and related services and designated instruction and related services to pupils under the Federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.).

47. VERIFICATION OF LICENSES, CREDENTIALS AND OTHER DOCUMENTS

CONTRACTOR shall submit to LEA a staff list, and copies of all current licenses, credentials, certifications, permits and/or other documents which entitle the holder to provide special education and/or related services by individuals employed, contracted, and/or otherwise hired or sub-contracted by CONTRACTOR. CONTRACTOR shall ensure that all licenses, credentials, permits or other documents are on file at the office of the County Superintendent of Schools. CONTRACTOR shall notify LEA in writing within thirty (30) days when personnel changes occur which may affect the provision of special education and/or related services to LEA students as specified in LEA Procedures. Within thirty (30) days, CONTRACTOR shall provide LEA with the verified dates of fingerprint clearance, Department of Justice clearance and Tuberculosis Test clearance for all employees, approved subcontractors and/or volunteers prior to such individuals starting to work with any student.

CONTRACTOR shall monitor the status of licenses, credentials, certifications, permits and/or other documents for all individuals employed, contracted, and/or otherwise hired by CONTRACTOR. CONTRACTOR shall notify LEA and CDE in writing within thirty (30) days when personnel changes occur which may affect the provision of special education and/or related services to LEA students. CONTRACTOR shall notify LEA within thirty (30) days if any such licenses, certifications or waivers are expired, suspended, revoked, rescinded, challenged pursuant to an administrative or legal complaint or lawsuit, or otherwise nullified during the effective period of this Master Contract. LEA shall not be obligated to pay for any services provided by a person whose such licenses, certifications or waivers are expired, suspended, revoked, rescinded, or otherwise nullified during the period during which such person is providing services under this Master Contract. Failure to notify LEA of changes in licenses, certifications or suspensions shall be good cause for termination of this Master Contract by LEA.

Failure to notify LEA and CDE of any changes in credentialing/licensed staff may result in suspension or revocation of CDE certification and shall also suffice as good cause for the suspension or termination of this Master Contract by LEA.

48. STAFF ABSENCE

When CONTRACTOR is a nonpublic school and CONTRACTOR'S classroom teacher is absent, CONTRACTOR shall provide an appropriately credentialed substitute teacher in the absent teacher's classroom in accordance with California Education Code section 56061. CONTRACTOR shall provide to LEA documentation of substitute coverage on LEA substitute teacher log. Substitute teachers shall remain with their assigned class during all instructional time. LEA shall not be responsible for any payment for instruction and/or services when an appropriately credentialed substitute teacher is not provided.

When CONTRACTOR is a nonpublic agency and/or related services provider, and CONTRACTOR'S service provider is absent, CONTRACTOR shall provide a qualified (as defined in Section seven (7) of this Master Contract and as determined by LEA) substitute, unless LEA provides appropriate coverage in lieu of CONTRACTOR'S service providers. It is understood that the parent of a student shall not be deemed to be a qualified substitute for his/her student. LEA will not pay for services unless a qualified substitute is provided and/or CONTRACTOR provides documentation evidencing the provision of "make-up" services

by a qualified service provider within thirty (30) calendar days from the date on which the services should have been provided. CONTRACTOR shall not “bank” or “carry over” make up service hours under any circumstances, unless otherwise agreed to in writing by CONTRACTOR and an authorized LEA representative.

49. STAFF PROFESSIONAL BEHAVIOR WHEN PROVIDING SERVICES AT SCHOOL OR SCHOOL RELATED EVENTS OR AT SCHOOL FACILITY AND/OR IN THE HOME

It is understood that all employees, subcontractors, and volunteers of any certified nonpublic school or nonpublic agency shall adhere to the customary professional and ethical standards when providing services. All practices shall only be within the scope of professional responsibility as defined in the professional code of conduct for each profession as well as any LEA professional standards as specified in Board policies and/or regulations when made available to the CONTRACTOR.

For services provided on a public school campus, sign in/out procedures shall be followed by nonpublic agency providers working in a public school classroom along with all other procedures for being on campus consistent with school and LEA policy. Such policies and procedures shall be made available to CONTRACTOR upon CONTRACTOR’S request. It is understood that the public school credentialed classroom teacher is responsible for the instructional program, and all nonpublic agency service providers shall work collaboratively with the classroom teacher, who shall remain in charge of the instructional program. Failure to comply with this and all LEA requirements in this regard shall be sufficient cause to terminate this Master Contract.

For services provided in a pupil’s home as specified in the IEP, CONTRACTOR must assure that the parent or an LEA-approved responsible adult is present during the provision of services. All problems and/or concerns reported to parents, both verbal and written shall also be provided to LEA. It is understood that unless otherwise agreed to by LEA, a public school credentialed teacher is responsible for the instructional program and all nonpublic agency related service providers shall work collaboratively with the teacher who shall remain in charge of supervising the instructional program.

HEALTH AND SAFETY MANDATES

50. HEALTH AND SAFETY

CONTRACTOR shall comply with all applicable Federal, state, local, and LEA laws, regulations, ordinances, policies, and procedures regarding student and employee health and safety. CONTRACTOR shall comply with the requirements of California Education Code sections 35021 *et seq.*, and 49406, and California Health and Safety Code section 121545 regarding the examination of CONTRACTOR’S employees and volunteers for tuberculosis. CONTRACTOR shall provide to LEA documentation for each individual volunteering, employed, contracted, and/or otherwise hired by CONTRACTOR of such compliance before an individual comes in contact with an LEA student.

CONTRACTOR shall comply with OSHA Blood Borne Pathogens Standards, Title 29 of the Code of Federal Regulations section 1910.1030, when providing medical treatment or assistance to a student. CONTRACTOR further agrees to provide annual training regarding universal health care precautions and to post required notices in areas designated in the California Health and Safety Code.

51. FACILITIES AND FACILITIES MODIFICATIONS

CONTRACTOR shall provide special education and/or related services to LEA students in facilities that comply with all applicable Federal, state, and local laws, regulations, and ordinances related, but not limited to disability access, fire, health, sanitation, and building standards and safety, fire warning systems, zoning permits and occupancy capacity. When CONTRACTOR is a nonpublic school, CONTRACTOR shall conduct fire drills as required by Title 5 of the California Code of Regulations section 550. During the duration of this Agreement, if CONTRACTOR is subject to fines, penalties and findings of non-compliance,

CONTRACTOR shall assume any and all responsibilities for payment of such financial obligations. CONTRACTOR shall also be fully responsible for any structural changes and/or modifications to CONTRACTOR'S facilities as required to comply with applicable Federal, state, and local laws, regulations, and ordinances. Failure to notify LEA or CDE of any changes in, major modification or relocation of facilities may result in the suspension or revocation of CDE certification and/or suspension or termination of this Master Contract by LEA.

In signing this Agreement, CONTRACTOR certifies that its facilities either comply with Federal and state and local laws regarding disability access, or possesses and has available upon demand, a self-evaluation and/or transition plan in accordance with said laws.

52. ADMINISTRATION OF MEDICATION

CONTRACTOR shall comply with the requirements of California Education Code section 49423 when CONTRACTOR serves a LEA student that is required to take prescription and/or over-the-counter medication during the school day. CONTRACTOR may designate personnel to assist a LEA student with the administration of such medication after LEA student's parent(s) provide(s) to CONTRACTOR: (a) a written statement from a physician detailing the type, administration method, amount, and time schedules by which such medication shall be taken; and (b) a written statement from LEA student's parent(s) granting CONTRACTOR permission to administer medication(s) as specified in the physician's statement. CONTRACTOR shall maintain, and provide to LEA upon request, copies of such written statements. CONTRACTOR shall maintain a written log for each LEA student to whom medication is administered. Such written log shall specify a LEA student's name, the type of medication, the date, time, and amount of each administration, and the name of CONTRACTOR'S employee who administered the medication. CONTRACTOR maintains full responsibility for assuring appropriate staff training in the administration of such medication consistent with student's physician's written orders. Any change in medication type, administration method, amount or schedule must be authorized by both a licensed physician and parent.

In the event there is a LEA student who is on a prescription medication regimen, the CONTRACTOR is to: (a) first obtain a copy of the appropriate medication authorization form available from LEA student's primary regional or site nurse; or (b) in the event the student does not take prescription medication during the school day, but would only take such medication while in the care, custody and control of the CONTRACTOR, prior to the commencement of services to LEA student, CONTRACTOR is to obtain a signed copy of the appropriate medication authorization form from the District. Both the District and CONTRACTOR shall retain a copy of the Authorization.

53. INCIDENT/ACCIDENT REPORTING

CONTRACTOR shall electronically submit, within 24 hours, any accident or incident report to LEA. CONTRACTOR shall properly submit accident or incident reports as required by the District.

54. CHILD ABUSE REPORTING

CONTRACTOR hereby agrees to annually train all staff members, including volunteers, so that they are familiar with and agree to adhere to its own child and dependent adult abuse reporting obligations and procedures as specified in California Penal Code section 11164 *et seq.* and California Education Code section 44691. To protect the privacy rights of all parties involved (i.e. reporter, child and alleged abuser), reports will remain confidential as required by law and professional ethical mandates. A written statement acknowledging the legal requirements of such reporting and verification of staff adherence to such reporting shall be submitted to LEA.

CONTRACTOR is to read and become familiar with the District's *Mandated Child Abuse and Neglect Reporting Manual*. In the event there is a suspicion of abuse conducted by anyone (students, staff, contractor or others) on or off campus, CONTRACTOR is to file the appropriate report to the Sacramento County Sheriff. CONTRACTOR is also to confidentially notify the Risk Management Department ("Risk Manager")

of the report. CONTRACTOR is to cooperate with any investigation conducted by the District in connection with such report.

55. SEXUAL HARASSMENT

CONTRACTOR shall have a Sexual and Gender Identity Harassment Policy that clearly describes the kinds of conduct that constitute sexual harassment and that is prohibited by the CONTRACTOR'S policy, as well as Federal and state law. The policy should include procedures to make complaints without fear of retaliation and procedures for prompt and objective investigations of all sexual harassment complaints. CONTRACTOR further agrees to provide annual training to all employees regarding the laws concerning sexual harassment and related procedures.

56. REPORTING OF MISSING CHILDREN

CONTRACTOR assures LEA that all staff members, including volunteers and any independent contractor and/or subcontractor authorized pursuant to this Master Contract, are familiar with and agree to adhere to requirements for reporting missing children as specified in California Education Code section 49370 et. seq. A written statement acknowledging the legal requirements of such reporting and verification of staff adherence to such reporting shall be properly submitted to LEA. The written statement shall be submitted as specified by LEA.

FINANCIAL

57. ENROLLMENT, CONTRACTING, SERVICE TRACKING, ATTENDANCE REPORTING, AND BILLING PROCEDURES

CONTRACTOR shall assure that the nonpublic school or nonpublic agency has the necessary financial resources to provide an appropriate education for the students enrolled and will distribute those resources in such a manner to implement the IEP and ISA for each and every student.

CONTRACTOR shall comply with all LEA procedures concerning enrollment, contracting, attendance reporting, service tracking and billing, including requirements of electronic billing, as specified by LEA Procedures. CONTRACTOR shall be paid for the provision of special education and/or related services specified in LEA student's IEP and ISA which are provided on billable days of attendance. All payments by LEA shall be made in accordance with the terms and conditions of this Master Contract and in compliance with LEA Procedures, and will be governed by all applicable Federal and state laws.

CONTRACTOR shall maintain separate registers for the basic education program, each related service, and services provided by instructional assistants, behavior intervention aides and bus aides. Original attendance forms (i.e., roll books for the basic education program service tracking documents and notes for instructional assistants, behavioral intervention aides, bus aides, and each related service) shall be completed by the actual service provider whose signature shall appear on such forms and shall be available for review, inspection, or audit by LEA during the effective period of this Master Contract and for a period of five (5) years thereafter. CONTRACTOR shall verify the accuracy of minutes of reported attendance that is the basis of services being billed for payment.

CONTRACTOR shall submit invoices and related documents to LEA for payment for each calendar month when education or related services were provided. Invoices and related documents shall be properly submitted electronically and, in addition, on a LEA form with signatures in the manner prescribed by LEA. Contractor will submit invoices using the format provided by LEA. At the request of LEA, invoices may require the following information: Name of LEA student for whom service was provided; the type of service provided; (if payment for assessment is approved by LEA pursuant to Section 36 of this Master Contract, the invoice must describe whether the assessment was prepared for an initial, annual, amended, or triennial IEP); month of service; specific dates (date, month, year and times) of services coordinated pursuant to LEA-approved calendar unless otherwise specified in the IEP or agreed to by LEA; name of staff who provided

the service and that individual's licensing and credentials; approved cost of each invoice; total for each service and total for the monthly invoice; date invoice was mailed; signature of the nonpublic school/nonpublic agency administrator authorizing that the information is accurate and consistent with the ISA, CDE certificates and staff notification; verification that attendance report is attached as appropriate; indication of any made-up session consistent with this Master Contract; and verification that progress reports have been provided consistent with the ISA (consistent with IEP benchmark dates, unless otherwise specified on the ISA); and name or initials of each student for when the service was provided. In the event services were not provided, rationale for why the services were not provided shall be included.

Such an invoice is subject to all conditions of this Master Contract. At the discretion of LEA, an electronic invoice may be required provided such notice has been made in writing and training provided to the CONTRACTOR at no additional charge for such training.

Invoices shall be submitted no later than thirty (30) days after the end of the attendance accounting period in which the services were rendered. LEA shall make payment to CONTRACTOR based on the number of billable days of attendance and hours of service at rates specified in this Master Contract within forty-five (45) days of LEA's receipt of properly submitted hard copy of invoices prepared and submitted as specified in California Education Code Section 56366.5. CONTRACTOR shall correct deficiencies and submit re-billing invoices no later than thirty (30) calendar days after the invoice is returned by LEA. LEA shall pay properly submitted re-billing invoices no later than forty-five (45) days after the date a completely corrected re-billing invoice is received by LEA.

In no case shall initial payment claim submission for any Master Contract fiscal year (July through June) extend beyond December 31st after the close of the fiscal year. In no case shall any re-billing for the Master Contract fiscal year (July through June) extend beyond six (6) months after the close of the fiscal year unless approved by LEA to resolve billing issues including re-billing issues directly related to a delay in obtaining information from the Commission on Teacher Credentialing regarding teacher qualification, but no later than twelve (12) months from the close of the fiscal year. If the billing or re-billing error is the responsibility of LEA, then no limit is set provided that LEA and CONTRACTOR have communicated such concerns in writing during the twelve-month period following the close of the fiscal year. LEA will not pay mileage for NPA employee.

58. RIGHT TO WITHHOLD PAYMENT

LEA may withhold payment to CONTRACTOR when: (a) CONTRACTOR has failed to perform, in whole or in part, under the terms of this Contract; (b) CONTRACTOR has billed for services rendered on days other than billable days of attendance or for days when student was not in attendance and/or did not receive services; (c) CONTRACTOR was overpaid by LEA as determined by inspection, review, and/or audit of its program, work, and/or records; (d) CONTRACTOR has failed to provide supporting documentation with an invoice; (e) education and/or related services are provided to LEA students by personnel who are not appropriately credentialed, licensed, or otherwise qualified; (f) LEA has not received, prior to school closure or contract termination, all documents concerning one or more LEA students enrolled in CONTRACTOR'S educational program; (g) CONTRACTOR fails to confirm a student's change of residence to another district or confirms the change or residence to another district, but fails to notify LEA within five (5) days of such confirmation; (h) CONTRACTOR receives payment from Medi-Cal or from any other agency or funding source for a service provided to a LEA student; or (i) CONTRACTOR fails to provide the required liability/insurance documentation as outlined in Section 15 of this Master Contract. It is understood that no payments shall be made for any invoices that are not received by six (6) months following the close of the prior fiscal year, for services provided in that year.

Final payment to CONTRACTOR in connection with the cessation of operations and/or termination of a Master Contract will be subject to the same documentation standards described for all payment claims for regular ongoing operations. In addition, final payment may be withheld by LEA until completion of a review or audit, if deemed necessary by LEA. Such review or audit will be completed within ninety (90) days. The final payment may be adjusted to offset any previous payments to the CONTRACTOR determined to have

been paid in error or in anticipation of correction of documentation deficiencies by the CONTRACTOR that remain uncorrected.

The amount which may be withheld by LEA with respect to each of the subparagraphs of the preceding paragraph are as follows: (a) the value of the service CONTRACTOR failed to perform; (b) the amount of overpayment; (c) the entire amount of the invoice for which satisfactory documentation has not been provided by CONTRACTOR; (d) the amount invoiced for services provided by the individual not appropriately credentialed, licensed, or otherwise qualified; (e) the proportionate amount of the invoice related to the applicable pupil for the time period from the date the violation occurred and until the violation is cured; or (f) the amount paid to CONTRACTOR by Medi-Cal or another agency or funding source for the service provided to LEA student.

If LEA determines that cause exists to withhold payment to CONTRACTOR, LEA shall, within ten (10) business days of this determination, provide to CONTRACTOR written notice that LEA is withholding payment. Such notice shall specify the basis or bases for LEA's withholding payment and the amount to be withheld. Within thirty (30) days from the date of receipt of such notice, CONTRACTOR shall take all necessary and appropriate action to correct the deficiencies that form the basis for LEA's withholding payment or submit a written request for extension of time to correct the deficiencies. Upon receipt of CONTRACTOR'S written request showing good cause, LEA shall extend CONTRACTOR'S time to correct deficiencies (usually an additional thirty (30) days), otherwise payment will be denied.

If after subsequent request for payment has been denied and CONTRACTOR believes that payment should not be withheld, CONTRACTOR shall send written notice to LEA specifying the reason it believes payment should not be withheld. LEA shall respond to CONTRACTOR'S notice within thirty (30) business days by indicating that a warrant for the amount of payment will be made or stating the reason LEA believes payment should not be made. If LEA fails to respond within thirty (30) business days or a dispute regarding the withholding of payment continues after LEA's response to CONTRACTOR'S notice, CONTRACTOR may invoke the following escalation policy.

After forty-five (45) business days: The CONTRACTOR may notify the Authorized LEA's Representative of the dispute in writing. LEA Authorized Representative shall respond to the CONTRACTOR in writing within fifteen (15) business days.

After sixty (60) business days: Disagreements between LEA and CONTRACTOR concerning the Master Contract may be appealed to the County Superintendent of Schools or the State Superintendent of Public Instruction pursuant to the provisions of California Education Code Section 56366(c)(2).

59. PAYMENT FROM OUTSIDE AGENCIES

CONTRACTOR shall notify LEA when Medi-Cal or any other agency is billed for the costs associated with the provision of special education and/or related services to LEA students. Upon request, CONTRACTOR shall provide to LEA any and all documentation regarding reports, billing, and/or payment by Medi-Cal or any other agency for the costs associated with the provision of special education and/or related services to LEA students.

60. PAYMENT FOR ABSENCES

NONPUBLIC SCHOOL STAFF ABSENCE

Whenever a classroom teacher employed by CONTRACTOR is absent, CONTRACTOR shall provide an appropriately credentialed substitute teacher in the absent teacher's classroom in accordance with California Education Code section 56061. CONTRACTOR shall provide to LEA documentation of substitute coverage pursuant to LEA Procedures. Substitute teachers shall remain with their assigned class during all instructional time. LEA will not pay for instruction and/or services unless said instruction or service is provided by an appropriately credentialed substitute teacher.

Whenever a related service provider is absent, CONTRACTOR shall provide a qualified (as defined in Section Seven (7) of this Master Contract and as determined by LEA) substitute. LEA will not pay for services unless a qualified substitute is provided and/or CONTRACTOR provides documentation evidencing the provision of “make-up” services by a qualified service provider within thirty (30) calendar days from the date on which the services should have been provided unless otherwise agreed in LEA student’s IEP.

NONPUBLIC SCHOOL STUDENT ABSENCE

If CONTRACTOR is a nonpublic school, no later than the tenth (10th) cumulative day of LEA student’s unexcused absence, CONTRACTOR shall notify LEA of such absence as specified in LEA Procedures.

Criteria for a billable day for payment purposes is one day of attendance as defined in California Education Code sections 46010, 46010.3 and 46307. LEA shall not pay for services provided on days that a student’s attendance does not qualify for Average Daily Attendance (“ADA”) reimbursement under state law. *Per Diem* rates for students whose IEPs authorize less than a full instructional day may be adjusted on a pro rata basis in accordance with the actual proportion of the school day the student was served. LEA shall not be responsible for payment of related services for days on which a student’s attendance does not qualify for ADA reimbursement under state law, nor shall student be eligible for make-up services.

NONPUBLIC AGENCY STAFF ABSENCE

When CONTRACTOR is a nonpublic agency and CONTRACTOR’S service provider is absent, CONTRACTOR shall provide a qualified (as defined in Section Seven (7) of this Master Contract and as determined by LEA) substitute, unless LEA provides appropriate coverage in lieu of CONTRACTOR’S service providers. LEA shall not pay for services unless a qualified substitute is provided and/or CONTRACTOR provides documentation evidencing the provision of “make-up” services by a qualified service provider within thirty (30) calendar days from the date on which the services should have been provided. CONTRACTOR shall not “bank” or “carry over” make up service hours under any circumstances, unless otherwise agreed to in writing by CONTRACTOR and LEA. In the event services were not provided, reasons for why the services were not provided shall be included.

NONPUBLIC AGENCY STUDENT ABSENCE

If CONTRACTOR is a nonpublic agency, it shall notify LEA of the absence of a LEA student no later than the fifth (5th) consecutive service day of the student’s absence. LEA shall not be responsible for the payment of services when a student is absent.

61. INSPECTION AND AUDIT

CONTRACTOR shall maintain and LEA shall have the right to examine and audit all of the books, records, documents, accounting procedures and practices and other evidence that reflect all costs claimed to have been incurred or fees claimed to have been earned under this Agreement.

CONTRACTOR shall also provide LEA access to all records contemplated by Section 9 of this Master Contract. CONTRACTOR shall make all records available at the office of LEA or CONTRACTOR’S offices (to be specified by LEA), at all reasonable times and without charge. All records shall be provided to LEA within five (5) working days of a written request from LEA. CONTRACTOR shall, at no cost to LEA, provide assistance for such examination or audit. LEA’s rights under this section shall also include access to CONTRACTOR’S offices for purposes of interviewing CONTRACTOR’S employees. If any document or evidence is stored in an electronic form, a hard copy shall be made available to LEA, unless LEA agrees to the use of the electronic format.

CONTRACTOR shall obtain from its subcontractors and suppliers written agreements to the requirements of this section and shall provide a copy of such agreements to LEA upon request by LEA.

If an inspection, review, or audit by LEA, a state agency, a Federal agency, and/or an independent agency/firm determines that CONTRACTOR owes LEA monies as a result of CONTRACTOR’S over

billing or failure to perform, in whole or in part, any of its obligations under this Master Contract, LEA shall provide to CONTRACTOR written notice demanding payment from CONTRACTOR and specifying the basis or bases for such demand. Unless CONTRACTOR and LEA otherwise agree in writing, CONTRACTOR shall pay to LEA the full amount owed as a result of CONTRACTOR'S over billing and/or failure to perform, in whole or in part, any of its obligations under this Master Contract, as determined by an inspection, review, or audit by LEA, a state agency, a Federal agency, and/or an independent agency/firm. CONTRACTOR shall make such payment to LEA within thirty (30) days of receipt of LEA's written notice demanding payment.

62. RATE SCHEDULE

The attached rate schedules (Exhibits A and B) limit the number of LEA students that may be enrolled and the maximum dollar amount of the contract. It may also limit the maximum number of students that can be provided specific services. Per Diem rates for LEA students whose IEPs authorize less than a full instructional day may be adjusted proportionally. In such cases only, the adjustments in basic education rate shall be based on the required minimum number of minutes per grade level as noted in California Education Code sections 46200-46208.

Special education and/or related services offered by CONTRACTOR shall be provided by qualified personnel as per State and Federal law, and the codes and charges for such educational and/or related services during the term of this Master Contract, shall be as stated in Exhibits A and B.

When CONTRACTOR is a nonpublic school associated with a Residential Treatment Center ("NPS/RTC"), Educationally Related Mental Health Services ("ERMHS") are provided in an integrated, intensive, educationally related therapeutic residential setting which includes social emotional/behavior support through individual counseling, group counseling, family consultation and support, as appropriate. It is a collaborative model which includes educational professionals and related service providers, where all supports and services are integrated in the NPS/RTC program. Costs for ERMHS are all inclusive and combined with the daily rate as ERMHS+RB ("ERMHS + Room and Board"). ERMHS plus Room and Board payments are based on positive attendance (payable for up to a maximum of 365 days) only, with up to a maximum of 10 days payment per student, per contract year, when a bed is unoccupied, for home visits of a therapeutic nature.

Any Nonpublic School ("NPS") or residential facility requesting a change in rate for any services provided during a subsequent Master Contract year must make a request in writing to the Sacramento County SELPA Directors, with a copy sent to LEA Director, Douglas Phillips, or designee, by January 15th of each calendar year. Increases will only be considered for approval for entities that have received a positive review on the Quality On-Site NPS Review Rubric.

63. DEBARMENT CERTIFICATION

By signing this agreement, CONTRACTOR certifies that:

- (a) CONTRACTOR and any of its shareholders, partners, or executive officers are not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency, and
- (b) Has/have not, within a three-year period preceding this contract, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a Federal, state or local government contract or subcontract; violation of Federal or state antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property; and are not presently indicted for, or otherwise criminally or civilly charged by a Government entity with, commission of any of these offenses.

The Parties hereto have executed this Master Contract by and through their duly authorized agents or

representatives. This Master Contract is effective on the 1st day of February 2019 and terminates at 5:00 P.M. on June 30, 2019, unless sooner terminated as provided herein.

CONTRACTOR

LEA
River Delta Unified School District

Nonpublic School/Agency

By: _____
Signature Date

Name and Title of Authorized Representative

Notices to CONTRACTOR shall be addressed to:

Name and Title

Nonpublic School/Agency/Related Service Provider

Address

City State Zip

Phone Fax

Email*
(*Required)

By: _____
Signature Date

By: _____
Kathy Wright, Director of Educational Services
Name and Title of Authorized Representative

Notices to LEA shall be addressed to:

River Delta Unified School District

LEA
445 Montezuma Street

Address
Rio Vista CA 94571

City State Zip
707-374-1729 707-374-2901

Phone Fax
tsalomon@rdusd.org

Email

Additional LEA Notification
(Required if Completed)

Name and Title

LEA

Address

City State Zip

Phone Fax

Email

EXHIBIT B: RATES – NON-PUBLIC AGENCY ONLY – 2018-2019 CONTRACT YEAR

CONTRACTOR _____ CONTRACTOR NUMBER _____ CDE TOTAL ENROLLMENT ALLOWED _____

Rate Schedule. This rate schedule limits the number of LEA students who may be enrolled and the maximum dollar amount of the contract. It may also limit the maximum number of students who can be provided specific services. Special education and/or related services offered by CONTRACTOR, and the charges for such educational and/or related services during the term of this contract shall be as follows:

Payment under this contract may not exceed \$20,000
 Total LEA enrollment may not exceed _____
 (per Master Contract Section 62)

| SERVICE | DESCRIPTION | RATE |
|---------------------------------------|---|----------------------|
| Language and Speech Therapy | PER DIEM – NPA provides all services at assigned school site for a flat per diem rate based on a full work day for this discipline. Rate will be pro-rated if NPA staff works less than a full work day. | \$ _____ Per Diem |
| | DIRECT THERAPY 1:1 or small group | |
| | CONSULTATION: student observation as it relates to program development and/or data collection; IEP team member training; collaboration with IEP team member(s) | \$ _____ Per Hour |
| | OTHER SERVICES: (requires prior approval of LEA per Section 36 of the Master Contract) formal assessment and report writing; written annual progress report; benchmark reporting on SEIS; sizing and adjustment of equipment; attendance at IEP meetings | |
| Occupational Therapy | PER DIEM – NPA provides all services at assigned school site for a flat per diem rate based on a full work day for this discipline. Rate will be pro-rated if NPA staff works less than a full work day. | \$ _____ Per Diem |
| | DIRECT THERAPY 1:1 or small group | |
| | CONSULTATION: student observation as it relates to program development and/or data collection; IEP team member training; collaboration with IEP team member(s) | \$ _____ Per Hour |
| | OTHER SERVICES: (requires prior approval of LEA per Section 36 of the Master Contract) formal assessment and report writing; written annual progress report; benchmark reporting on SEIS; sizing and adjustment of equipment; attendance at IEP meetings | |
| Physical Therapy | PER DIEM – NPA provides all services at assigned school site for a flat per diem rate based on a full work day for this discipline. Rate will be pro-rated if NPA staff works less than a full work day. | \$ _____ Per Diem |
| | DIRECT THERAPY 1:1 or small group | |
| | CONSULTATION: student observation as it relates to program development and/or data collection; IEP team member training; collaboration with IEP team member(s) | \$ _____ Per Hour |
| | OTHER SERVICES: (requires prior approval of LEA per Section 36 of the Master Contract) formal assessment and report writing; written annual progress report; benchmark reporting on SEIS; sizing and adjustment of equipment; attendance at IEP meetings | |
| Behavior Intervention Services | PER DIEM – NPA provides all services at assigned school site for a flat per diem rate based on the work day for this discipline. Rate will be pro-rated if NPA staff works less than the identified work day: <i>Check the applicable work day:</i> <input type="checkbox"/> Full Work Day <input type="checkbox"/> Half Work Day | \$ _____ Per Diem |
| | DIRECT STUDENT AIDE 1:1 or small group, implementing behavior plan, data collection. | \$ _____ Per Hour |
| | CONSULTATION: student observation as it relates to program development and/or data collection; IEP team member training; collaboration with IEP team member(s). | \$ _____ Per Hour |
| | SUPERVISING CONSULTANT: student observation as it relates to program development and/or data collection; IEP team member training; collaboration with IEP team member(s). | \$ _____ Per Hour |
| | OTHER SERVICES: (requires prior approval of LEA per Section 36 of the Master Contract) formal assessment and report writing; written annual progress report; benchmark reporting; attendance at IEP meetings. | \$ _____ Per Hour |
| Other: | PER DIEM – NPA provides all services at assigned school site for a flat per diem rate based on a full work day for this discipline. Rate will be pro-rated if NPA staff works less than a full work day. | \$ _____ Per Diem |
| | Instructional Assistant | \$ 40.00 Per Hour |

**BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT**

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 19, 2019

Attachments: X

From: Don Beno, Superintendent

Item Number: 10.17

Type of item: (Action, Consent Action or Information Only): Consent Action

SUBJECT:

Under the California Educational Employment Relations Act (EERA) the union must participate in "Good Faith" bargaining with the District. The law states that the union must present its proposals to the public before the bargaining process can begin.

CSEA proposes to discuss:

ARTICLE 3 – Organization Security

Discuss changes consistent with the law

ARTICLE 17 – Health and Welfare Benefits

17.1.1 Discuss an increase in cap

APPENDIX B – Wage increase t step and column

Discuss an increase in wages

ARTICLE 19 – District Use of Volunteers

Discuss the use of volunteers

ARTICLE 20 – Duration

Discuss the term, three-year agreement with reopener language

(NEW) – Bilingual Compensation

Discuss language which would provide compensation to employees who use their bilingual skills to assist the district

BACKGROUND:

STATUS:

Board to take action by acknowledging the union's proposals

PRESENTER:

Don Beno, Superintendent

OTHER PEOPLE WHO MIGHT BE PRESENT:

CSEA members

COST AND FUNDING SOURCES:

None

RECOMMENDATION:

That the Board takes action by acknowledging the "Sunshined" California Schools Employees' Associations negotiation proposals to the River Delta Unified School District for 2018-2019

Time allocated: 3 minutes



AFL-CIO

California
School
Employees
Association

5375 West Lane
Stockton, CA 95210

(209) 472-2170
(800) 757-4229
FAX: (209) 472-2089

www.csea.com

Member of the AFL-CIO

The nation's largest
independent classified
employee association



January 28, 2019

VIA EMAIL SCAN & U.S. MAIL
dbeno@riverdelta.k12.ca.us

Don Beno, Superintendent
River Delta Unified School District
445 Montezuma
Rio Vista, CA 94571-1651

Re: River Delta Chapter #319 Initial Proposal for Successor Agreement

Dear Superintendent Beno:

Pursuant to the agreement between the California School Employees Association and its River Delta Chapter #319 ("CSEA") and River Delta Unified School District, please find enclosed the initial proposal for amendments and modifications.

Please consider this document for public notice provisions pursuant to Government Code Section 3547(a). CSEA desire to commence negotiations as soon as possible after the completion of the public notice provisions.

Sincerely,

CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION

Carol Black
Labor Relations Representative

CB/jk

Enclosure: 2018 Initial Proposal for Successor Agreement
c: Mary Weathers, Chapter President 319
Debra Ladwig, Regional Representative 42
Carmen Alessandro, Area Director E
Roderick Gaulman, Senior Labor Relations Representative
Janet Jones Sterling, Field Director
319 file

**PROPOSAL
FROM
CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION
AND IT'S
RIVER DELTA CHAPTER #319
TO
RIVER DELTA UNIFIED SCHOOL DISTRICT
Successor Agreement
2018**

ARTICLE 3 – Organizational Security

Discuss changes consistent with the law.

ARTICLE 17 – Health and Welfare Benefits

17.1.1 Discuss an increase in cap.

APPENDIX B – Wage increase to step and column

Discuss an increase in wages.

ARTICLE 19 – District Use of Volunteers

Discuss the use of volunteers.

ARTICLE 20 – Duration

Discuss the term, three-year agreement with reopener language.

(NEW) Bilingual Compensation

Discuss language which would provide compensation to employees who use their bilingual skills to assist the District.

**BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT**

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 19, 2019

Attachments: X

From: Kathy Wright, Director of Educational Services

Item Number: 10.10

Type of item: (Action, Consent Action or Information Only): Consent Action

SUBJECT:

Request to approve the Independent Contract for Services Agreement with Darrien Srimongkol to provide a basic self-defense skills seminars for Beyond the Bell After School Program employees for the 2018-2019 school year at a cost not to exceed \$500.

BACKGROUND:

This is a new contract.

STATUS:

Darrien Srimongkol holds the certification to provide a basic self-defense skills seminar and is willing to offer his services for Beyond the Bell After School Program employees at Walnut Grove Elementary, Isleton Elementary and Bates Elementary.

PRESENTER:

Kathy Wright, Director of Educational Services

OTHER PEOPLE WHO MIGHT BE PRESENT:

Lucia Becerra, Coordinator of RDUSD After School Program

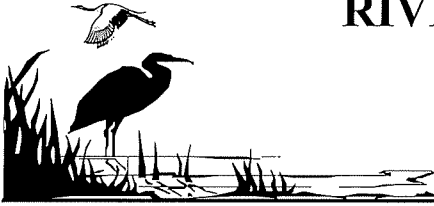
COST AND FUNDING SOURCES:

\$30 per person. Not to exceed \$500 paid by After School Education & Safety (ASES) program funds.

RECOMMENDATION:

That the Board approves the Independent Contract for Services Agreement with Darrien Srimongkol to provide a basic self-defense skills seminar for Beyond the Bell After School program employees for the 2018-2019 school year at a cost not to exceed \$500.

Time allocated: 3 minutes



RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street
Rio Vista, California 94571-1651
(707) 374-1700 Fax (707) 374-2995
www.riverdelta.k12.ca.us

INDEPENDENT CONTRACT FOR SERVICES AGREEMENT

THIS AGREEMENT is entered into by and between the River Delta Unified School District hereinafter referred to as "DISTRICT," and Darrien Srimongkol, hereinafter referred to as "CONSULTANT."

IT IS HEREBY MUTUALLY AGREED that Consultant will provide services under the following terms and conditions:

1. TERM: The term of this agreement is from February 1, 2019 through June 31, 2019. Extension or renewal requires approval of DISTRICT or authorized representative. Unless compensation is fixed on the basis of a daily or hourly rate, compensation will not be increased upon extension of the agreement without approval of the DISTRICT or authorized representative.

This agreement may be terminated with 60 days advance written notice by either party. In the event of termination for cause, CONSULTANT need be compensated only to the extent required by law.

CONSULTANT SERVICES: CONSULTANT agrees to perform, during the term of this agreement, the tasks obligations and services detailed as follows: To provide a basic self-defense skills seminar for Beyond the Bell After School Program employees at Walnut Grove Elementary, Isleton Elementary and Bates Elementary..

2. PAYMENT FOR SERVICES: CONSULTANT shall receive compensation at the rate of:
\$ per day week month year or per hour
OR \$30 per person
for a total cost not to exceed \$ 500.

In the event the CONSULTANT is required to travel outside Solano, Yolo or Sacramento Counties at the request of the DISTRICT, it is agreed that actual and necessary expenses incurred while performing such services shall be reimbursed. All payments will be based on invoices submitted to DISTRICT by CONSULTANT and approved by DISTRICT'S authorized representative. The CONSULTANT shall provide an itemization of costs on submitted invoice.

3. RECORDS: CONSULTANT will maintain full and accurate records in connection with this agreement and will make them available to DISTRICT for inspection at any time. CONSULTANT'S work product produced under this agreement shall be the property of DISTRICT and cannot be used without permission of same.
4. STATUS OF CONTRACTOR: DISTRICT and CONSULTANT agree that CONSULTANT, in performing the services specified in this agreement, shall act as an independent contractor and shall have control of all work and the manner in which it is performed. CONSULTANT shall be free to contract for similar service to be performed for other employers while under the contract with DISTRICT; CONSULTANT will not accept such engagements which interfere with performance under this agreement. CONSULTANT is not entitled to participate in any pension plan, insurance, bonus or similar benefits the DISTRICT provides for its employees. The CONSULTANT is not authorized to carry out any official act of the DISTRICT that is required to be done by an employee or office of the DISTRICT.
5. HOLD HARMLESS AND INDEMNIFICATION: CONSULTANT agrees to abide by the *Hold Harmless and Indemnification Agreement* attached to and made a part of this contract.

6. COMPLIANCE WITH LAWS: CONSULTANT shall comply with all applicable federal, state and local laws, rules, regulations and ordinances involving its employees, including workers' compensation and tax laws.
7. CONFLICTS OF INTEREST: Consultants are responsible for complying with the Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations and may be required to file an annual Form 700 Conflict of Interest Statement of Economic Interests (as required following the passage of the Political Reform Act Government Code Section 81000, et seq.) (attached to and made a part of this contract).

The Superintendent may determine in writing that a particular consultant is hired to perform a range of duties that are limited in scope and, thus, is not required to comply fully with the disclosure requirements described in those Sections cited above. The Superintendent's determination is a public record and shall be retained for public inspection in the same manner and location as the Conflict of Interest Code Form 700 Statements of Economic Interest. In addition, if the contract itself contains Conflict of Interest/Statements of Economic Interest Disclosures, the consultant is not required to re-file with the district annually.

8. MODIFICATION OR ASSIGNMENT: This agreement may not be assigned by either party without express written consent to the other. No modification shall be effective unless approved in writing by DISTRICT or authorized representatives.

CONTRACTOR/CONSULTANT:

RIVER DELTA UNIFIED SCHOOL DISTRICT:

Printed/Typed Name _____ Date _____

Requested By _____ Date _____

Social Security Number/Federal Tax ID Number _____

Approval Signature _____ Date _____

Address _____ State _____ Zip _____

Budget Code (Name & Coding) _____

Contact Phone and Email _____

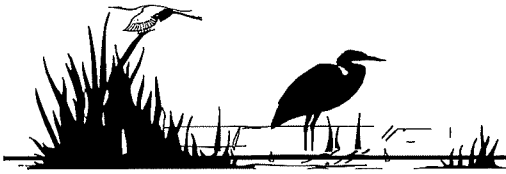
Board of Trustees Action _____ Date _____

Signature (Contractor/Consultant Authorized Representative)

Consultant must answer the two questions below:

1. Are you presently or have you been a member of PERS or STRS?
 PERS: Yes _____ No _____
 STRS: Yes _____ No _____
2. Are you presently an employee of River Delta Unified School District? Yes _____ No _____

This contract is not valid nor an enforceable obligation against the District until approved or ratified by the Board of Trustees, duly passed and adopted.



RIVER DELTA UNIFIED SCHOOL DISTRICT

**445 Montezuma Street
Rio Vista, California 94571-1651
(707) 374-1700 Fax (707) 374-2995**

HOLD HARMLESS & INDEMNIFICATION AGREEMENT

To the fullest extent permitted by law, _____, (Contractor/Consultant) agrees to defend, indemnify, hold harmless and waive all rights of 9+subrogation against River Delta Joint Unified School District, its Board of Trustees, officers, agents and employees (collectively the "District") from and against any and all claims, costs, demands, expenses (including attorney's fees), losses, damages, injuries and liabilities, whether active or passive, arising from any accident, death, or injury whatsoever or however caused or alleged to be caused whether by the District or the Contractor/Consultant to any person or property because of, arising out of, or in any way related to the performance of this agreement. Contractor/Consultant shall not be responsible for the sole or willful liability of the District. It is understood and agreed that such indemnity shall survive the termination of this agreement.

Contractor/Consultant shall maintain their own contractual liability insurance to cover its obligations under this agreement. This indemnification is independent of and shall not in any way be limited by insurance carried by the Contractor/Consultant.

In the case of Facility Use Agreements, Contractor/Consultant further agrees to comply with the insurance requirements attachment to that contract and shall name the District as an additional insured via separate endorsement from its insurance carrier, and provide acceptable proof thereof to the District.

If the Contractor/Consultant should sublet any work to another party (i.e., subcontractor), Contractor/Consultant guarantees that such subcontractor shall indemnify the District prior to permitting subcontractor to commence its work. Contractor/Consultant shall obtain a signed agreement from such subcontractor indemnifying the District as set forth above. In addition, Contractor/Consultant shall require in its purchase orders that each supplier indemnify Contractor/Consultant and the District from any and all losses arising from any materials, products, or supplies included in such work.

In the case of any conflict with these requirements and the provisions of the agreement to which it is attached, these provisions shall prevail.

Signature of Authorized Representative

Date Signed

Typed/Printed Name of Authorized Representative

Company Name

Address, Email & Phone: _____

1/14/08

Creating Excellence To Ensure That All Students Learn

- | | | | | |
|------------------------------------|------------------|---------------------------------------|---------------------------------|-----------------------|
| Bates School | Isleton School | Walnut Grove School | Delta High School | Wind River School |
| Clarksburg Middle | Riverview Middle | D.H. White Elementary | Rio Vista High School | Mokelumne High School |
| River Delta High/Elementary School | | River Delta Community Day School..... | Delta Elementary Charter School | |



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www.riverdelta.k12.ca.us

Superintendent's Statement Regarding Consultant and Conflict of Interest Annual Statement Needed

This is to affirm that the Contractor/Independent Contractor (Consultant), Darrien Srimongkol by this District to perform work as indicated below and/or per attached contract/agreement:

Description of Duties: To teach folkloric dancing to students at the Walnut Grove Elementary School Beyond the Bell After School program.

9. Will these duties and/or this Contractor/Consultant in any way have any level of influence on the expenditure of district revenues and/or resources?

 No (If No, this consultant is not required to file the Form 700 with the district for the year(s) they are contracted by the district as long as the scope of duties do not change*).

 Yes (If Yes, this consultant is required to file a **statement of economic interests/conflict of interest disclosure with this district for the year(s) they are contracted by the district****)

 *This contractor/consultant (although identified as a "designated position" for purposes of the District's Conflict of Interest Code/Economic Interest Statement Form 700) is hired to perform a range of duties that are limited in scope and thus is not required to comply fully with the disclosure requirements described in the District's Conflict of Interest Code.

 **Either (a) the contractor/consultant must file the Form 700 annually as long as they are contracted with the district or (b) if the contract/agreement itself (provided by the contractor/district and district Board approved), contains conflict of interest disclosures, the contractor/consultant may attach that portion of the contract/agreement to this Statement (annually) in satisfaction of this requirement.

This determination is a public record and shall be retained for public inspection in the same manner and location as the District's Conflict of Interest Code Form 700s.

Don Beno, Superintendent

Date

1/14/08 Attachment : (Conflict of Interest Code)

Creating Excellence To Ensure That All Students Learn



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Attachment to Superintendent’s Statement

DISTRICT’S CONFLICT-OF-INTEREST CODE

“The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict-of-interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Reg. Sec. 18730) which contains the terms of a standard conflict-of-interest code, which can be incorporated by reference in an agency’s code. After public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the conflict-of-interest code of the River Delta Joint Unified School District.

Designated employees shall file their statements with the River Delta Joint Unified School District which will make the statements available for public inspection and reproduction. (Gov. Code Section 81008.) Statements for all designated employees will be retained by the River Delta Joint Unified School District in the Superintendent’s Office.”

Below are excerpts from attachments to the above Code regarding consultant disclosure:

Consultants must be included in the list of designated employees and must disclose pursuant to the broadest disclosure category in this code (*) subject to the following limitation: The superintendent may determine in writing that a particular consultant, although a “designated position”, is hired to perform a range of duties that are limited in scope and thus is not required to comply fully with the disclosure requirements described in this Section. Such written determination shall include a description of the consultant’s duties and, based on that description, a statement of the extent of disclosure requirements. The superintendent’s determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict-of-Interest Code. In addition, if the contract itself contains conflict of interest disclosures, the consultant is not required to re-file under this provision.

Designated persons in this category must report: (a) Interests in real property which are located entirely or partly within district boundaries, or within two miles of district boundaries or of any land owned or used by the district. Such interests include any leasehold, beneficial or ownership interest or option to acquire such interest in real property. (b) Investments or business positions in or income, including gifts, loans, and travel payments, from sources which: (1) are engaged in the acquisition or disposal of real property within the district. (2) are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the district, or (3) manufacture or sell supplies, books, machinery or equipment of the type used by the district.

1/14/08

Creating Excellence To Ensure That All Students Learn

Bates School Isleton School Walnut Grove School Delta High School Wind River School
Clarksburg Middle Riverview Middle D.H. White Elementary Rio Vista High School Mokelumne High School
River Delta High/Elementary School River Delta Community Day School.....Delta Elementary Charter School



RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street

Rio Vista, California 94571-1651

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CONTRACTOR INSURANCE REQUIREMENTS

Contractor represents that it does carry and will continue to carry, with Insurance companies acceptable to the District, the following insurance coverages for any work or liability, including products and completed operations, arising out of or in any way connected with the work under this agreement:

Commercial General Liability Coverage—on an “occurrence form” policy containing a per occurrence limit of at least \$1,000,000 or the total cost of the project, which ever is more, protecting against bodily injury, property damage and personal injury claims arising from the exposures of (1) premises and operations; (2) products and completed operations (with a separate limit of coverage at least equal to the per occurrence limit); (3) independent subcontractors; (4) Contractual liability risk covering the indemnity obligations set forth in the hold harmless and indemnification agreement; and (5) where applicable, property damage resulting from explosion, collapse, or underground (x, c, u) exposures. The policy may not contain any exclusion or reduction in coverage for any of the above listed exposures.

Automobile Liability Coverage—insuring against bodily injury and/or property damage arising out of the operation, use, loading or unloading of any auto including owned, non-owned, hired and employee autos with limits of at least \$1,000,000.

Worker’s Compensation and Employer’s Liability Coverage—providing statutory benefits imposed by applicable state or federal laws such that the District will have no liability to Contractor or its employees, subcontractors and agents; and that Contractor will satisfy all Worker’s Compensation obligations imposed by state law. If Contractor has any employees that are subject to the rights and obligations of the Longshoremen and Harbor Workers Act, then the Worker’s Compensation Insurance must be broadened to provide such coverage. In addition, Contractor agrees to carry Employer’s Liability Coverage with limits of not less than \$1,000,000 per accident for each employee.

Professional Liability Coverage—insuring, where applicable, for any exposures resulting from professional liability with limits of at least \$1,000,000.

Additional Insured—Contractor shall add “River Delta Unified School District, its board of trustees, officers, agents and employees” (collectively the “District”) as an additional insured via separate endorsement by having the insurance carrier issue an ISO CG 20 10 edition date 11 85 Additional Insured Endorsement or its equivalent. Such endorsement must include completed operations coverage for the benefit of the additional insured. This extension shall apply to the full extent of the actual limits of Contractor’s coverages even if such actual limits exceed the minimum limits required by this agreement. The District’s additional insured status under the policy(ies) must not be limited by amendatory language to the policy. To the extent umbrella or excess insurance is available above the minimum required limits stated in this Agreement, the protection afforded the District in the umbrella or excess liability insurance shall be as broad or broader than the coverages present in the underlying insurance and in accordance with this agreement. Each general liability, umbrella, or excess policy shall specifically state that the insurance provided by the Contractor shall be considered primary, and insurance of the District shall be considered excess for purposes of responding to claims.

Creating Excellence To Ensure That All Students Learn

Bates School Isleton School Walnut Grove School Delta High School Wind River School
Clarksburg Elementary Riverview School D.H. White Elementary Rio Vista High School Mokelumne High School
River Delta High/Elementary School River Delta Community Day School.....Delta Elementary Charter School

Contractor shall evidence that such insurance is in force by furnishing the District with acceptable proof thereof with a Certificate of Insurance together with a copy of the declarations page of the policies and all policy endorsements, or if requested by the District, certified copies of the policies. The certificate, declarations page, and all policy endorsements shall become a part of this agreement. Each certificate of insurance shall (1) contain an unqualified statement that the policy shall not be subject to cancellation, nonrenewal, adverse change, or reduction of amounts of coverage without thirty (30) days prior written notice to the District, but in the event of non-payment of premium, ten (10) days notification will be provided; (2) show the District as Additional Insured by referencing and attaching the required endorsement; (3) shall indicate that the Contractor’s coverage is primary and the District’s insurance is excess for any claims; and (4) as to CGL coverage shall state “Policy includes contractual liability coverage insuring the agreement and obligations of the insured to indemnify the District and others to the extent set forth in the Agreement between the insured and the District.”

Subcontractors and Suppliers—If the Contractor should sublet any work to another party (subcontractor), Contractor guarantees that such subcontractor shall indemnify the District as set forth in this agreement and shall carry insurance as set forth in these requirements prior to permitting subcontractor to commence its work. Contractor shall obtain a signed agreement from such subcontractor indemnifying the District as set forth in this Agreement and agreeing to carry insurance as set forth above. In addition, Contractor shall require in its purchase orders that each supplier indemnifies Contractor and the District from all losses arising from any materials, products, or supplies included in such work.

Any attempt by the Contractor to cancel or modify such insurance coverage, or any failure by the Contractor to maintain such coverage, shall be default under this Agreement and, upon such default, the District will have the right to terminate this Agreement and/or exercise any of its rights at law or at equity. In addition to other remedies, the District may, at its discretion, withhold payment of any sums due under this Agreement until Contractor provides adequate proof of insurance.

These insurance requirements are independent of and shall not in any way limit the indemnity obligations of the Contractor under this agreement.

The amounts and types of insurance set forth above are minimums required by the District and shall not substitute for an independent determination by Contractor of the amounts and types of Insurance which Contractor shall determine to be reasonably necessary to protect itself and its work. The District reserves the right to modify these provisions relating to indemnification and insurance, and Contractor agrees to be bound by such modifications 30 days after receipt of the modified provisions.

Failure to enforce any of the provisions of these requirements or any of the provisions of this agreement shall in no way constitute a waiver of such provisions. In the case of any conflict with these requirements and the provisions of the agreement to which it is attached, these provisions shall prevail.

Signature of Authorized Representative

Date Signed

Typed/Printed Name of Authorized Representative
Address, Email & Phone: _____

Company Name

1/14/08

Creating Excellence To Ensure That All Students Learn

**BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT**

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 19, 2019

Attachments: X

From: Laura Uslan, Delta High School Principal

Item Number: 10.11

Type of item: (Action, Consent Action or Information Only): Consent Action

SUBJECT:

Request to approve the fundraising event "Butter Braid and Cookie Dough Sale" to benefit the Delta High School Cheer Team.

BACKGROUND:

Delta High School Cheer requests the approval of butter braid and cookie dough sale in late February and early March 2019. The Cheer Team intends to utilize the funds to purchase new gym mats for stunting practice as well as costs for summer camp training or uniforms.

STATUS:

PRESENTER:

Laura Uslan, Principal

OTHER PEOPLE WHO MIGHT BE PRESENT:

COST AND FUNDING SOURCES:

ASB Funds

RECOMMENDATION:

That the Board approve the Delta High School Cheer Fundraiser Requests, as submitted and approved by Delta High School Associated Student Body.

Time allocated: 2 minutes

BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 19, 2019

Attachments: X

From: Laura Uslan, Delta High School Principal

Item Number: 10.12

Type of item: (Action, Consent Action or Information Only): Consent Action

SUBJECT:

Request to approve the fundraising event "Summer Youth Basketball Camp" to benefit the Delta High School's Boys and Girls Varsity Basketball Teams

BACKGROUND:

The Delta High School Varsity Basketball program requests approval to organize a summer basketball youth camp for elementary and middle school age children in June 2019. The Basketball Teams intend to utilize the earned funds to purchase uniform clothing and to pay for tournament entrance fees.

STATUS:

The fundraisers were approved by the Delta High School Associated Student Body Student Council at their meeting on January 16, 2019.

PRESENTER:

Laura Uslan, Principal

OTHER PEOPLE WHO MIGHT BE PRESENT:

COST AND FUNDING SOURCES:

ASB Funds

RECOMMENDATION:

That the Board approve the Delta High School Varsity Basketball Fundraiser Requests, as submitted and approved by Delta High School Associated Student Body.

Time allocated: 2 minutes

**BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT**

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 19, 2019

Attachments: X

From: Marcy Rossi, Principal, Riverview Middle School

Item Number: 10.13

Type of item: (Action, Consent Action or Information Only): Consent

SUBJECT:

Request to approve Russ Peak, motivational speaker to present at Riverview Middle School on February 25, 2019 at a cost not to exceed \$1,000.

BACKGROUND:

Russ Peak, motivational speaker and entertainer will provide a program for Riverview middle school students that will entertain the students, decrease bullying and create a positive impact on our campus.

STATUS:

Russ Peak is recognized as the leader in motivational entertainment. His one of a kind programs are a perfect mix of inspirational humor, award winning magic and plenty of audience participation. Throughout his presentation he delivers a powerful message that will create a positive attitude, unlock the potential of the students and challenge them to be amazing.

PRESENTER:

Marcy Rossi, Principal

OTHER PEOPLE WHO MIGHT BE PRESENT: Staff

COST AND FUNDING SOURCES: \$1,000

01-9841-0-222-5600-1100-1000-000-000 (\$800.00)

01-0740-0-222-5800-1000-000-000 (\$200.00)

RECOMMENDATION: That the Board approve russ peak, motivational speaker to present at riverview middle school on february 25, 2019 at a cost not to exceed \$1,000.

That the Board approves the contract with Russ Peak, Motivational Speaker at River Middle School

Time allocated: 2 minutes



INVOICE

BILL TO:

Marcy Rossi
 Riverview Middle School
 525 South 2nd Street
 Rio Vista, California 94571

707-374-2345 xt 1303

| Services Provided | Amount Due |
|---|-------------------|
| <i>Provide leadership & assembly program for Riverview Middle School on Monday, February 25, 2019 per conversation between Russ Peak and Marcy Rossi.</i> | |
| Presentation fee \$2,000 Flexible School Rate (-\$1,000) | \$1,000.00 |
| Lodging | |
| Airfare | <i>included</i> |
| Transportation | <i>included</i> |
| Per Diem () days @ \$65.00 per day <i>(Incidentals, travel meals, gas, parking fees, tips, and tolls starting with 1st day of travel)</i> | <i>included</i> |
| Late Fee | |
| Deposit Paid | |
| Balance Due | \$1,000.00 |
| Total balance due and payable prior to your performance. Thank You. | |

Make Checks payable to:
 Russ Peak
 650 NE 2nd Street #207
 McMinnville, Oregon 97128-0207

Thank you!

Reminder: In the event that total compensation is not received by the date of engagement, client will pay a late fee of 25% (twenty-five percent) of the total compensation stated above to Russ Peak Presentations.

**BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT**

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 19, 2019

Attachments: X

From: Kathy Wright, Director of Educational Services

Item Number: 10.14

Type of item: (Action, Consent Action or Information Only): Consent Action

SUBJECT:

Request to approve Panorama Education to design and implement LCAP-aligned surveys for the students, parents, and staff for the 2018-2019 school year at a cost not to exceed \$6,295.30.

BACKGROUND:

The district has used Panorama Education for the past two years to design and implement LCAP-aligned surveys for students, staff and parents. The results of the surveys are used to analyze and report out on the metrics of our LCAP.

STATUS:

Panorama Education is willing to continue providing their services to the district for the 2018-2019 school year.

PRESENTER:

Kathy Wright, Director of Educational Services

OTHER PEOPLE WHO MIGHT BE PRESENT:

COST AND FUNDING SOURCES:

Not to exceed \$6,295.30 paid by Educational Services funds

RECOMMENDATION:

That the Board approve Panorama Education to design and implement LCAP-aligned surveys for parents, students and staff for the 2018-2019 school year at a cost not to exceed \$6,295.30.

Time allocated: 3 minutes



Panorama Education
 24 School Street
 4th Floor
 Boston MA 02108
 United States

Invoice

#INV3457

2/8/2019

Bill To

River Delta Unified School District
 445 MONTEZUMA ST.
 RIO VISTA CA 94571
 United States

TOTAL

\$6,295.30

Due Date: 3/10/2019

| Terms | Due Date | PO # | Sales Rep | Shipping Method | Partner |
|--------|-----------|------|-----------|-----------------|---------|
| Net 30 | 3/10/2019 | | | | |

| Description | Amount |
|---|------------|
| Year 2 of 2 Panorama Platform License Fee: Access to Platform and Support (as defined in the Terms and Conditions): Survey administration, analysis and reporting. • Student, parent, and staff surveys. • Social-emotional learning measures. | \$4,005.30 |
| Project Management | \$2,000.00 |
| Paper Surveys | \$290.00 |

| | |
|-----------------|------------|
| Subtotal | \$6,295.30 |
| Tax (0%) | \$0.00 |
| Total | \$6,295.30 |

WIRE / ACH INSTRUCTIONS:

Bank Name: Silicon Valley Bank
 Bank Address: 3003 Tasman Drive
 Santa Clara, CA 95054
 SWIFT Code (foreign wires only): SVBKUS6S
 ABA / Routing Number: 121140399
 Account Number: 3301053821



INV3457

**BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT**

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 19, 2019

Attachments: X

From: Kathy Wright, Director of Educational Services

Item Number: 10.15

Type of Item: (Action, Consent Action or Information Only): _____

SUBJECT:

Request to approve the Independent Contract for Services Agreement with Sara M. Hall, M.A., BCBA to provide Behavior Intervention Assessments and Plans for the 2018-2019 school year at a cost not to exceed \$10,000.

BACKGROUND:

The limit approved by the Board at the beginning of this school year was \$30,000. The request is for an additional amount of \$10,000 from Special Education funds.

STATUS:

Sara M. Hall, M.A., BCBA has been successfully providing Functional Behavior Assessments and developing Behavior Intervention Plans for the district this year. Additional behavioral assessments and plans are needed for students who have behavioral challenges.

PRESENTER:

Kathy Wright, Director of Educational Services

OTHER PEOPLE WHO MIGHT BE PRESENT:

Danielle Tharp, Coordinator of Special Education

COST AND FUNDING SOURCES:

Not to exceed \$10,000 paid by Special Education funds

RECOMMENDATION:

That the Board approves the additional funding for the Independent Contract for Services Agreement with Sara M. Hall, M.A., BCBA to continue to provide Behavior Intervention Assessments and Plans for the 2018-2019 school year at a cost not to exceed an additional \$10,000.

Time allocated: 3 minutes



RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street
Rio Vista, California 94571-1651
(707) 374-1700 Fax (707) 374-2995
www.riverdelta.k12.ca.us

INDEPENDENT CONTRACT FOR SERVICES AGREEMENT

THIS AGREEMENT is entered into by and between the River Delta Unified School District hereinafter referred to as "DISTRICT," and Sara M. Hall, M.A., BCBA, hereinafter referred to as "CONSULTANT."

IT IS HEREBY MUTUALLY AGREED that Consultant will provide services under the following terms and conditions:

1. **TERM:** The term of this agreement is from February 1, 2019 through June 31, 2019. Extension or renewal requires approval of DISTRICT or authorized representative. Unless compensation is fixed on the basis of a daily or hourly rate, compensation will not be increased upon extension of the agreement without approval of the DISTRICT or authorized representative.

This agreement may be terminated with 60 days advance written notice by either party. In the event of termination for cause, CONSULTANT need be compensated only to the extent required by law.

CONSULTANT SERVICES: CONSULTANT agrees to perform, during the term of this agreement, the tasks obligations and services detailed as follows: To provide Functional Behavior Assessments and Behavior Intervention Plans for district students.

2. .

3. **PAYMENT FOR SERVICES:** CONSULTANT shall receive compensation at the rate of:
\$ ___ per ___ day ___ week ___ month ___ year or per ___ hour ___
OR
for a total cost not to exceed \$ 10,000.

In the event the CONSULTANT is required to travel outside Solano, Yolo or Sacramento Counties at the request of the DISTRICT, it is agreed that actual and necessary expenses incurred while performing such services shall be reimbursed. All payments will be based on invoices submitted to DISTRICT by CONSULTANT and approved by DISTRICT'S authorized representative. The CONSULTANT shall provide an itemization of costs on submitted invoice.

4. **RECORDS:** CONSULTANT will maintain full and accurate records in connection with this agreement and will make them available to DISTRICT for inspection at any time. CONSULTANT'S work product produced under this agreement shall be the property of DISTRICT and cannot be used without permission of same.
5. **STATUS OF CONTRACTOR:** DISTRICT and CONSULTANT agree that CONSULTANT, in performing the services specified in this agreement, shall act as an independent contractor and shall have control of all work and the manner in which it is performed. CONSULTANT shall be free to contract for similar service to be performed for other employers while under the contract with DISTRICT; CONSULTANT will not accept such engagements which interfere with performance under this agreement. CONSULTANT is not entitled to participate in any pension plan, insurance, bonus or similar benefits the DISTRICT provides for its employees. The CONSULTANT is not authorized to carry out any official act of the DISTRICT that is required to be done by an employee or office of the DISTRICT.
6. **HOLD HARMLESS AND INDEMNIFICATION:** CONSULTANT agrees to abide by the *Hold Harmless and Indemnification Agreement* attached to and made a part of this contract.

7. COMPLIANCE WITH LAWS: CONSULTANT shall comply with all applicable federal, state and local laws, rules, regulations and ordinances involving its employees, including workers' compensation and tax laws.
8. CONFLICTS OF INTEREST: Consultants are responsible for complying with the Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations and may be required to file an annual Form 700 Conflict of Interest Statement of Economic Interests (as required following the passage of the Political Reform Act Government Code Section 81000, et seq.) (attached to and made a part of this contract).

The Superintendent may determine in writing that a particular consultant is hired to perform a range of duties that are limited in scope and, thus, is not required to comply fully with the disclosure requirements described in those Sections cited above. The Superintendent's determination is a public record and shall be retained for public inspection in the same manner and location as the Conflict of Interest Code Form 700 Statements of Economic Interest. In addition, if the contract itself contains Conflict of Interest/Statements of Economic Interest Disclosures, the consultant is not required to re-file with the district annually.

9. MODIFICATION OR ASSIGNMENT: This agreement may not be assigned by either party without express written consent to the other. No modification shall be effective unless approved in writing by DISTRICT or authorized representatives.

CONTRACTOR/CONSULTANT:

Sara M. Hall, M.A., BCBA

Printed/Typed Name _____ Date _____

Social Security Number/Federal Tax ID Number _____

Address _____ State _____ Zip _____

Contact Phone and Email _____

Signature (Contractor/Consultant Authorized Representative) _____

RIVER DELTA UNIFIED SCHOOL DISTRICT:

Requested By _____ Date _____

Approval Signature _____ Date _____

Budget Code (Name & Coding) _____

Board of Trustees Action _____ Date _____

Consultant must answer the two questions below:

1. Are you presently or have you been a member of PERS or STRS?
 PERS: Yes _____ No _____
 STRS: Yes _____ No _____
2. Are you presently an employee of River Delta Unified School District? Yes _____ No _____

This contract is not valid nor an enforceable obligation against the District until approved or ratified by the Board of Trustees, duly passed and adopted.

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RIVER DELTA UNIFIED SCHOOL DISTRICT

**445 Montezuma Street
Rio Vista, California 94571-1651
(707) 374-1700 Fax (707) 374-2995**

HOLD HARMLESS & INDEMNIFICATION AGREEMENT

Sara M. Hall, M.A., BCBA

To the fullest extent permitted by law, _____,
(Contractor/Consultant) agrees to defend, indemnify, hold harmless and waive all rights of 9+subrogation against River Delta Joint Unified School District, its Board of Trustees, officers, agents and employees (collectively the "District") from and against any and all claims, costs, demands, expenses (including attorney's fees), losses, damages, injuries and liabilities, whether active or passive, arising from any accident, death, or injury whatsoever or however caused or alleged to be caused whether by the District or the Contractor/Consultant to any person or property because of, arising out of, or in any way related to the performance of this agreement. Contractor/Consultant shall not be responsible for the sole or willful liability of the District. It is understood and agreed that such indemnity shall survive the termination of this agreement.

Contractor/Consultant shall maintain their own contractual liability insurance to cover its obligations under this agreement. This indemnification is independent of and shall not in any way be limited by insurance carried by the Contractor/Consultant.

In the case of Facility Use Agreements, Contractor/Consultant further agrees to comply with the insurance requirements attachment to that contract and shall name the District as an additional insured via separate endorsement from its insurance carrier, and provide acceptable proof thereof to the District.

If the Contractor/Consultant should sublet any work to another party (i.e., subcontractor), Contractor/Consultant guarantees that such subcontractor shall indemnify the District prior to permitting subcontractor to commence its work. Contractor/Consultant shall obtain a signed agreement from such subcontractor indemnifying the District as set forth above. In addition, Contractor/Consultant shall require in its purchase orders that each supplier indemnify Contractor/Consultant and the District from any and all losses arising from any materials, products, or supplies included in such work.

In the case of any conflict with these requirements and the provisions of the agreement to which it is attached, these provisions shall prevail.

Signature of Authorized Representative

Date Signed

Typed/Printed Name of Authorized Representative

Company Name

Address, Email & Phone: _____

1/14/08

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- | | | | | |
|------------------------------------|---------------------------------------|---------------------------------|-----------------------|-----------------------|
| Bates School | Isleton School | Walnut Grove School | Delta High School | Wind River School |
| Clarksburg Middle | Riverview Middle | D.H. White Elementary | Rio Vista High School | Mokelumne High School |
| River Delta High/Elementary School | River Delta Community Day School..... | Delta Elementary Charter School | | |



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Superintendent's Statement Regarding Consultant and Conflict of Interest Annual Statement Needed

This is to affirm that the Contractor/Independent Contractor (Consultant), Sara M. Hall, M.A., BCBA by this District to perform work as indicated below and/or per attached contract/agreement:

10. Description of Duties: To provide Functional Behavior Assessments and Plans for District Students

11. Will these duties and/or this Contractor/Consultant in any way have any level of influence on the expenditure of district revenues and/or resources?

_____ No (If No, this consultant is not required to file the Form 700 with the district for the year(s) they are contracted by the district as long as the scope of duties do not change*).

_____ Yes (If Yes, this consultant is required to file a statement of economic interests/conflict of interest disclosure with this district for the year(s) they are contracted by the district**)

_____ *This contractor/consultant (although identified as a "designated position" for purposes of the District's Conflict of Interest Code/Economic Interest Statement Form 700) is hired to perform a range of duties that are limited in scope and thus is not required to comply fully with the disclosure requirements described in the District's Conflict of Interest Code.

_____ **Either (a) _____ the contractor/consultant must file the Form 700 annually as long as they are contracted with the district or (b) _____ if the contract/agreement itself (provided by the contractor/district and district Board approved), contains conflict of interest disclosures, the contractor/consultant may attach that portion of the contract/agreement to this Statement (annually) in satisfaction of this requirement.

This determination is a public record and shall be retained for public inspection in the same manner and location as the District's Conflict of Interest Code Form 700s.

Don Beno, Superintendent

Date

1/14/08 Attachment : (Conflict of Interest Code)

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Attachment to Superintendent's Statement

DISTRICT'S CONFLICT-OF-INTEREST CODE

"The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict-of-interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Reg. Sec. 18730) which contains the terms of a standard conflict-of-interest code, which can be incorporated by reference in an agency's code. After public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the conflict-of-interest code of the River Delta Joint Unified School District.

Designated employees shall file their statements with the River Delta Joint Unified School District which will make the statements available for public inspection and reproduction. (Gov. Code Section 81008.) Statements for all designated employees will be retained by the River Delta Joint Unified School District in the Superintendent's Office."

Below are excerpts from attachments to the above Code regarding consultant disclosure:

Consultants must be included in the list of designated employees and must disclose pursuant to the broadest disclosure category in this code (*) subject to the following limitation: The superintendent may determine in writing that a particular consultant, although a "designated position", is hired to perform a range of duties that are limited in scope and thus is not required to comply fully with the disclosure requirements described in this Section. Such written determination shall include a description of the consultant's duties and, based on that description, a statement of the extent of disclosure requirements. The superintendent's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict-of-Interest Code. In addition, if the contract itself contains conflict of interest disclosures, the consultant is not required to re-file under this provision.

Designated persons in this category must report: (a) Interests in real property which are located entirely or partly within district boundaries, or within two miles of district boundaries or of any land owned or used by the district. Such interests include any leasehold, beneficial or ownership interest or option to acquire such interest in real property. (b) Investments or business positions in or income, including gifts, loans, and travel payments, from sources which: (1) are engaged in the acquisition or disposal of real property within the district. (2) are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the district, or (3) manufacture or sell supplies, books, machinery or equipment of the type used by the district.

1/14/08

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CONTRACTOR INSURANCE REQUIREMENTS

Contractor represents that it does carry and will continue to carry, with Insurance companies acceptable to the District, the following insurance coverages for any work or liability, including products and completed operations, arising out of or in any way connected with the work under this agreement:

Commercial General Liability Coverage—on an “occurrence form” policy containing a per occurrence limit of at least \$1,000,000 or the total cost of the project, which ever is more, protecting against bodily injury, property damage and personal injury claims arising from the exposures of (1) premises and operations; (2) products and completed operations (with a separate limit of coverage at least equal to the per occurrence limit); (3) independent subcontractors; (4) Contractual liability risk covering the indemnity obligations set forth in the hold harmless and indemnification agreement; and (5) where applicable, property damage resulting from explosion, collapse, or underground (x, c, u) exposures. The policy may not contain any exclusion or reduction in coverage for any of the above listed exposures.

Automobile Liability Coverage—insuring against bodily injury and/or property damage arising out of the operation, use, loading or unloading of any auto including owned, non-owned, hired and employee autos with limits of at least \$1,000,000.

Worker’s Compensation and Employer’s Liability Coverage—providing statutory benefits imposed by applicable state or federal laws such that the District will have no liability to Contractor or its employees, subcontractors and agents; and that Contractor will satisfy all Worker’s Compensation obligations imposed by state law. If Contractor has any employees that are subject to the rights and obligations of the Longshoremen and Harbor Workers Act, then the Worker’s Compensation Insurance must be broadened to provide such coverage. In addition, Contractor agrees to carry Employer’s Liability Coverage with limits of not less than \$1,000,000 per accident for each employee.

Professional Liability Coverage—insuring, where applicable, for any exposures resulting from professional liability with limits of at least \$1,000,000.

Additional Insured—Contractor shall add “River Delta Unified School District, its board of trustees, officers, agents and employees” (collectively the “District”) as an additional insured via separate endorsement by having the insurance carrier issue an ISO CG 20 10 edition date 11 85 Additional Insured Endorsement or its equivalent. Such endorsement must include completed operations coverage for the benefit of the additional insured. This extension shall apply to the full extent of the actual limits of Contractor’s coverages even if such actual limits exceed the minimum limits required by this agreement. The District’s additional insured status under the policy(ies) must not be limited by amendatory language to the policy. To the extent umbrella or excess insurance is available above the minimum required limits stated in this Agreement, the protection afforded the District in the umbrella or excess liability insurance shall be as broad or broader than the coverages present in the underlying insurance and in accordance with this agreement. Each general liability, umbrella, or excess policy shall specifically state that the insurance provided by the Contractor shall be considered primary, and insurance of the District shall be considered excess for purposes of responding to claims.

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Contractor shall evidence that such insurance is in force by furnishing the District with acceptable proof thereof with a Certificate of Insurance together with a copy of the declarations page of the policies and all policy endorsements, or if requested by the District, certified copies of the policies. The certificate, declarations page, and all policy endorsements shall become a part of this agreement. Each certificate of insurance shall (1) contain an unqualified statement that the policy shall not be subject to cancellation, nonrenewal, adverse change, or reduction of amounts of coverage without thirty (30) days prior written notice to the District, but in the event of non-payment of premium, ten (10) days notification will be provided; (2) show the District as Additional Insured by referencing and attaching the required endorsement; (3) shall indicate that the Contractor’s coverage is primary and the District’s insurance is excess for any claims; and (4) as to CGL coverage shall state “Policy includes contractual liability coverage insuring the agreement and obligations of the insured to indemnify the District and others to the extent set forth in the Agreement between the insured and the District.”

Subcontractors and Suppliers—If the Contractor should sublet any work to another party (subcontractor), Contractor guarantees that such subcontractor shall indemnify the District as set forth in this agreement and shall carry insurance as set forth in these requirements prior to permitting subcontractor to commence its work. Contractor shall obtain a signed agreement from such subcontractor indemnifying the District as set forth in this Agreement and agreeing to carry insurance as set forth above. In addition, Contractor shall require in its purchase orders that each supplier indemnifies Contractor and the District from all losses arising from any materials, products, or supplies included in such work.

Any attempt by the Contractor to cancel or modify such insurance coverage, or any failure by the Contractor to maintain such coverage, shall be default under this Agreement and, upon such default, the District will have the right to terminate this Agreement and/or exercise any of its rights at law or at equity. In addition to other remedies, the District may, at its discretion, withhold payment of any sums due under this Agreement until Contractor provides adequate proof of insurance.

These insurance requirements are independent of and shall not in any way limit the indemnity obligations of the Contractor under this agreement.

The amounts and types of insurance set forth above are minimums required by the District and shall not substitute for an independent determination by Contractor of the amounts and types of Insurance which Contractor shall determine to be reasonably necessary to protect itself and its work. The District reserves the right to modify these provisions relating to indemnification and insurance, and Contractor agrees to be bound by such modifications 30 days after receipt of the modified provisions.

Failure to enforce any of the provisions of these requirements or any of the provisions of this agreement shall in no way constitute a waiver of such provisions. In the case of any conflict with these requirements and the provisions of the agreement to which it is attached, these provisions shall prevail.

Signature of Authorized Representative

Date Signed

Typed/Printed Name of Authorized Representative
Address, Email & Phone: _____

Company Name

1/14/08

BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 19, 2019

Attachments: None

From: Don Beno, Superintendent

Item Number: 10.16

Type of item: (Action, Consent Action or Information Only): Consent Action

SUBJECT:

Donations

BACKGROUND:

Donations to Receive and Acknowledge:

D.H. White Elementary, Riverview Middle and Rio Vista High Schools

Rio Vista Community Center - \$4,102.38 for Chromebooks

Rio Vista High School – In memory of Tony Martinez

Jerry and Nadine Penick

Rio Vista High School – In memory of Dennis Penick

Jerry and Nadine Penick

Danny and Delinda Bowers

Rio Vista High School – Art Department

Chuck Wesley

American Legion Post 178

Trilogy Art Council

Dale Miller

Riverview Middle School – Cross Country Team

Rio Vision - \$2,200

STATUS:

PRESENTER:

Don Beno, Superintendent

OTHER PEOPLE WHO MIGHT BE PRESENT:

Staff

COST AND FUNDING SOURCES:

RECOMMENDATION:

That the Board acknowledge and approve the receipt of these donations

Time allocated: 2 minutes

**BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT**

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 19, 2019

Attachments: X_____

From: Don Beno, Superintendent

Item Number: 11_____

Type of item: (Action, Consent Action or Information Only): Action_____

SUBJECT:

Request to approve the *second and final* reading of the updated or new Board Policies, Administrative Regulations or Exhibits due to new legislation or mandated language and citations revisions as of October 2018.

BACKGROUND:

Changes in legislation and amendments to laws lead to necessary and or mandated changes in District policies, regulations and or Exhibits.

STATUS:

Attached are Board Policies, Administrative Regulations and Exhibits which have been affected by changes in law effective prior to October 2018 which need to be approved for the *second and final* reading and adopted.

PRESENTER:

Don Beno, Superintendent

OTHER PEOPLE WHO MIGHT BE PRESENT:

Staff

COST AND FUNDING SOURCES:

RECOMMENDATION:

That the Board approves the *second and final* reading of these policies, regulations and exhibits resulting from legislations effective prior to October 2018.

Time allocated: 5 minutes

POLICY GUIDE SHEET
October 2018
Page 1 of 3

Note: Descriptions below identify revisions made to CSBA's sample board policies, administrative regulations, board bylaws, and/or exhibits. Editorial changes have also been made. Districts and county offices of education should review the sample materials and modify their own policies accordingly.

BP 0420.42 - Charter School Renewal

(BP revised)

Policy updated to reflect **NEW LAW (AB 1808)** which requires alternative measures for meeting the student achievement criteria for charter renewal in lieu of the Academic Performance Index (API) and **NEW LAW (AB 406)** which prohibits a charter school that is renewed on or after July 1, 2019 from being operated as a for-profit corporation or organization. Policy also clarifies that district boards do not review renewal petitions for charter schools that were authorized by county boards on appeal, and addresses the definition of "receipt" of the petition for purposes of determining the timeline for granting or denying the petition.

BP 1100 - Communication with the Public

(BP revised)

Policy updated to add definition of the types of mass mailings that cannot be sent at district expense and to reflect law which prohibits certain mass mailings, which are otherwise permissible, from being sent within 60 days preceding an election. Policy also deletes references to repealed Title 2 regulation (Register 2018, No. 12).

BP 3290 - Gifts, Grants and Bequests

(BP revised)

Policy updated to add new section on "Online Fundraising" addressing considerations for approving a crowdfunding Internet platform to raise funds for district, school, or classroom projects or equipment. Policy also adds a prohibition against accepting any gift, grant, or bequest that promotes the use of non-nutritious foods or beverages and provides that any advertising used by a corporate sponsor meet the standards specified in BP 1325 - Advertising and Promotion.

AR 3320 - Claims and Actions Against the District

(AR revised)

Regulation updated to reflect **NEW LAW (SB 1053)** which clarifies that districts do not have the authority to use district-established claims procedures for claims of childhood sexual abuse and that such claims are governed by the timelines and procedures of Code of Civil Procedure 340.1.

AR 3460 - Financial Reports and Accountability

(AR revised)

Regulation updated to add new section on "Report on Expenditures of State Facilities Funds" reflecting state law, as amended by **NEW LAW (AB 1808)**, which requires districts that receive state facilities funding under the Leroy F. Greene School Facilities Act to annually report a list of expenditures for completed facilities projects and conclude an audit within one year of project completion.

BP 4114 - Transfers

(BP revised)

Policy updated to delete provision regarding a principal's right to refuse a teacher's transfer request for a school ranked in deciles 1-3 on the API, as the API is no longer being calculated. Policy also adds philosophical statement regarding the assignment of staff in an equitable manner that meets the needs of students and each school.

POLICY GUIDE SHEET
October 2018
Page 2 of 3

BP/AR 5141.6 - School Health Services

(BP/AR revised)

Policy updated to delete references to the obsolete API, Healthy Start program, and Healthy Families program. Regulation updated to expand section on "Types of Health Services" to include additional services for which districts can receive Medi-Cal reimbursement. Regulation also includes the requirement for employees to complete a random-moment time study for the Medi-Cal Administrative Activities program and reflects **NEW LAW (AB 3192)** which requirements the Department of Health Care Services to develop a program guide for the LEA Medi-Cal Billing Option.

BP/AR 5144.1 - Suspension and Expulsion/Due Process

(BP/AR revised)

Policy and regulation updated to reflect **NEW LAW (AB 752, 2017)** which prohibits the expulsion of a child enrolled in a California State Preschool Program (CSPP) unless the district has taken specified steps and the child's continued enrollment presents a serious safety threat to the child or other enrolled children. Policy also adds data collection on the type of firearm involved in any expulsion for firearm possession, in accordance with federal law. Regulation also revises section on "Final Action by the Board" to correct the location in policy where acts requiring "mandatory recommendation and mandatory expulsion" are listed.

BP/AR 5148.3 - Preschool/Early Childhood Education

(BP/AR revised)

Policy updated to reflect **NEW LAW (AB 1808)** which (1) exempts CSPP programs from specified licensure and regulation requirements if they are operated in a school building and (2) requires that the district's Williams uniform complaint procedures be used to resolve allegations of deficiencies related to health and safety requirements in license-exempt CSPP programs. Policy and regulation reflect a provision of AB 1808 which allows districts to commingle 4-year-old children enrolled in a CSPP program with children enrolled in a transitional kindergarten (TK) program under specified conditions. Regulation also reflects **NEW LAW (AB 2626)** which changes the birthdate by which children are eligible for CSPP programs, **NEW LAW (AB 273, 2017)** which revises eligibility criteria for CSPP preschool to include parents/guardians engaged in an educational program for English learners or for attainment of a high school diploma or general educational development certificate, and **NEW LAW (AB 752, 2017)** which prohibits the expulsion or unenrollment of a child enrolled in a CSPP program unless the district has taken specified steps and the child's continued enrollment presents a serious safety threat to the child or other enrolled children.

BP 6142.3 - Civic Education

(BP revised)

Policy updated to add new section on "Student Voter Registration" containing material formerly in BP 1400 - Relations Between Governmental Agencies and the Schools. Policy also reflects **NEW LAW (AB 24, 2017)** which establishes the State Seal of Civic Engagement to recognize high school graduates who have demonstrated excellence in civic education and participation based on criteria to be approved by the State Board of Education by January 31, 2021. Examples of activities that link civic knowledge to practical experience expanded to reflect additional concepts in the state curriculum framework.

BP/AR 6145.2 - Athletic Competition

(BP/AR revised)

Policy updated to reflect **NEW LAW (AB 2009)** which requires any district that offers an interscholastic athletic program to develop a written emergency action plan to be followed in the event of sudden cardiac arrest or other medical emergency. Regulation updated to reflect requirement of AB 2009 to make an automated external defibrillator available at athletic events. Regulation also includes new section on "Heat Illness" reflecting **NEW LAW (AB 2800)** which requires coaching education programs to include training on the signs and symptoms of, and appropriate response to, heat illness.

POLICY GUIDE SHEET
October 2018
Page 3 of 3

BP/AR 6152.1 - Placement in Mathematics Courses

(BP revised; AR added)

Policy updated to clarify which policy components are mandated and to expand program evaluation to include a report on the percentage of students who have successfully completed mathematics courses that satisfy the requirements for entrance to the University of California and California State University. New regulation includes material formerly in BP, including the appeals process, the requirement to post the policy on the district's web site, and circumstances under which staff recommendations may be considered in course placement. Regulation also includes examples of objective academic measures that may be used to place students in mathematics courses.

BP 6170.1 - Transitional Kindergarten

(BP revised)

Policy updated to reflect **NEW LAW (AB 1808)** which allows districts to place 4-year-old children enrolled in a CSPP program into a TK program and to commingle children from both programs into the same classroom under specified conditions.

BP/AR 6178 - Career Technical Education

(BP/AR revised)

Policy updated to reflect **NEW FEDERAL LAW (P.L. 115-224)** which reauthorizes the Carl D. Perkins Career and Technical Education Act, retitled as the Strengthening Career and Technical Education for the 21st Century Act, and **NEW LAW (AB 1808)** which amends the California Career Technical Education Incentive Grant Program. Material regarding activities for special populations and consultation with private school representatives moved to AR. Material on program evaluation revised to add requirement to review measures of career technical education pathway completion as part of the annual review of progress toward the goals in the local control and accountability plan (LCAP). Regulation revises section on "Federal Grants for Career Technical Education (Perkins)" to reflect P.L. 115-224, including streamlining the uses of grant funds, adding a requirement for a needs assessment, and changing the definition of "special needs populations." Regulation also deletes section on "Tech Prep Programs" as those programs are no longer funded and are repealed by P.L. 115-224. Section on "Linked Learning Programs" deletes Note regarding linked learning pilot program which repealed on its own terms.

BP 6190 - Evaluation of the Instructional Program

(BP revised)

Policy updated to delete references to the obsolete API and add the California School Dashboard as a source for multiple state and local indicators of strengths and areas in need of improvement in each priority area addressed by the LCAP. Section on "Federal Program Monitoring" deleted as the focus of the policy is on program effectiveness rather than compliance with program requirements.

BB 9110 - Terms of Office

(BB revised)

Bylaw updated to reflect **NEW LAW (AB 2449)** which changes the commencement of the term of office of board members from the first Friday in December following their election to the second Friday in December. Bylaw also provides that, if the district chooses or is required to consolidate its board elections with the local municipal or state primary or general elections, elections could occur in even-numbered years and the term of incumbent board members would be extended to align with the next election.

CSBA Sample Board Policy

Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0420.42(a)

CHARTER SCHOOL RENEWAL

Note: The following policy is **optional**. When the term of a charter granted by the Governing Board pursuant to Education Code 47605 (see BP/AR 0420.4 - Charter School Authorization) is due to expire, the charter school must submit a petition for renewal to the Board in accordance with Education Code 47607 and 5 CCR 11966.4.

For a charter that was granted by the State Board of Education (SBE) on appeal after being denied by the district, the renewal petition must be first submitted to the district board that denied the charter, pursuant to Education Code 47605. A petition for the renewal of a charter that was originally granted by the County Board of Education on appeal after being denied by the district must be submitted directly to the County Board as the chartering authority pursuant to 5 CCR 11966.5. Pursuant to Education Code 47605, to renew a charter that was originally granted by the State Board of Education (SBE) on appeal, the charter school must first submit its petition for renewal to the district that initially denied the charter. If the Board denies the renewal, the school may then petition the SBE for renewal.

The Governing Board believes that the ongoing operation of a charter school **established within the district** should be dependent on the school's effectiveness in achieving its mission and goals for student learning and other student outcomes. Whenever a charter school submits a petition for renewal of its charter, the Board shall review the petition thoroughly and in a timely manner. **The Board shall consider renewal petitions only of charters originally authorized by the Board itself or by the State Board of Education on appeal after initial denial by the Board.**

(cf. 0420.4 - Charter School Authorization)
(cf. 0420.41 - Charter School Oversight)
(cf. 0420.43 - Charter School Revocation)
(cf. 0500 - Accountability)

Note: Education Code 47604, as amended by AB 406 (Ch. 291, Statutes of 2018), prohibits a charter school from being operated by a for-profit corporation or organization effective July 1, 2019. Any charter school that submits a renewal petition on or after that date must demonstrate that it has nonprofit management or it cannot be renewed.

No charter school that submits a renewal petition on or after July 1, 2019 shall be operated as, or be operated by, a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization. (Education Code 47604)

Note: The following **optional** paragraph may be revised to reflect district ~~practice~~ **timelines for the submission of charter renewal petitions. Although 5 CCR 11966.4 requires that the Board grant or deny the renewal petition within 60 days of receiving the petition;** (see section entitled "Timelines for Board Action" below), ~~—However,~~ **it is recommended that charter schools submit their petition six to nine months before the term of the charter is due to expire. The timeline should take into consideration the date by which student achievement data needed for the petition will be available and the amount of**

CHARTER SCHOOL RENEWAL (continued)

time needed for the Board's deliberations and decision. In the event that the Board denies the renewal, the charter school may need time to appeal to the County Board and then to the SBE and, if the school closes, to allow students of the charter school to transfer to another school. ~~It is recommended that the charter school submit its renewal petition sufficiently early (e.g., as much as nine months before the term of the charter is due to expire) so that, in the event that the Board denies the renewal, the charter school may be able to appeal to the County Board of Education and then to the SBE pursuant to Education Code 47607.5 and, if the school closes, for students of the charter school to transfer to another school.~~

~~The Board recommends that a~~ A charter school seeking renewal of its charter is encouraged to submit its petition for renewal to the Board sufficiently early before the expiration of the term of the charter is due to expire to allow the Board's deliberations and decision on the renewal petition to be completed with minimal disruption to the charter school's educational program in the renewal year.

Each renewal granted by the Board shall be for a period of five years. (Education Code 47607)

Submission of Renewal Petition

Note: The following **optional** paragraph may be revised to reflect district practice 5 CCR 11966.4 requires that the Board grant or deny the renewal petition within 60 days of receiving the petition; see section entitled "Timelines for Board Action" below. However, it is recommended that the charter school submit its renewal petition sufficiently early (e.g., as much as nine months before the term of the charter is due to expire) so that, in the event that the Board denies the renewal, the charter school may be able to appeal to the County Board of Education and then to the SBE pursuant to Education Code 47607.5 and, if the school closes, for students of the charter school to transfer to another school.

~~A charter school seeking renewal of its charter is encouraged to submit its petition for renewal to the Board sufficiently early before the term of the charter is due to expire.~~

~~The signature requirement applicable to new charter petitions is not applicable to petitions for renewal. (5 CCR 11966.4)~~

~~The petition for renewal shall include a reasonably comprehensive description of how the charter school has met all new charter school requirements enacted into law after the charter was originally granted or last renewed. The petition also shall include documentation that the charter school meets at least one of the criteria for academic performance specified in Education Code 47607(b), as listed in item #5 in the section "Criteria for Granting or Denying Renewal" below. (Education Code 47607; 5 CCR 11966.4)~~

Criteria for Granting or Denying Renewal

Renewals shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605, **except that the signature requirement for**

CHARTER SCHOOL RENEWAL (continued)

new petitions is not applicable to petitions for renewal. ~~The Board shall consider the past performance of the charter school's academics, finances, and operations in evaluating the likelihood of future success, along with plans for improvement, if any.~~ (Education Code 47607; 5 CCR 11966.4)

The petition for renewal shall include a reasonably comprehensive description of how the charter school has met all new charter school requirements enacted into law after the charter was originally granted or last renewed. (Education Code 47607; 5 CCR 11966.4)

Note: As amended by SB 1290 (Ch. 576, Statutes of 2012), Education Code 47607 requires the Board to consider increases in student achievement for all "numerically significant" student subgroups, as defined in Education Code 52052, as the most important factor in determining whether to grant a charter renewal.

In determining whether to grant a charter renewal, the Board shall consider **the past academic, financial, and operational performance of the charter school in evaluating the likelihood of future success, along with any plans for improvement.** Increases in academic achievement for all "numerically significant" groups of students served by the charter school, as defined in Education Code 52052, **as shall be** the most important factor. (Education Code 47607; **5 CCR 11966.4**)

Note: Education Code 47607 and 5 CCR 11966.4 establish grounds for denial of charter renewals. See CSBA's publication Charter Schools: A Guide for Governance Teams for additional information about making the determinations specified in items #1-**4 5** below.

The Board shall **not** deny a renewal petition ~~only if~~ **unless** it makes ~~a~~ written factual findings, **specific to the particular petition**, setting forth specific facts to support one or more of the following grounds: (Education Code 47605, 47607; 5 CCR 11966.4)

1. The charter school presents an unsound educational program for the students enrolled in the school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
3. The petition does not contain an affirmation of each of the conditions described in Education Code 47605(d).
4. The petition does not contain reasonably comprehensive descriptions of the charter provisions in Education Code 47605(b).
5. The charter school has failed to **demonstrate that it** meets at least one of the following criteria of academic performance:

CHARTER SCHOOL RENEWAL (continued)

Note: SB 1290 (Ch. 576, Statutes of 2012) amended Education Code 47607 to revise the criterion related to the attainment of the Academic Performance Index growth target to (1) delete the option to consider attainment of the growth target in the aggregate for the prior three years and (2) require the growth target to be met both schoolwide and for all numerically significant groups of students served by the charter school. Although Education Code 47607 authorizes the use of the Academic Performance Index (API) to demonstrate academic performance for purposes of charter renewal, the API is no longer being calculated. Pursuant to Education Code 52052, as amended by AB 1808 (Ch. 32, Statutes of 2018), alternative measures that show increases in student achievement for all groups of students schoolwide and among numerically significant student subgroups may be used instead. For example, for purposes of meeting the academic criterion for charter renewal, charter schools may use indicators of student achievement and English learner progress available through the state's accountability system, the California School Dashboard.

- a. ~~Attainment of its Academic Performance Index (API) growth target in the prior year or in two of the last three years, both schoolwide and for all numerically significant groups of students served by the charter school as defined in Education Code 52052.~~
- b. ~~An API ranking in deciles 4-10 in the prior year or in two of the last three years.~~
- c. ~~An API ranking in deciles 4-10 for a demographically comparable school in the prior year or in two of the last three years.~~
- a. **Increases in academic achievement for all groups of students schoolwide and among numerically significant student subgroups, as determined using measures identified pursuant to Education Code 52052**

Note: When making a ~~written finding~~ **determination** based on item #5~~d-b~~, Education Code 47607 requires the district to submit copies of supporting documentation and a written summary of the basis for its determination to the Superintendent of Public Instruction (SPI), as provided below. The SPI will review the materials and make recommendations to the district. Those recommendations may be the basis for a revocation of the charter by the SBE.

- ~~d. b.~~ Academic performance at least equal to the academic performance of the public schools that the charter school students would otherwise have been required to attend as well as the academic performance of district schools, taking into account the composition of the student population that is served at the charter school

Such performance shall be determined based on a review of documented clear and convincing data; student achievement data from assessments, including, but not limited to, state academic achievement tests, for

CHARTER SCHOOL RENEWAL (continued)

demographically similar student populations in comparison schools; and information submitted by the charter school. The Board shall not grant a renewal until at least 30 days after the submission of any such documentation by the charter school. **The Superintendent or designee shall submit to the Superintendent of Public Instruction copies of supporting documentation and a written summary of the basis for the Board's determination.**

~~In determining whether the charter school satisfies this criterion, the Board shall base its decision on:~~

~~(1) Documented clear and convincing data~~

~~(2) Student achievement data from assessments, including, but not limited to, the Standardized Testing and Reporting Program, for demographically similar student populations in comparison schools~~

~~(3) Information submitted by the charter school~~

(cf. 6162.51 - State Academic Achievement Tests)

Note: Charter schools that serve high-risk students may qualify for the state's Dashboard Alternative School Status (DASS) program, which uses modified methods of measurement for accountability indicators when appropriate. Charter schools that participate in the DASS satisfy the academic criterion for charter renewal without being subject to the criteria listed above in item #5a or b.

e.c. Qualification for an the state's alternative accountability system established pursuant to Education Code 52052(h) for schools that serve high-risk students

Timelines for Board Action

Note: The following optional paragraph may be revised to reflect district practice. Pursuant to Education Code 47607, the Board must grant or deny the request for renewal within 60 days of receiving the renewal petition. Thus, the Board should establish a timeline for holding a public hearing that will provide sufficient time for the Board to consider public input before taking action on the request.

The Education Code does not specifically define when a petition is "received." However, because the Board conducts its business as an entity during public meetings, many education attorneys interpret the 30 days to begin when the petition is presented to the Board at the first Board meeting following the submission of the petition. Others consider the petition to be "received" when it is delivered to the district. Districts with questions regarding when the 30 days begin should consult legal counsel.

Within 30 days of receiving the renewal petition, the Board shall hold a public hearing to review documentation submitted by the charter school and obtain public input.

CHARTER SCHOOL RENEWAL (continued)

~~If the charter school submits documentation pursuant to item #5d in the section "Criteria for Granting or Denying Renewal" above, the Board shall not grant a renewal until at least 30 days after the submission of such documentation. (Education Code 47607)~~

Within 60 days of receiving the renewal petition, or within 90 days if extended by mutual written agreement of the Board and the charter school, the Board shall either grant or deny the request to renew the charter. (Education Code 47607; 5 CCR 11966.4)

If the Board fails to make a written factual finding pursuant to items #1-5 in the section "Criteria for Granting or Denying Renewal" above within the required time period, the absence of a written factual finding shall be deemed an approval of the renewal petition. (5 CCR 11966.4)

The Superintendent or designee shall provide notification to the California Department of Education, within 10 calendar days of the Board's action, whenever a renewal of the charter is granted or denied. (Education Code 47604.32; 5 CCR 11962.1)

If the Board denies a renewal petition, the charter school may submit its application for renewal to the County Board of Education within 30 days of the Board's written factual findings supporting the denial. ~~If the County Board then fails to deny or grant the petition within 60 days of receiving the petition, or within 90 days if extended by written mutual agreement of the charter school and the County Board, the charter school may submit the petition to the State Board of Education.~~ (Education Code 47605, 47607.5)

| |
|--|
| <p>Note: Pursuant to Education Code 47604.32, if a charter school ceases operation for any reason, including denial of its renewal, the district must notify the California Department of Education; see BP 0420.41 - Charter School Oversight. In addition, the district and/or charter school must implement the school closure procedures specified in the charter in accordance with Education Code 47605 and 5 CCR 11962; see AR 0420.4 - Charter School Authorization.</p> |
|--|

Legal Reference: (see next page)

CHARTER SCHOOL RENEWAL (continued)

Legal Reference:

EDUCATION CODE

47600-47616.7 *Charter Schools Act of 1992*

52052 ~~Alternative accountability system; d~~Definition of numerically significant student subgroup

56145-56146 *Special education services in charter schools*

60600-60649 *Assessment of academic achievement*

CODE OF REGULATIONS, TITLE 5

11960-11969 *Charter schools*

UNITED STATES CODE, TITLE 20

7223-7225 *Charter schools*

Management Resources:

CSBA PUBLICATIONS

The Role of the Charter School Authorizer, Online Course

Charter Schools: A Guide for Governance Teams, rev. 2016

WEB SITES

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

California Charter Schools Association: <http://www.calcharters.org>

California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/cs>

National Association of Charter School Authorizers: <http://www.charterauthorizers.org>

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

(3/12 11/12) 10/18

CSBA Sample Board Policy

Community Relations

BP 1100(a)

COMMUNICATION WITH THE PUBLIC

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

The Governing Board recognizes the district's responsibility to keep the public informed regarding the goals, programs, achievements, and needs of the schools and district and to be responsive to the concerns and interests of the community. The Superintendent or designee shall establish strategies for effective two-way communications between the district and the public and shall consult with the Board regarding the role of Board members as advocates for the district's students, programs, and policies.

(cf. 5020 - Parent Rights and Responsibilities)
(cf. 9000 - Role of the Board)

Note: Protocols for media relations, including the identification of Governing Board and staff spokespersons designated to meet with the media on behalf of the district, are addressed in BP 1112 - Media Relations. The district may choose to establish additional protocols for communications with other segments of the public.

The Superintendent or designee shall provide the Board and staff with communications protocols and procedures to assist the district in presenting a consistent, unified message on district issues. Such protocols and procedures may include, but are not limited to, identification of the spokesperson(s) authorized to speak to the media on behalf of the district, strategies for coordinating communications efforts and activities, and legal requirements pertaining to confidentiality as well as the public's right to access records.

(cf. 1112 - Media Relations)
(cf. 1340 - Access to District Records)
(cf. 2111 - Superintendent Governance Standards)
(cf. 3580 - District Records)
(cf. 5125 - Student Records)
(cf. 5125.1 - Release of Directory Information)
(cf. 9005 - Governance Standards)
(cf. 9010 - Public Statements)
(cf. 9011 - Disclosure of Confidential/Privileged Information)

The Superintendent or designee shall utilize a variety of **communications** methods **in order** to provide **information to** the public with access to information. Such methods may include, but are not limited to, district and school newsletters, web sites, social **networking pages** **media,** ~~or other online communications technologies, direct email~~ **electronic** communications, mailings, notices sent home with students, recorded telephone messages for parent/guardian information, community forums and public events, news releases, meetings with education reporters and editorial boards, presentations at parent organization meetings, and meetings with representatives of local governments, community organizations, and businesses.

COMMUNICATION WITH THE PUBLIC (continued)

(cf. 0510 - School Accountability Report Card)

~~*(cf. 1020 - Youth Services)*~~

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

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

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

Note: Pursuant to Education Code 48985, when 15 percent or more of students enrolled in a school speak a single primary language other than English, all notices and reports sent to the parents/guardians of those students must also be written in that primary language. In addition, the Americans with Disabilities Act (28 CFR 35.130 and 35.160) requires districts to provide services and aids to ensure that a disabled individual is not excluded from participation or denied a benefit, service, or program on the basis of a disability. See BP 0410 - Nondiscrimination in District Programs and Activities.

In developing communications strategies, the Superintendent or designee shall take into account the needs of all members of the public, including individuals with disabilities and those whose primary language is not English.

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

The Superintendent or designee shall ensure that staff members are responsive to requests by parents/guardians or members of the public for information or assistance and may provide staff members with professional development in their "customer service" role as needed to assist them in effectively responding to requests for information or assistance by parents/guardians or members of the public.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee shall provide multiple avenues and opportunities for members of the public to give input on district and school issues and operations. Community members are encouraged to become involved in school activities, participate on district and school committees, provide input at Board meetings, submit suggestions to district staff, and use the district's complaint procedures as appropriate.

(cf. 0460 - Local Control and Accountability Plan)

(cf. 1220 - Citizen Advisory Committees)

(cf. 1230 - School-Connected Organizations)

(cf. 1240 - Volunteer Assistance)

(cf. 1250 - Visitors/Outsiders)

(cf. 1260 - Educational Foundation)

(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. 3555 - Nutrition Program Compliance)

COMMUNICATION WITH THE PUBLIC (continued)

(cf. 6020 - Parent Involvement)

(cf. 9322 - Agenda/Meeting Materials)

(cf. 9323 - Meeting Conduct)

Prohibition Against Mass Mailings at Public Expense

Note: Education Code 7054 and 2 CCR 18901.1 prohibit the use of public funds for a mass mailing that (1) expressly advocates the election or defeat of a candidate or the qualification, passage, or defeat of a ballot measure or (2) if taken in context, unambiguously urges an election result. Violation of these provisions could result in an enforcement action by the Fair Political Practices Commission. See BP 1160 - Political Processes for language regarding the use of district funds for activities related to ballot measures, candidates, or lobbying.

~~Any~~ Newsletters or mass mailings regarding ballot measures, candidates, legislative activities, or any other campaign activities shall be sent and distributed in accordance with law and Board policy.

(cf. 1160 - Political Processes)

Note: Government Code 82041.5, and 89001, and 89002 and 2 CCR 18901 prohibit the use of public funds for a mass mailing which features a Board member or includes the name, signature, or photograph of a Board member, except as specifically allowed by law. "Mass mailing" is defined as over 200 substantially similar pieces of mail sent in a single calendar month or course of an election. A "mass mailing" does not include form letters or mail sent in response to an unsolicited request, letter, or other inquiry, or permissible informational materials otherwise authorized by law Government Code 89002. Because these laws are very complex, with complicated definitions and numerous exceptions, districts should consult with legal counsel if there is a question about the appropriateness of a planned mailing.

In addition, Education Code 7054 and 2 CCR 18901.1 prohibit the use of public funds for a mass mailing that (1) expressly advocates the election or defeat of a candidate or the qualification, passage, or defeat of a ballot measure or (2) if taken in context, unambiguously urges an election result. Violation of these provisions could result in an enforcement action by the Fair Political Practices Commission. See BP 1160 - Political Processes for language regarding the use of district funds for activities related to ballot measures, candidates, or lobbying. Because these laws are very complex, with complicated definitions and numerous exceptions, districts should consult with legal counsel if there is a question about the appropriateness of a planned mailing.

~~No newsletter or other mass mailing, as defined in Government Code 82041.5 and 2 CCR 18901 shall be sent by the district at public expense if such material aggrandizes one or more Board members. The name, signature, or photograph of a Board member may be included in such materials only as permitted by 2 CCR 18901. (Government Code 82041.5, 89001; 2 CCR 18901)~~

~~Any newsletter or mass mailing regarding ballot measures, candidates, legislative activities, or any other campaign activities shall be sent and distributed in accordance with law and Board policy.~~

COMMUNICATION WITH THE PUBLIC (continued)

(cf. 1160—Political Processes)

A mass mailing is prohibited if all of the following criteria are met: (Government Code 89001-89002)

- 1. The mailing involves sending a tangible item, such as a videotape, record, button, or written document, which is delivered by any means to recipients at their residence, place of employment or business, or post office box**
- 2. The item features a Board member or includes the name, office, photograph, or other reference to a Board member and is prepared or sent in cooperation, consultation, coordination, or concert with the Board member.**
- 3. The costs of distribution, or any costs of design, production, and printing exceeding \$50, are paid with district funds.**
- 4. More than 200 substantially similar items, as defined in Government Code 89002, are sent in a single calendar month.**

The above prohibition does not apply to the types of mass mailings specified in Government Code 89002(b), including, but not limited to: (Government Code 89002)

- 1. An item in which the Board member's name appears only in a roster containing the names of all Board members or in the letterhead or logotype of the stationery, forms, and envelopes of the district, a district committee, or the Board member**
- 2. An announcement including only a single mention of the Board member's name which concerns a public meeting related to the Board member's duties or any official district event(s) for which the district is providing the use of its facilities, staff, or other financial support**
- 3. A business card that contains only one mention of the Board member's name and no photograph of the Board member**

However, any of the excepted mailings listed in items #1-3 above that meets the criteria for prohibited mass mailings shall not be sent within 60 days preceding an election in which a Board member to whom the mailing relates will appear on the ballot as a candidate. (Government Code 89003)

COMMUNICATION WITH THE PUBLIC (continued)

Comprehensive Communications Plan

Note: **The following optional section may be revised to reflect district practice.** A comprehensive district communications plan may include strategies for internal and external communications on issues that are important to the district and community. The plan also may incorporate specific communications strategies required by other Board policies and administrative regulations. For example, see AR 0450 - Comprehensive Safety Plan, BP 1112 - Media Relations, AR 3516 - Emergencies and Disaster Preparedness Plan, and BP/AR 6020 - Parent Involvement.

The Superintendent or designee shall develop a written communications plan which establishes priorities for proactive community outreach to build support for district programs and issues. The plan shall identify specific communications goals aligned with the district's vision and goals for student learning. For each communications goal, the plan shall identify key messages, individuals or groups that can help the district achieve its goal, strategies tailored to each target audience, timelines, persons responsible for each activity, and budget implications.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

As appropriate for each issue, target audiences may include parents/guardians, the media, local governmental agencies, businesses, community organizations and civic groups, postsecondary institutions, health care professionals, child care providers, community leaders, state or federal legislators or agencies, and/or other segments of the public.

The plan shall incorporate strategies for effective communications during a crisis or other emergency situation that may arise.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

The Superintendent or designee shall periodically evaluate the implementation and effectiveness of the district's communications plan and recommend to the Board whether the goals and key issues identified in the plan need to be revised to meet changing circumstances or priorities.

Legal Reference: (see next page)

COMMUNICATION WITH THE PUBLIC (continued)

Legal Reference:

EDUCATION CODE

7054 *Use of district property or funds re: ballot measures and candidates*

35145.5 *Board meetings, public participation*

35172 *Promotional activities*

38130-38138 *Civic Center Act*

48980-48985 *Parental notifications*

GOVERNMENT CODE

54957.5 *Meeting agendas and materials*

82041.5 *Mass mailing*

89001-89003 *Newsletter or mass mailing*

CODE OF REGULATIONS, TITLE 2

~~18901 *Mass mailings sent at public expense*~~

18901.1 *Campaign-related mailings sent at public expense*

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 *Americans with Disabilities Act*

Management Resources:

WEB SITES

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

California School Public Relations Association: <http://www.calspra.org>

Fair Political Practices Commission: <http://www.fppc.ca.gov>

(3/08 3/11) 10/18

CSBA Sample Board Policy

Business and Noninstructional Operations

BP 3290(a)

GIFTS, GRANTS AND BEQUESTS

Note: Education Code 41032 authorizes the Governing Board to accept gifts on behalf of the district and to prescribe conditions for their acceptance. Criteria listed in this **optional** policy may be revised to reflect district practice.

The Governing Board may accept any gift, grant, or bequest of money, property, or service to the district from any individual, ~~private agency or~~ organization, **foundation**, or ~~other~~ public **or private** agency that desires to support the district's educational program. While greatly appreciating suitable donations, the Board shall reject any gift which may directly or indirectly impair its authority to make decisions in the best interest of district students or its ability or commitment to provide equitable educational opportunities.

(cf. 0100 - Philosophy)
(cf. 0200 - Goals for the School District)
(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 0415 - Equity)
(cf. 1260 - Educational Foundation)
(cf. 9270 - Conflict of Interest)

Note: A donor may impose restrictions and conditions on the use of a gift. Unless the conditions are illegal, the district will be subject to those conditions if it accepts the gift.

Before accepting any gift, grant, or bequest, the Board shall carefully consider any conditions or restrictions imposed by the donor to ensure their consistency with the district's vision, philosophy, and operations. If the Board believes the district will be unable to fully satisfy the donor's conditions, the gift shall not be accepted.

(cf. 0000 - Vision)
(cf. 0100 - Philosophy)

In addition, the Board shall ensure that acceptance of the gift, grant, or bequest does not:

1. Involve creation of a program which the Board would be unable to sustain when the donation is exhausted
2. Entail undesirable or excessive costs
3. Promote the use of violence, drugs, tobacco, or alcohol ~~or the violation of any law or district policy~~

(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5131.62 - Tobacco)

GIFTS, GRANTS AND BEQUESTS (continued)

4. Advertise or endorse the use of non-nutritious food or beverages during the school day

(cf. 5030 - Student Wellness)

5. Encourage or enable the violation of any law or district policy

4.6. Imply endorsement of any business or product or unduly commercialize or politicize the school environment

(cf. 1325 - Advertising and Promotion)

Any gift of books **and or** instructional materials **shall may only** be accepted **only** if they meet **regular** district criteria for selection of instructional materials.

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

(cf. 6161.11 - Supplementary Instructional Materials)

All gifts, grants, and bequests shall become district property. Donors are encouraged to donate all gifts to the district rather than to a particular school, **classroom, or teacher**. At the Superintendent or designee's discretion, a gift may be used at a particular school **or classroom**.

Note: Education Code 41030 allows districts to invest monies gifted to them when not immediately needed. Education Code 41031 requires that such funds be placed in a district special fund in the county treasury and designated as the Foundation Fund. Funds donated for specific purposes must be placed in a separate account in that fund. **Pursuant to Education Code 41035-41038, districts Boards** that place money in a foundation fund pursuant to these laws must adopt related rules and regulations and appoint an advisory committee to advise the board about investments to be made. ~~(Education Code 41035-41038)~~

When any gift of money received by the district is not immediately used, it shall be placed in the county treasury in accordance with law. (Education Code 41030-41031)

(cf. 3430 - Investing)

The Superintendent or designee shall annually provide a report to the Board indicating the gifts, grants, and/or bequests received on behalf of the district in the preceding fiscal year. The report shall include a statement of account and expenditure of all gifts of money and an inventory of all gifts of physical assets.

(cf. 3440 - Inventories)

(cf. 3460 - Financial Reports and Accountability)

GIFTS, GRANTS AND BEQUESTS (continued)

Appreciation

The Board may show appreciation for any donation to the district in any manner it deems appropriate. Such appreciation may take the form of letters of recognition or Board resolutions; plaques, commendations, or awards; planting of commemorative trees or gardens; or naming or renaming of buildings, grounds, or facilities. Conferment of any such honor shall be in accordance with applicable Board policy.

(cf. 1150 - Commendations and Awards)

(cf. 7310 - Naming of Facility)

Corporate Sponsorship

Note: **Under the general authority granted to boards pursuant to Education Code 35160, the Board is authorized to enter into a corporate sponsorship agreement** with an outside entity including for-profit and nonprofit corporations. In exchange for funds, products, and services provided by such entities, the Board may allow them to advertise and/or promote their products and services within district buildings or facilities. The Board may set guidelines for entering into such agreements to ensure that they are limited to appropriate matters. Standards related to advertising and promotions are addressed in BP 1325 - Advertising and Promotion. The Board may revise the following **optional** section to ensure consistency with those standards.

The Board may enter into an agreement or arrangement with an outside entity for the sponsorship of an educational, athletic, or other program or activity. When appropriate, the agreement may allow the outside entity to advertise or promote its business, product, or service in district publications or on district property or web sites.

(cf. 1113 - District and School Web Sites)

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

(cf. 3312 - Contracts)

(cf. 6145.2 - Athletic Competition)

Every sponsorship agreement shall be in writing and shall be approved by the Board. The Board shall ensure that the district's relationship and arrangement with the sponsor are consistent with the district's mission, values, and goals. Any advertising or promotional message, image, or other depiction to be used by the sponsor shall meet the standards set for commercial advertising on district property and in district-sponsored publications **in accordance with BP 1325 - Advertising and Promotion.** ~~No message, image, or other depiction that promotes the use of obscene language, pornography, alcohol, tobacco, or prohibited drugs or that advocates unlawful discrimination, use of violence, or the violation of law or district policy shall be allowed.~~

Each sponsorship agreement shall contain statements including, but not limited to:

1. The purpose of the relationship with the sponsor, details of the benefits to the district, and how the benefits will be distributed;

GIFTS, GRANTS AND BEQUESTS (continued)

2. The duration of the agreement and the roles, expectations, rights, and responsibilities of the district and the sponsor, including whether and to what extent the sponsor is allowed to advertise or promote its products and/or services.
3. The authority of the Board to retain exclusive right over the use of the district's name, logo, and other proprietary information **and the requirement that the sponsor obtain prior approval of the Board before using such information.** ~~The sponsor's use of such information shall require prior approval of the Board.~~
- ~~5.~~ **4.** The prohibition against the collection **or distribution** of students' personal information except as allowed by law.
- ~~4.~~ **5.** The authority of the Board to terminate the agreement without any penalty or sanction to the district if the sponsor's message, business, or product becomes inconsistent with **the** district's vision, mission, or goals or the sponsor engages in any prohibited activity.
- ~~5.~~ ~~The prohibition against the collection of students' personal information except as allowed by law.~~

(cf. 5022 - Student and Family Privacy Rights)

(cf. 5125 - Student Records)

Online Fundraising

Note: The following optional section addresses the practice of using a crowdfunding Internet platform (e.g., GoFundMe, PledgeCents, Donors Choose, etc.) to raise funds for district, school or classroom projects or equipment and may be revised to reflect district practice.

Any person or entity who wishes to conduct an online fundraising campaign, including a crowdfunding campaign, for the benefit of the district, a school, or a classroom shall submit a written request for prior approval to the Superintendent or designee. Approval of requests shall take into consideration compatibility with the district's vision and goals, core beliefs, instructional priorities, and infrastructure; the manner in which donations are collected and distributed; equity of the use of funds; and any other factors deemed relevant or appropriate by the district.

Any person or entity approved to conduct an online fundraising campaign shall comply with relevant district policies and procedures, including ensuring financial transparency in describing the purpose and use of the funds and protecting student privacy as applicable. Such person or entity shall specify that the district, rather than a staff member, classroom, or school, will own the funded resources.

GIFTS, GRANTS AND BEQUESTS (continued)

Funds raised by an online fundraising campaign and donated to the district shall be subject to the same terms, criteria for acceptance, and accountability measures as any other donation as specified in this policy.

Appreciation

The Board may show appreciation for any donation to the district in any manner it deems appropriate. Such appreciation may take the form of letters of recognition or Board resolutions; plaques, commendations, or awards; planting of commemorative trees or gardens; or naming or renaming of buildings, grounds, or facilities. Conferment of any such honor shall be in accordance with applicable Board policy.

(cf. 1150 - Commendations and Awards)

(cf. 7310 - Naming of Facility)

Legal Reference:

EDUCATION CODE

1834 Acquisition of materials and apparatus

35160 Powers and duties

35162 Power to sue, be sued, hold and convey property

41030 School district may invest surplus monies from bequest or gifts

41031 Special fund or account in county treasury

41032 Authority of school board to accept gift or bequest; investments; gift of land requirements

41035 Advisory committee

41036 Function of advisory committee

41037 Rules and regulations

41038 Applicability of other provisions of chapter

Management Resources:

WEB SITES

California Consortium of Education Foundations: <http://www.cceflink.org>

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CSBA Sample Administrative Regulation

Business and Noninstructional Operations

AR 3320(a)

CLAIMS AND ACTIONS AGAINST THE DISTRICT

Note: The Government Claims Act (Government Code 810-996.6) sets forth prelitigation requirements and deadlines for claims against public entities, including school districts, ~~as well as statute of limitations and other requirements for lawsuits.~~ In City of Stockton v. Superior Court, the California Supreme Court held that the claim requirements in Government Code 900-915.4 also apply to claims for breach of contract.

Because a district's insurance carrier or joint powers authority (JPA) may require the district to comply with certain claims management conditions as part of the district's contractual coverage obligation, it is strongly recommended that this administrative regulation be reviewed for consistency with any applicable conditions of coverage. A district's failure to follow those contractual conditions may result in a loss of coverage benefits. The district's risk manager and legal counsel should also be consulted, as appropriate.

Time Limitations

Note: Items #1-3-4 below list timelines for ~~presentation of~~ claims pursuant to the Government Claims Act ~~and other applicable statutes.~~ If a claimant misses a deadline for a claim required to be submitted in accordance with item #1 or #3 below, he/she may present an application to present a late claim pursuant to Government Code 911.4; see section below entitled "Late Claims." As amended by SB 1053 (Ch. 153, Statutes of 2018), Government Code 935 clarifies that the authority of a district to adopt local claims presentation procedures for causes of action which are excepted from the Government Claims Act by Government Code 905 and are not governed by other statutes or regulations does not apply to childhood sexual abuse. Rather, claims for childhood sexual abuse are governed by the timelines and procedures specified in Code of Civil Procedure 340.1.

The following time limitations apply to claims against the district:

- 1. Claims for money or damages relating to any cause of action which is governed by a statute or regulation, including childhood sexual abuse and other causes of action specifically excepted from the Government Claims Act by Government Code 905, shall be filed in accordance with the governing statute or regulation. (Government Code 905, 935)**
- ~~1. Claims for money or damages relating to a cause of action for death or for injury to person, personal property, or growing crops shall be presented to the Governing Board not later than six months after the accrual of the cause of action. (Government Code 905, 911.2)~~
- ~~2. Claims for money or damages as authorized in Government Code 905 and not included in item #1 above shall be filed not later than one year after the accrual of the cause of action. (Government Code 905, 911.2)~~

CLAIMS AND ACTIONS AGAINST THE DISTRICT (continued)

Note: Pursuant to Government Code 935, a district may establish its own procedure for the presentation of those claims which are excluded from the Government Claims Act as specified in Government Code 905. **Optional** item ~~#3~~ **#2** below is for use by any district whose board has chosen to exercise the authority to establish district procedures for such claims; see the accompanying Board policy. Item ~~#3~~ **#2** provides six months as the time limitation for filing such claims, which is consistent with the requirement in Government Code 935 that the district's procedure not require a shorter time for presentation of a claim than the time specified in Government Code 911.2. However, the Governing Board has the discretion to adopt a more flexible time limitation and may increase the amount of time allowed for filing such claims. If the Board adopts a more flexible time limitation, ~~the following paragraph~~ **item #2** should be revised accordingly. ~~In Big Oak Flat Groveland Unified School District v. Superior Court of Tuolumne County, the appellate court ruled that a claim of childhood sexual abuse, which is exempted from the Government Claims Act pursuant to Government Code 905, should have been presented to the district under the district procedures established pursuant to Government Code 935 prior to the filing of the lawsuit on that claim.~~

If a claimant misses a deadline for a claim required to be submitted in accordance with item ~~#1~~ **#2** or **#3** below, he/she may present an application to present a late claim pursuant to Government Code 911.4; see section below entitled "Late Claims."

3.2. In accordance with the Board's authority pursuant to Government Code 935, claims for money or damages which ~~are relate to any cause of action~~ specifically ~~exempted~~ **excepted** from the Government Claims Act by Government Code 905 ~~and~~ **but which** are not governed by any other claims presentation statute or regulation shall be filed not later than six months after the accrual of the cause of action. (Government Code 905, ~~911.2,~~ 935)

~~1- 3.~~ Claims for money or damages relating to a cause of action for death or for injury to person, personal property, or growing crops shall be presented to the Governing Board not later than six months after the accrual of the cause of action. (Government Code ~~905,~~ 911.2)

~~2- 4.~~ Claims for money or damages ~~as authorized in Government Code 905 and not included in item #1 above~~ **relating to any other cause of action** shall be filed not later than one year after the accrual of the cause of action. (Government Code ~~905,~~ 911.2)

Receipt of Claims

A claim, any amendment thereto, or an application to present a late claim shall be deemed presented and received when delivered to the district office or deposited in a post office, mailbox, sub-post office, substation, mail chute, or other similar facility maintained by the U.S. government, in a sealed envelope properly addressed to the district office with postage paid, or when otherwise actually received in the district office or by the Board secretary or clerk. (Government Code 915, 915.2)

Note: In most circumstances, a district's insurance provider or JPA **is** responsible for claims management, including investigating, defending, and managing a district's response to a claim presented under the

CLAIMS AND ACTIONS AGAINST THE DISTRICT (continued)

Government Claims Act. The following paragraph requires the Superintendent or designee to immediately forward any claims received to the district's JPA or insurance provider in order to help ensure compliance with any conditions of coverage.

Upon receipt of a claim against the district pursuant to the Government Claims Act, the Superintendent or designee shall promptly provide written notice to the district's joint powers authority or insurance carrier in accordance with the applicable conditions of coverage.

Review of Contents of the Claim

Note: Most JPAs and insurance carriers provide a claim form. The person submitting the claim need not use the claim form provided by the district, but, pursuant to Government Code 910 and 910.2, the claim must contain a signature and all of the information listed below.

The Superintendent or designee shall review any claim received to ensure that the claim contains all of the following information as specified in Government Code 910 and 910.2:

1. The name and post office address of the claimant
2. The post office address to which the person presenting the claim desires notices to be sent
3. The date, place, and other circumstances of the occurrence or transaction which gave rise to the claim asserted
4. A general description of the indebtedness, obligation, injury, damage, or loss incurred insofar as it may be known at the time of presentation of the claim
5. The name(s) of the district employee(s) causing the injury, damage, or loss if known
6. The amount claimed if it totals less than \$10,000, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of the claim, together with the basis of computation of the amount claimed. If the amount claimed exceeds \$10,000, the dollar amount shall not be included in the claim and the claimant shall indicate whether the claim is a limited civil case.
7. The signature of the claimant or the person acting on his/her behalf

Notice of Claim Insufficiency

Note: Pursuant to Government Code 911, if the district, or the JPA or insurance carrier acting on the district's behalf, fails to give notice that the claim is insufficient, as specified below, then the district may not later raise that issue as a defense to the claim.

CLAIMS AND ACTIONS AGAINST THE DISTRICT (continued)

If a claim is found insufficient or not to satisfy the form requirements under Government Code 910 and 910.2, the Board or its designee shall, within 20 days of receipt of the claim, personally deliver or mail to the claimant, at the address stated in the claim or application, a notice that states the particular defects or omission in the claim. (Government Code 910.8, 915.4)

Note: Districts should be cautious before rejecting a claim because of insufficiency of information and consult legal counsel and/or the district's JPA or insurance provider, as appropriate. Courts have held that a claim is sufficient as long as enough information is disclosed to allow the district to adequately conduct an investigation of the claim's merits.

The Board or designee shall not act upon the claim until at least 15 days after such notice is given. (Government Code 910.8)

Amendment to Claims

Within the time limits provided in the section "Time Limitations" above or prior to final action by the Board or designee, whichever is later, a claim may be amended if, as amended, it relates to the same transaction or occurrence which gave rise to the original claim. (Government Code 910.6)

Late Claims

Note: The reference to item ~~#3~~ #2 in the following paragraph should be deleted if the district has not established district procedures pursuant to Government Code 935 for claims that are specifically exempted in **Government** Code 905 or adopted a time limitation that is not less than one year (see the accompanying Board policy and item ~~#3~~ #2 in the section "Time Limitations" above).

For claims under items ~~#1~~ #2 and #3 in the section "Time Limitations" above, any person who presents a claim later than six months after the accrual of the cause of action shall present, along with the claim, an application to present a late claim. Such claim and the application to present a late claim shall be presented not later than one year after the accrual of the cause of action. (Government Code 905, 911.4)

Note: If the claim is presented late and is not accompanied by an application to present a late claim, the Board or its agent should notify the claimant that "no action" was taken because the claim was presented late. If the Board were to state that the claim was "rejected," this would indicate that the Board had accepted the filing of the late claim and taken action to reject it.

If the claim is presented late and is not accompanied by an application to present a late claim, the Board or its designee may, within 45 days, give written notice that the claim was not presented timely and that it is being returned without further action. (Government Code 911.3)

CLAIMS AND ACTIONS AGAINST THE DISTRICT (continued)

The Board or designee shall grant or deny the application to present a late claim within 45 days after it is presented. This 45-day period may be extended by written agreement of the claimant and the Board provided that such agreement is made before the expiration of the 45-day period. (Government Code 911.6)

The Board or designee shall grant the application to present a late claim where one or more of the following conditions are applicable: (Government Code 911.6)

1. The failure to present the claim was through mistake, inadvertence, surprise, or excusable neglect and the district was not prejudiced in its defense regarding the claim by the claimant's failure to present the claim within the time limit.
2. The person who sustained the alleged injury, damage, or loss was a minor during all of the time specified for presentation of the claim.
3. The person who sustained the alleged injury, damage, or loss was physically or mentally incapacitated during all of the time specified for presentation of the claim and the disability was the reason he/she failed to present the claim.
4. The person who sustained the alleged injury, damage, or loss died before the expiration of the time specified for the presentation of the claim.

If the application to present a late claim is denied, the claimant shall be given notice in substantially the same form as set forth in Government Code 911.8. (Government Code 911.8)

If the Board or designee does not take action on the application to present a late claim within 45 days, the application shall be deemed to have been denied on the 45th day unless the time period has been extended, in which case it shall be denied on the last day of the period specified in the extension agreement. (Government Code 911.6)

Action on Claims

Note: If the Board formally acts to reject a claim and provides notice of such rejection, the claimant has only six months from the rejection to initiate a lawsuit. If the Board takes no action, the claim is considered to be rejected, but the claimant then has two years to initiate a suit against the district. The notice of rejection must comply with the notification requirements of Government Code 913 unless the claim has no address on it.

Although the Board takes final action on claims as specified below, such action is based on the evaluation of the claim by the district's insurance provider or JPA.

Within 45 days after the presentation or amendment of a claim, the Board or designee shall take action on the claim. This time limit may be extended by written agreement between the

CLAIMS AND ACTIONS AGAINST THE DISTRICT (continued)

district and the claimant before the expiration of the 45-day period. If the 45-day period has expired, the time limit may be extended if legal action has not commenced or been barred by legal limitations. (Government Code 912.4)

The Board or designee may act on the claim in one of the following ways: (Government Code 912.4, 912.6)

1. If the Board or designee finds that the claim is not a proper charge against the district, the claim shall be rejected.
2. If the Board or designee finds that the claim is a proper charge against the district and is for an amount justly due, the claim shall be allowed.
3. If the Board or designee finds that the claim is a proper charge against the district but is for an amount greater than is justly due, the Board or designee shall either reject the claim or allow it in the amount justly due and reject it as to the balance.
4. If legal liability of the district or the amount justly due is disputed, the Board or designee may reject or compromise the claim.
5. If the Board or designee takes no action on the claim, the claim shall be deemed rejected.

If the Board or designee allows the claim in whole or in part or compromises the claim and the claimant accepts the amount allowed or offered to settle the claim, the Board or designee may require the claimant to accept it in settlement of the entire claim. (Government Code 912.6)

The Board or its designee shall transmit to the claimant written notice of action taken or of inaction which is deemed rejection. The notice shall be in the form set forth in Government Code 913 and shall either be personally delivered or mailed to the address stated in the claim or application. (Government Code 913, 915.4)

(3/10 7/18) 10/18

CSBA Sample Administrative Regulation

Business and Noninstructional Operations

AR 3460(a)

FINANCIAL REPORTS AND ACCOUNTABILITY

Interim Reports

Note: Education Code 42130 requires that the district issue two interim fiscal reports; see the accompanying Board policy for information about the use of these reports to certify whether the district will be able to meet its fiscal obligations for the remainder of the fiscal year and, based on current forecasts, for the two subsequent fiscal years.

Each interim fiscal report developed pursuant to Education Code 42130 shall include an assessment of the district budget as revised to reflect current information regarding the adopted state budget, district property tax revenues, if any, and ending balances for the preceding fiscal year. (Education Code 42130, 42131)

Note: Interim reports must be based on the criteria and standards adopted by the State Board of Education (SBE) pursuant to Education Code 33127. These criteria and standards are specified in 5 CCR 15453-15464 and address the areas listed below.

The interim reports shall be based on State Board of Education (SBE) criteria and standards which address fund and cash balances, reserves, deficit spending, estimation of average daily attendance (ADA), projected enrollment, ratio of ADA to enrollment, projected local control funding formula (LCFF) revenue, salaries and benefits, other revenues and expenditures, and facilities maintenance. For purposes of assessing projections of LCFF revenue, the first interim report shall be compared to the adopted district budget, and the second interim report shall be compared to the projections in the first interim report. (Education Code 42130; 5 CCR 15453-15464)

(cf. 3100 - Budget)

(cf. 3220.1 - Lottery Funds)

(cf. 3300 - Expenditures and Purchases)

(cf. 3314 - Payment for Goods and Services)

The report shall also provide supplemental information regarding contingent liabilities, use of one-time revenues for ongoing expenditures, contingent revenues, contributions (i.e., projected contributions from unrestricted general fund resources to restricted general fund resources, projected transfers to or from the general fund to cover operating deficits in the general fund or any other fund, and capital project cost overruns that may impact the general fund budget), long-term commitments, unfunded liabilities, temporary interfund borrowings, the status of labor agreements, and the status of other funds. (Education Code 42130; 5 CCR 15453, 15464)

(cf. 3110 - Transfer of Funds)

FINANCIAL REPORTS AND ACCOUNTABILITY (continued)**Audit Report**

Note: Pursuant to Education Code 41020, each year the district is required to arrange for an independent audit of all the district's funds. The audit must be approved by the Governing Board and submitted to the County Superintendent of Schools, California Department of Education (CDE), and State Controller within specified timelines. See the accompanying Board policy.

The Superintendent or designee shall establish a timetable for the completion and review of the annual audit within the deadlines established by law.

Note: The following paragraph is **optional**. Governmental Accounting Standards Board (GASB) Statement 34 contains requirements for the contents of the district's annual audited financial reports.

The Superintendent or designee shall provide the necessary financial records and cooperate with the auditor selected by the Governing Board to ensure that the audit report contains all information required by law and the Governmental Accounting Standards Board (GASB).

Note: Pursuant to Education Code 41020, the audit must include an audit of income and expenditures for all district funds, as provided below. Additionally, Education Code 41020 requires that the audit include a determination of whether funds were expended in accordance with the district's local control and accountability plan (LCAP). Pursuant to Education Code 52061, the annual update to the LCAP must list expenditures for specific actions to be taken to achieve the goals in the LCAP, including expenditures for services to English learners, foster youth, and students eligible for free and reduced-price meals. See BP/AR 0460 - Local Control and Accountability Plan for requirements pertaining to the LCAP.

The audit shall include an audit of income and expenditures by source of funds for all funds of the district, including the student body and cafeteria funds and accounts, state and federal grant funds, and any other funds under the control or jurisdiction of the district, as well as an audit of student attendance procedures. The audit shall also include a determination of whether LCFF funds were expended in accordance with the district's local control and accountability plan or an approved annual update of the plan. (Education Code 41020)

(cf. 0460 - Local Control and Accountability Plan)
(cf. 3230 - Federal Grant Funds)
(cf. 3430 - Investing)
(cf. 3451 - Petty Cash Funds)
(cf. 3452 - Student Activity Funds)
(cf. 3551 - Food Service Operations/Cafeteria Fund)

Note: The following **optional** paragraph is for use by districts that elect to participate in the school district of choice program (Education Code 48300-48316); see BP/AR 5117 - Interdistrict Attendance. Pursuant to Education Code 48301, any district that elects to participate in the school district of choice program must ensure that its annual financial audit includes a review of the district's compliance with program requirements to establish a random, unbiased process for student admittance and to provide appropriate and factually accurate parent/guardian communications. **A summary of any audit exceptions found by the auditor must be included in reports to each geographically adjacent school district, the county office of education, CDE, and Department of Finance as required by Education Code 48313.**

FINANCIAL REPORTS AND ACCOUNTABILITY (continued)

(cf. 5117 - Interdistrict Attendance)

Note: Pursuant to Education Code 41344 and 41344.1, the district may appeal to the Education Audit Appeals Panel (EAAP) when an audit finding requires the district to repay an apportionment or pay a penalty. If the EAAP finds that there has been substantial compliance with the law, it may waive or reduce repayments or order other remedial measures to induce future compliance.

If an audit finding results in the district being required to repay an apportionment or pay a penalty, the district may appeal the finding to the Education Audit Appeals Panel by making an informal summary appeal within 30 days of receiving the final audit report or initiating a formal appeal within 60 days of receiving the report. (Education Code 41344, 41344.1)

While a public accounting firm is performing the audit of the district, it shall not provide any nonauditing, management, or other consulting services for the district except as provided in Government Auditing Standards, Amendment #3, published by the U.S. Government Accountability Office. (Education Code 41020)

Report on Expenditures of State Facilities Funds

Note: Pursuant to Education Code 41024, as added by AB 99 (Ch. 15, Statutes of 2017) and amended by AB 1808 (Ch. 32, Statutes of 2018), districts that receive state facilities funding pursuant to the Leroy F. Greene School Facilities Act (Education Code 17070.10-17079.30) must annually report a detailed list of all expenditures of state funds, including interest, and of the district's matching funds for completed projects. Education Code 41024 requires that an audit of completed facilities projects be submitted within one year of project completion.

Education Code 41024 requires CDE to provide the Office of Public School Construction with a copy of the audit identifying any adjustments to be made in grant funding as a result of the audit findings. The district may appeal any finding in accordance with the timelines and process specified in Education Code 41344.

When the district participates in the school facilities program pursuant to Education Code 17070.10-17079.30, the Superintendent or designee shall annually report a detailed list of all expenditures of state facilities funds, including interest, and of the district's matching funds for completed projects until all such funds are expended. The report shall identify expenditures on a project-by-project basis, reflect completed projects that were reimbursed within that fiscal year, and clearly indicate the list of projects that have been completed. (Education Code 41024; 2 CCR 1859.104)

FINANCIAL REPORTS AND ACCOUNTABILITY (continued)

Audits of facilities projects shall be concluded within one year of project completion, and shall be included as part of the district's audit for the fiscal year in which the project is reported as completed. A project shall be deemed completed when any of the following conditions is met: (Education Code 41024; 2 CCR 1859.104)

- 1. When the notice of completion for the project has been filed, all outstanding invoices, claims, and change orders have been satisfied, and the facility is currently in use by the district**
- 2. Three years from the date of the final fund release for an elementary school project**
- 3. Four years from the date of the final fund release for a middle or high school project**

Fund Balance

Note: The following **optional** section reflects GASB Statement 54, which addresses the manner in which fund balances in the general fund must be reported in external financial reports. Pursuant to GASB 54, the Board has sole authority to specify purposes of committed funds (item #3 below) and also must express, or **delegate** the authority to express, intended purposes of resources resulting in the assigned fund balance (item #4 below); see BP 3100 - Budget.

In accordance with GASB Statement 54, external financial reports shall report fund balances in the general fund within the following classifications based on the relative strength of constraints placed on the purposes for which resources can be used:

1. Nonspendable fund balance, including amounts that are not expected to be converted to cash, such as resources that are not in a spendable form or are legally or contractually required to be maintained intact
2. Restricted fund balance, including amounts constrained to specific purposes by their providers or by law
3. Committed fund balance, including amounts constrained to specific purposes by the Board
4. Assigned fund balance, including amounts which the Board or its designee intends to use for a specific purpose
5. Unassigned fund balance, including amounts that are available for any purpose

FINANCIAL REPORTS AND ACCOUNTABILITY (continued)**Negative Balance Report**

Note: When applicable, Education Code 42127.5 requires districts to report the reasons for a negative unrestricted fund balance or negative cash balance. "Unrestricted funds" are any funds that are not constrained by law to be spent on specific purposes and which therefore may be spent as the Board deems appropriate. Such funds may be reported in the committed fund balance, assigned fund balance, or unassigned fund balance as provided in items #3-5 in the section "Fund Balance" above.

Whenever the district reports a negative unrestricted fund balance or a negative cash balance in its annual budget or annual audit report, it shall include in the budget a statement that identifies the reasons for the negative unrestricted fund balance or negative cash balance and the steps that have been taken to ensure that the negative balance will not occur at the end of the current fiscal year. (Education Code 42127.5)

Non-Voter-Approved Debt Report

Note: The following section addresses notices regarding the issuance of revenue bonds, certificates of participation, and other non-voter-approved debts. Pursuant to Education Code 17150 and 17150.1, the County Superintendent and county auditor may, within 15 days of receiving these notices from the district, comment publicly to the Board regarding the capability of the district to repay the debt obligation.

Pursuant to Education Code 42133, a district that has a qualified or negative certification in any fiscal year cannot issue non-voter-approved debt in that fiscal year or in the next fiscal year unless the County Superintendent determines that the district's repayment of the debt is probable.

Upon approval by the Board to proceed with the issuance of revenue bonds or any agreement for financing school construction pursuant to Education Code 17170-17199.5, the Superintendent or designee shall notify the County Superintendent of Schools and the county auditor. The Superintendent or designee shall provide the Board, the county auditor, the County Superintendent, and the public with related repayment schedules and evidence of the district's ability to repay the obligation. (Education Code 17150)

(cf. 3470 - Debt Issuance and Management)

(cf. 7214 - General Obligation Bonds)

When the Board is considering the issuance of certificates of participation and other debt instruments that are secured by real property and do not require the approval of the voters of the district, the Superintendent or designee shall provide notice to the County Superintendent and county auditor no later than 30 days before the Board's approval to proceed with issuance. The Superintendent or designee shall provide the Board, the county auditor, the County Superintendent, and the public with information necessary to assess the anticipated effect of the debt issuance, including related repayment schedules, evidence of the district's ability to repay the obligation, and the issuance costs. (Education Code 17150.1)

FINANCIAL REPORTS AND ACCOUNTABILITY (continued)**Other Postemployment Benefits Report**

Note: The following section reflects GASB Statement 75, which replaces Statement 45 for fiscal years beginning after June 15, 2017 or sooner at the district's discretion. GASB 75 contains reporting requirements pertaining to "other postemployment benefits" (OPEBs) (i.e., medical, dental, vision, hearing, life insurance, long-term care, long-term disability, and other nonpension benefits for retired employees). Under GASB 75, districts that do not provide OPEB through a trust are required to report the total unfunded liability (i.e., OPEBs that are not prefunded), as calculated in the most recent actuary report, in the district's financial statements. ~~Previously, districts were allowed to amortize the unfunded liability over a period of up to 30 years and report the annual amount in financial statements.~~ The decision of whether to prefund the benefits, and by how much, is at the Board's discretion; see BP 3100 - Budget.

The SBE's criteria and standards for budget adoption (5 CCR 15440-15451) require districts to estimate unfunded OPEBs as well as the unfunded portion of any self-insured benefits program. Changes to the unfunded liabilities are disclosed at interim reporting periods pursuant to 5 CCR 15453 and 15464. These reports are included in the state's standardized account code structure software used to develop budget and interim reports.

CSBA's OPEB Solutions Program provides access to qualified actuaries and consultants and a GASB 45-75-compliant trust to prefund future obligations. See CSBA's web site for further information.

The following **optional** section may be revised to reflect district practice and should be deleted by districts that do not provide OPEBs.

In accordance with GASB Statement 75, the district's financial statements shall report the expense of nonpension other postemployment benefits (OPEBs) on an accrual basis over retirees' active working lifetime, as determined by a qualified actuary procured by the Superintendent or designee. To the extent that these OPEBs are not prefunded, the district shall report a liability on its financial statements.

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

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

The Superintendent or designee shall annually present the estimated accrued but unfunded cost of OPEBs and the actuarial report upon which those costs are based at a public meeting of the Board. (Education Code 42140)

Note: Pursuant to GASB 75, the district must arrange for an actuary to update the valuation of its OPEB obligations every two years. ~~The exception allowing OPEB plans with fewer than 200 members to perform the actuarial valuation every three years has been eliminated effective June 15, 2017.~~ However, GASB 75 includes an option for the use of a specified alternative method in lieu of an actuarial valuation for purposes of determining the total OPEB liability for benefits provided through an OPEB plan with fewer than 100 members. Such districts may modify the following paragraph to reflect district practice.

The district's financial obligation for OPEBs shall be reevaluated every two years in accordance with GASB 75.

FINANCIAL REPORTS AND ACCOUNTABILITY (continued)

(4/14 9/16) 10/18

CSBA Sample Board Policy

Certificated Personnel

BP 4114(a)

TRANSFERS

Note: The following optional policy **is subject to collective bargaining agreements and should be revised to reflect district practice.** ~~is for use by those districts that do not have transfer provisions included in the collective bargaining agreement with certificated employees. Those districts that have such provisions in the bargaining agreement may use and modify the following paragraph for consistency with the agreement.~~

The Governing Board desires that certificated staff be assigned in a manner that equitably distributes highly qualified and experienced teachers, meets the needs of district students, and satisfies staffing requirements at each school. The Superintendent or designee is authorized to assign certificated staff in accordance with district policy and/or the collective bargaining agreement as applicable.

(cf. 0415 - Equity)
(cf. 4030 - Nondiscrimination in Employment)
(cf. 4113 - Assignment)
(cf. 4141/4241- Collective Bargaining Agreement)

Subject to the approval of the **Governing** Board, the Superintendent or designee may transfer a teacher from one district school to another when he/she determines the transfer is in the best interest of the district. (Education Code 35035)

~~*(cf. 4030 - Nondiscrimination in Employment)*~~
~~*(cf. 4113 - Assignment)*~~

~~Such transfers shall be determined in accordance with the district's collective bargaining agreement with certificated employees.~~

~~*(cf. 4141/4241 - Collective Bargaining Agreement)*~~

Voluntary Transfers

The Superintendent or designee may establish processes and deadlines for the submission of transfer requests to facilitate staff assignments with minimal disruption to the educational program.

Upon receipt of a written transfer request by a teacher, the Superintendent or designee may consider the input of the principals at the current school and the requested school, alignment of the teacher's qualifications with needs of **students and** the school(s), **the academic performance of the requested school**, and opportunities for the professional growth of the teacher.

TRANSFERS (continued)

(cf. 4112.2 - Certification)

(cf. 4112.22 - Staff Teaching English Learners)

(cf. 4112.23 - Special Education Staff)

~~Note: SB 1655 (Ch. 518, Statutes of 2006) added Education Code 35036 to allow principals of schools ranked in deciles 1-3 on the Academic Performance Index to refuse a request of a teacher to transfer into the school, as specified below.~~

~~In addition, Education Code 35036, as added by SB 1655 (Ch. 518, Statutes of 2006), prohibits the Board from adopting a policy or regulation or entering into a collective bargaining agreement that, after April 15 prior to the school year that a transfer would become effective, assigns priority to a teacher who requests to be transferred to another school over other qualified teachers who have applied for positions requiring certification qualifications at that school.~~

~~If either of these provisions of Education Code 35036 conflicts with the terms of a collective bargaining agreement in effect on January 1, 2007, the provisions become operative upon the expiration of the agreement.~~

~~However, if the principal of a school ranked in deciles 1-3 on the Academic Performance Index refuses to accept a transfer request, the Superintendent or designee shall not transfer the teacher. (Education Code 35036)~~

(cf. 0500 - Accountability)

After April 15 prior to the school year that a transfer would become effective, no teacher who requests to be transferred to another school shall have priority over other qualified teachers who have applied for positions requiring certification qualifications at that school. (Education Code 35036)

Involuntary Transfers

Involuntary transfers may become necessary when programs are reduced or cancelled, when schools are closed, or when otherwise required in order to accommodate the school's staffing needs.

(cf. 4117.3 - Personnel Reduction)

If a teacher objects to a transfer, he/she may request a meeting with the Superintendent or designee and the principal. If dissatisfied with the results of this meeting, the teacher may appeal to the Board. The Board's decision shall be final.

Legal Reference: (see next page)

TRANSFERS (continued)

Legal Reference:

EDUCATION CODE

35035 *Additional powers and duties of superintendent, transfer authority*

35036 *Voluntary transfers*

35186 *Complaint process, teacher vacancy or misassignment*

37616 *Assignment of teachers to year-round schools*

GOVERNMENT CODE

3543.2 *Scope of representation*

CSBA Sample Board Policy

Students

BP 5141.6(a)

SCHOOL HEALTH SERVICES

Note: The following **optional** policy should be revised to reflect district practice. This policy addresses the provision of health services at or near school sites, ~~such as through (e.g.,~~ a school-based or school-linked health center or mobile van) **through the employment of or contract with health care professionals or community health centers**. Districts maintaining or planning to establish school health services are encouraged to ~~read-review~~ CSBA's policy brief entitled Expanding Access to School Health Services: Policy Considerations for Governing Boards.

Other CSBA sample policies and/or administrative regulations address specific health requirements and services for students. For example, see BP/AR 5141.21 - Administering Medication and Monitoring Health Conditions, AR 5141.24 - Specialized Health Care Services, BP/AR 5141.3 - Health Examinations, and AR 5141.32 - Health Screening for School Entry.

The Governing Board recognizes that good physical and mental health is critical to a student's ability to learn and believes that all students should have access to comprehensive health services. The district may provide access to health services at or near district schools through the establishment of a school health center and/or mobile van(s) that serve multiple campuses.

The Board and the Superintendent or designee shall collaborate with local and state agencies and health care providers to assess the health needs of students in district schools and the community. Based on the results of this needs assessment and the availability of resources, the Superintendent or designee shall recommend for Board approval the types of health services to be provided by the district.

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

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.61 - Drug Testing)

(cf. 5131.62 - Tobacco)

(cf. 5131.63 - Steroids)

(cf. 5141 - Health Care and Emergencies)

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

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.23 - Asthma Management)

(cf. 5141.24 - Specialized Health Care Services)

(cf. 5141.25 - Availability of Condoms)

(cf. 5141.26 - Tuberculosis Testing)

(cf. 5141.3 - Health Examinations)

(cf. 5141.31 - Immunizations)

(cf. 5141.32 - Health Screening for School Entry)

(cf. 5141.33 - Head Lice)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 5141.52 - Suicide Prevention)

(cf. 6145.2 - Athletic Competition)

(cf. 6159 - Individualized Education Program)

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

SCHOOL HEALTH SERVICES (continued)

Note: School health centers are generally funded by a combination of insurance reimbursements; state, federal, and county grants; district funds; subsidies from community clinics or hospitals; and/or private donations. ~~In some cases, the provision of school health services has been supported by grants provided through the state's Healthy Start program (Education Code 8800-8807) although districts are expected to sustain programs and services after the grant period expires.~~

Board approval shall be required for any proposed use of district resources and facilities to support school health services. The Superintendent or designee shall identify funding opportunities available through grant programs, private foundations, and partnerships with local agencies and organizations.

(cf. 1260 - Educational Foundation)
(cf. 1330.1 - Joint Use Agreement)
(cf. 3100 - Budget)
(cf. 7000 - Facilities Master Plan)

Note: The following **optional** paragraph may be revised to reflect district practice. ~~Health and Safety Code 124174.6 establishes a grant program within the Public School Health Center Support Program to award funds to school health centers, if and when funds are appropriated in the State Budget. Preference for grant funding shall be given in accordance with the priorities specified below.~~

The Board may prioritize school health services to schools **servicing students** with the greatest need, including schools with medically underserved populations, **and/or** a high percentage of low-income and uninsured children and youth. ~~large numbers of English learners, Academic Performance Index rankings in deciles 1-3, and/or a shortage of health professionals in the community.~~

(cf. 0415 - Equity)

School health services shall be provided ~~or supervised by~~ **under the supervision of** a licensed health care professional. The Board may employ or contract with health care professionals or partner with community health centers to provide the services under the terms of a written contract or memorandum of understanding.

~~*(cf. 1020 - Youth Services)*~~
(cf. 3312 - Contracts)

If a school nurse is employed by the school or district, he/she shall be involved in planning and implementing the school health services as appropriate.

Note: The following **optional** paragraph may be revised to reflect district practice. The California Department of Education's Health Framework for California Public Schools recommends a coordinated school health approach which integrates health services, health education, physical education, parent/community involvement, nutrition services, psychological and counseling services, a safe and healthy school environment, and health promotion for staff.

SCHOOL HEALTH SERVICES (continued)

The Superintendent or designee shall coordinate the provision of school health services with other student wellness initiatives, including health education, nutrition and physical fitness programs, and other activities designed to create a healthy school environment. The Superintendent or designee shall encourage joint planning and regular communications among health services staff, district administrators, teachers, counselors, other staff, and parents/guardians.

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

(cf. 5030 - Student Wellness)

(cf. 6142.7 - Physical Education and Activity)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6164.2 - Counseling/Guidance Services)

Note: The following **optional** paragraph is for use by districts that choose to engage in outreach and enrollment efforts to encourage eligible students' participation in no-cost or low-cost health coverage programs. **See E 5141.6 for a related sample board resolution.**

Education Code 49557.2 authorizes the district to include on the application for free and reduced-price meals information about the Medi-Cal program and a student's potential eligibility. Pursuant to Education Code 49558, districts may release information on the free and reduced-price meals application to the local agency that determines eligibility under the Medi-Cal program, provided that the student is approved for free meals and the parent/guardian consents to the sharing of information. See BP/AR 3553 - Free and Reduced Price Meals.

~~Students who do not qualify for Medi-Cal may be eligible for low-cost insurance through the state Healthy Families program, a part of the federal State Children's Health Insurance Program (SCHIP) (42 USC 1397aa-1397jj), which provides coverage for a variety of health, dental, and vision services, with the exception of early and periodic screening, diagnosis, and treatment services.~~

~~To further encourage student access to health care services, the Superintendent or designee shall develop and implement outreach strategies to increase enrollment of eligible students from low- to moderate-income families in affordable, comprehensive state or federal health coverage programs and local health initiatives. Such strategies may include, but **are not be** limited to, providing information about the Medi-Cal program on the application for free and reduced-price meals in accordance with law **and providing students and parents/guardians with information about the low-cost Healthy Families insurance program.**~~

(cf. 3553 - Free and Reduced Price Meals)

Consent and Confidentiality

Note: **Parent/guardian consent is generally required prior to providing health services to a minor student. However,** Family Code 6920-6929 specify exceptions under which minors do not need parent/guardian consent prior to receiving services, **including an exception for:** ~~As amended by AB 499 (Ch. 652, Statutes of 2011), Family Code 6926 authorizes~~ a minor age 12 years or older to consent to medical care related to the prevention of a sexually transmitted disease. In addition, Health and Safety Code 124260 allows a minor age 12 or older to consent to outpatient mental health services if, in the opinion of a

SCHOOL HEALTH SERVICES (continued)

professional person, as defined, the minor is mature enough to participate intelligently in the mental health treatment or counseling services. In this case, the child's parent/guardian must be involved unless the professional person determines it would be inappropriate.

The Superintendent or designee shall obtain written parent/guardian consent prior to providing services to a student, except when the student is authorized to consent to the service pursuant to Family Code 6920-6929, Health and Safety Code 124260, or other applicable law.

Note: The Health Insurance Portability and Accountability Act (HIPAA) (45 CFR 164.500-164.534) mandates actions that "covered entities" must take to protect the privacy of an individual's health information. Generally, entities covered by HIPAA may release or receive "protected health information" about an individual only if that individual gives permission or the Act expressly permits its release. Districts with questions about the applicability of HIPAA should consult legal counsel as appropriate.

In addition, 22 CCR 51270 requires districts serving as Medi-Cal providers (see section entitled "Payment/Reimbursement for Services" below) to comply with confidentiality requirements specified in ~~42 USC 1320c-9, 42 CFR 431.300, Welfare and Institutions Code 14100.2,~~ Education Code 49073-49079, Welfare and Institutions Code 14100.2, ~~and~~ 22 CCR 51009, 42 USC 1320c-9, and 42 CFR 431.300.

The Superintendent or designee shall maintain the confidentiality of student health records in accordance with law.

(cf. 5125 - Student Records)

Payment/Reimbursement for Services

Note: Some school health services, such as medical and related services specified in an individualized education program for students with disabilities, must be provided free of charge. For other services, districts may charge a fee and are entitled to seek third-party reimbursement from students' private insurance and state or federal programs such as Medi-Cal, ~~the low-cost Healthy Families insurance program, and or~~ the Child Health and Disability Prevention program. See the accompanying administrative regulation.

~~The Board desires that costs not be a barrier to student access to services. Services may be provided free of charge or on a sliding scale in accordance with law.~~

The Superintendent or designee ~~shall establish procedures for billing~~ **may bill** public and private insurance programs and other applicable programs for reimbursement of services as appropriate. **Services may be provided free of charge or on a sliding scale in accordance with law.**

(cf. 5143 - Insurance)

SCHOOL HEALTH SERVICES (continued)

Note: The following **optional** paragraph is for use by districts that have received approval from the California Department of Health Care Services to serve as Medi-Cal providers. ~~A program that receives funding through the Healthy Start program is required by Education Code 8804 to seek designation as a Medi-Cal provider.~~ Pursuant to Welfare and Institutions Code 14132.06 and 22 CCR 51051 and 51190.1, to the extent that federal funding is available, local educational agencies (LEAs) may receive partial Medi-Cal reimbursement through the LEA Medi-Cal Billing Option for health services provided to an enrolled student under age 22 who is certified for Medi-Cal and/or **an eligible a** member of **his/her the student's** family. In addition, pursuant to Welfare and Institutions Code 14132.47, LEAs may be reimbursed through the Medi-Cal Administrative Activities (MAA) program for some of their administrative costs associated with school-based health and outreach activities that are not claimable under the LEA Medi-Cal Billing Option or other programs. See the accompanying administrative regulation.

Districts may receive assistance with Medi-Cal **and Medicaid** billing through CSBA's Practi-Cal program. See CSBA's web site for further information.

The district shall serve as a Medi-Cal provider to the extent feasible, comply with all related legal requirements, and seek reimbursement of costs to the extent allowed by law.

Note: The following **optional** paragraph is for use by districts that choose to engage in outreach and enrollment efforts to encourage eligible students' participation in no cost or low cost health coverage programs. See E 5141.6 for a related sample board resolution.

~~Education Code 49557.2 authorizes the district to include on the application for free and reduced price meals information about the Medi-Cal program and a student's potential eligibility. Pursuant to Education Code 49558, districts may release information on the free and reduced price meals application to the local agency that determines eligibility under the Medi-Cal program, provided that the student is approved for free meals and the parent/guardian consents to the sharing of information. See BP/AR 3553—Free and Reduced Price Meals.~~

~~Students who do not qualify for Medi-Cal may be eligible for low cost insurance through the state Healthy Families program, a part of the federal State Children's Health Insurance Program (SCHIP) (42 USC 1397aa-1397jj), which provides coverage for a variety of health, dental, and vision services, with the exception of early and periodic screening, diagnosis, and treatment services.~~

~~To further encourage student access to health care services, the Superintendent or designee shall develop and implement outreach strategies to increase enrollment of eligible students from low to moderate income families in affordable, comprehensive state or federal health coverage programs and local health initiatives. Such strategies may include, but not be limited to, providing information about the Medi-Cal program on the application for free and reduced price meals in accordance with law and providing students and parents/guardians with information about the low cost Healthy Families insurance program.~~

(cf. 3553—Free and Reduced Price Meals)

Program Evaluation

In order to continuously improve school health services, the Board shall evaluate the effectiveness of such services and the extent to which they continue to meet student needs.

SCHOOL HEALTH SERVICES (continued)

The Superintendent or designee shall provide the Board with periodic reports that may include, but **are** not necessarily **be** limited to, rates of participation in school health services; changes in student outcomes such as school attendance or achievement; **measures of school climate**; feedback from staff and participants regarding program accessibility and operations, including accessibility to low-income and linguistically and culturally diverse students and families; and program costs and revenues.

(cf. 0500 - Accountability)

*Legal Reference:*EDUCATION CODE

~~8800-8807 Healthy Start support services for children~~

49073-49079 Privacy of student records

49423.5 Specialized physical health care services

49557.2-49558 Eligibility for free and reduced-price meals; sharing information with Medi-Cal

FAMILY CODE

6920-6929 Consent by minor for medical treatment

GOVERNMENT CODE

95020 Individualized family service plan

HEALTH AND SAFETY CODE

104830-104865 School-based application of fluoride or other tooth decay-inhibiting agent

121020 HIV/AIDS testing and treatment; parental consent for minor under age 12

123110 Minor's right to access health records

123115 Limitation on parent/guardian access to minor's health records

123800-123995 California Children's Services Act

124025-124110 Child Health and Disability Prevention Program

124172-124174.6 Public School Health Center Support Program

124260 Mental health services; consent by minors age 12 and older

130300-130317 Health Insurance Portability and Accountability Act (HIPAA)

WELFARE AND INSTITUTIONS CODE

14059.5 Definition of "medically necessary"

14100.2 Confidentiality of Medi-Cal information

14115 Medi-Cal claims process

14115.8 LEA Medi-Cal Billing Option, program guide

14124.90 Third-party health coverage

14132.06 Covered benefits; health services provided by local educational agencies

14132.47 Administrative claiming process and targeted case management

CODE OF REGULATIONS, TITLE 10

~~2699.6500-2699.6905 Healthy Families Program~~

CODE OF REGULATIONS, TITLE 17

2951 Testing standards for hearing tests

6800-6874 Child Health and Disability Prevention Program

Legal Reference continued: (see next page)

SCHOOL HEALTH SERVICES (continued)

Legal Reference: (continued)

CODE OF REGULATIONS, TITLE 22

51009 Confidentiality

51050-51192 Definitions of Medi-Cal providers and services

51200 Requirements for providers

51231.2 Wheelchair van requirements

51270 Local educational agency provider; conditions for participation

51304 Limitations on specified benefits

51309 Psychology, physical therapy, occupational therapy, speech pathology, audiological services

51323 Medical transportation services

51351 Targeted case management services

51360 Local educational agency; types of services

51491 Local educational agency eligibility for payment

51535.5 Reimbursement to local educational agency providers

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act (FERPA)

UNITED STATES CODE, TITLE 42

1320c-9 Prohibition against disclosure of records

1397aa-1397jjmm State Children's Health Insurance Program

CODE OF FEDERAL REGULATIONS, TITLE 42

431.300 Use and disclosure of information on Medicaid applicants and recipients

CODE OF FEDERAL REGULATIONS, TITLE 45

164.500-164.534 Health Insurance Portability and Accountability Act (HIPAA)

Management Resources:

CSBA PUBLICATIONS

Expanding Access to School Health Services: Policy Considerations for Governing Boards, Policy Brief, November 2008

Promoting Oral Health for California's Students: New Role, New Opportunities for Schools, Policy Brief, November 2008

Providing School Health Services in California: Perceptions, Challenges and Needs of District Leadership Teams, 2008

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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California School-Based Medi-Cal Administrative Activities Manual

LEA Medi-Cal Provider Manual

California School-Based Medi-Cal Administrative Activities Manual

DEPARTMENT OF HEALTH SERVICES POLICY LETTERS

00-06 Managed Care Plan Relationships with Local Education Agency Providers, December 11, 2000

CALIFORNIA SCHOOL-BASED HEALTH ALLIANCE PUBLICATIONS

How to Fund Health Services in Your School District, September 2014

Documenting the Link Between School-Based Health Centers and Academic Success, May 2014

NATIONAL ASSEMBLY ON SCHOOL-BASED HEALTH CARE PUBLICATIONS

A Guidebook for Evaluating School-Based Health Centers

Management Resources continued: (see next page)

SCHOOL HEALTH SERVICES (continued)

Management Resources: (continued)

NATIONAL CENTER FOR YOUTH LAW PUBLICATIONS

~~Minor Consent, Confidentiality, and Child Abuse Reporting in California, October 2006~~

Confidential Medical Release: Frequently Asked Questions from Schools and Districts, November 2015

WEB SITES

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

CSBA, Practi-Cal Program: ~~<http://www.csba.org/Services/Services/DistrictServices/PractiCal.aspx>~~
<https://www.csba.org/ProductsAndServices/AllServices/PractiCal>

California County Superintendents Educational Services Association: <http://www.ccsesa.org>

California Department of Education, Health Services and School Nursing:

<http://www.cde.ca.gov/ls/he/hn>

California Department of Health Care Services: <http://www.dhcs.ca.gov>

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

California ~~School Health Centers Association~~ **School-Based Health Alliance:**

<http://www.schoolhealthcenters.org>

California School Nurses Organization: <http://www.csno.org>

Center for Health and Health Care in Schools: <http://www.healthinschools.org>

Centers for Disease Control and Prevention, School Health Policies and Programs (SHPPS) Study:

<http://www.cdc.gov/HealthyYouth/shpps>

Centers for Medicare and Medicaid Services: <http://www.cms.hhs.gov>

~~Healthy Families Program: <http://www.healthyfamilies.ca.gov>~~

~~National Assembly on School Based Health Care: <http://www.nasbhe.org>~~

National Center for Youth Law: <http://www.youthlaw.org>

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Policy Reference UPDATE Service

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CSBA Sample Administrative Regulation

Students

AR 5141.6(a)

SCHOOL HEALTH SERVICES

Types of Health Services

Note: The following **optional** section may be revised to reflect district practice. ~~Health and Safety Code 124174.6 establishes a grant program within the Public School Health Center Support Program to award funds, if and when funds are appropriated in the State Budget, to school health centers that provide the following services.~~

In accordance with student and community needs and available resources, school health services offered by the district may include, but are not limited to:

1. Health screenings, evaluations, and assessments of students' need for health services

~~1.2.~~ Physical examinations, immunizations, and other preventive medical services

(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.3 - Health Examinations)
(cf. 5141.31 - Immunizations)
(cf. 5141.32 - Health Screening for School Entry)

~~2.~~ **3.** First aid and administration of medications

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

~~3.~~ **4.** Diagnosis and treatment of minor injuries and acute medical conditions

~~4.~~ **5.** Management of chronic medical conditions

(cf. 5141.23 - Asthma Management)

~~5.~~ **6.** Basic laboratory tests

~~6.~~ **Referral to and follow up for specialty care**

7. Emergency response procedures

(cf. 5141 - Health Care and Emergencies)

8. Nutrition services

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

SCHOOL HEALTH SERVICES (continued)

(cf. 5030 - Student Wellness)

9. Oral health services that may include preventive services, basic restorative services, and referral to specialty services

Note: Pursuant to Health and Safety Code 104830-104865, elementary and secondary students must be offered an opportunity each school year to receive a topical application of fluoride or other decay-inhibiting agent by a dentist or dental assistant, under a program organized and operated by the county health officer. Districts are required to cooperate with the county health officer in carrying out the program in any school in their jurisdiction and to provide notification to parents/guardians regarding the availability of the program, as provided below.

The Superintendent or designee shall notify all parents/guardians of the opportunity pursuant to Health and Safety Code 104830-104865 for their child to receive the topical application of fluoride, including fluoride varnish, or other decay-inhibiting agent to the teeth during the school year. **This notification may be returned by the parent/guardian to consent to the treatment or to indicate that the student shall not receive treatment because he/she has received the treatment from a dentist or the treatment is not desired. Such application of fluoride or other decay-inhibiting agent shall only be provided to a student whose parent/guardian returns the notification with an indication consenting to the treatment.** (Health and Safety Code 104830, 104850, 104855)

(cf. 5145.6 - Parental Notifications)

10. Mental health services, which may include assessments, crisis intervention, counseling, treatment, and referral to a continuum of services including emergency psychiatric care, community support programs, inpatient care, and outpatient programs

~~*(cf. 1020 - Youth Services)*~~

~~*(cf. 5141.52 - Suicide Prevention)*~~

~~*(cf. 6164.2 - Counseling/Guidance Services)*~~

11. Substance abuse prevention and intervention services

~~*(cf. 5131.6 - Alcohol and Other Drugs)*~~

~~*(cf. 5131.62 - Tobacco)*~~

~~*(cf. 5131.63 - Steroids)*~~

12. Vision and audiology services

13. Speech therapy

14. Occupational therapy

SCHOOL HEALTH SERVICES (continued)

15. Physical therapy

Note: Item #~~12~~16 may be deleted by districts that offer only elementary grades.

~~12~~16. Reproductive health services

(cf. 5141.25 - Availability of Condoms)

~~13.~~ Screening of students to identify the need for physical, mental, and oral health services

17. Specialized health care services for students with disabilities

(cf. 5141.24 - Specialized Health Care Services)

(cf. 6159 - Individualized Education Program)

18. Medical transportation

19. Targeted case management

~~14~~20. Referrals and linkage to services not offered on-site

~~15~~21. Public health and disease surveillance

~~16~~22. Individual and family health education

~~17~~23. School or districtwide health promotion

Medi-Cal Billing

Note: The following **optional** section is for use by districts that have contracted with the California Department of Health Care Services (DHCS) in order to provide services as a Medi-Cal provider as authorized by Welfare and Institutions Code 14132.06; see the accompanying Board policy. To the extent that the district contracts with health care practitioners or clinics to provide the services, the practitioner or clinic is considered the provider of services and is the entity billing and receiving Medi-Cal payments for services.

Welfare and Institutions Code 14115.8, as amended by AB 3192 (Ch. 658, Statutes of 2018), requires DHCS, by January 1, 2020, to develop and distribute a program guide containing information regarding processes, documentation, and the proper submission of claims under the LEA Medi-Cal Billing Option program.

In order to provide services as a Medi-Cal provider, the district shall enter into and maintain a contract with the California Department of Health Care Services (DHCS). (Welfare and Institutions Code 14132.06; 22 CCR 51051, 51270)

SCHOOL HEALTH SERVICES (continued)

Note: With the exception of health care aides who provide specialized physical health care services pursuant to Education Code 49423.5, any practitioner whom the district employs or with whom it contracts must be credentialed to practice as a physician, registered nurse, psychologist, school counselor, or one of ~~17~~ **the** other professions listed in 22 CCR 51190.3 in order for the district to receive Medi-Cal reimbursement.

The Superintendent or designee shall ensure that all practitioners employed by or under contract with the district possess the appropriate license, certification, registration, or credential and provide only those services that are within their scope of practice. (22 CCR 51190.3, 51270, 51491)

Note: ~~Pursuant to Welfare and Institutions Code 14132.06 and 22 CCR 51535.5, r~~Reimbursement under Medi-Cal is limited to the services specified in **Welfare and Institutions Code 14132.06 and** 22 CCR 51190.4 and 51360. ~~Also, Medi-Cal will not reimburse providers for services given to Medi-Cal beneficiaries if the same services are offered for free to non-Medi-Cal beneficiaries. Pursuant to Welfare and Institutions Code 14132.06, services may be reimbursable whether or not the student has an individualized education program (IEP) or individualized family service plan (IFSP) or whether those same services are provided at no charge to the beneficiary or to the community at large.~~

22 CCR 51360 provides that **services for accompanying a student off campus for off campus** nursing or school health aide services will be reimbursable when specified **as medically necessary** in an individualized education program (IEP), **or individualized family service plan (IFSP), or individualized health and support plan (IHSP);** however, the DHCS discontinued reimbursement for IHSP linked services effective July 1, 2001. Its action was based on a decision by the Centers for Medicare and Medicaid Services (CMS) that IHSP services are not covered by the federal Medicaid program. Thus, such services must be specified in an IEP or IFSP to be reimbursable. ~~The district may apply for Medi-Cal reimbursement for medical transportation services for students with or without an IEP or IFSP pursuant to 22 CCR 51323.~~

The Superintendent or designee shall submit a claim for Medi-Cal reimbursement whenever the district provides a **Medi-Cal-eligible student under age 22 and/or a member of his/her the student's family a covered preventive, diagnostic, therapeutic, or rehabilitative service** specified in 22 CCR 51190.4 or 51360 ~~to a Medi-Cal eligible student under age 22 and/or a member of his/her family.~~ (Welfare and Institutions Code 14132.06; 22 CCR 51096, 51098, 51190.1, 51190.4, 51309, 51360, 51535.5)

~~(cf. 5141.24 - Specialized Health Care Services)
(cf. 6159 - Individualized Education Program)~~

The district shall maintain records and supporting documentation including, but not limited to, records of the type and extent of services provided to a Medi-Cal beneficiary in accordance with law. (22 CCR 51270, 51476)

~~(cf. 3580 - District Records)
(cf. 5125 - Student Records)~~

Note: ~~22 CCR 51270 requires that districts submit an annual report, as described below, as a condition of continued participation as a Medi-Cal provider. The deadline for this annual report is specified in the program provider participation agreement that districts enter into with DHCS.~~

SCHOOL HEALTH SERVICES (continued)

~~The Superintendent or designee shall submit an annual report to DHCS identifying participants in the community collaborative, containing a financial summary including reinvestment expenditures, and describing service priorities for the future. (22 CCR 51270)~~

Note: 22 CCR 51270 requires federal reimbursements to be reinvested in health and social services for students and their families, as provided below. This requirement does not apply to reimbursements received under the Medi-Cal Administrative Activities (MAA) program described in the following section.

Any federal funds received by the district as reimbursement for the costs of services under the Medi-Cal billing option shall be reinvested in **approved** services for students and their families ~~as specified in Education Code 8804(g)~~. The Superintendent or designee shall consult with a local school-linked services collaborative group, ~~such as that defined in Education Code 8806~~, regarding decisions on reinvestment of federal funds. (22 CCR 51270)

Note: 22 CCR 51270 requires that districts submit an annual report, as described below, as a condition of continued participation as a Medi-Cal provider. The deadline for this annual report is specified in the program provider participation agreement that districts enter into with DHCS.

~~The Superintendent or designee shall submit an annual report to DHCS to identifying participants in the community collaborative, containing~~ **provide** a financial summary including reinvestment expenditures, and ~~describing~~ **describe** service priorities for the future. (22 CCR 51270)

Medi-Cal Administrative Activities

Note: The following **optional** section is for use by districts that participate in the MAA program administered by ~~the~~ DHCS pursuant to Welfare and Institutions Code 14132.47. Under this program, districts providing Medi-Cal-covered health services may be reimbursed for some of their administrative and outreach costs. ~~School staff is required to complete a time survey indicating the time spent on specified MAA activities.~~ This section reflects program requirements described in the California School-Based Medi-Cal Administrative Activities Manual and time survey forms published by DHCS.

Districts may receive assistance with Medi-Cal ~~and Medicaid~~ administrative billing through CSBA's Practical program. See CSBA's web site for further information.

~~Designated school staff shall document, on a time survey form, the amount of time spent on~~ **The district shall apply for reimbursement for** activities identified by DHCS which are related to the administration of the Medi-Cal program. Such activities include, but are not be limited to, outreach, ~~referral of health and mental health services~~, translation **for Medi-Cal** services, facilitation of applications, ~~scheduling and arranging~~ **arrangement of non**emergency and **non**medical transportation of eligible individuals, ~~contracting for services~~, program planning and policy development, claims **coordination and** administration, **training**, and general administration.

SCHOOL HEALTH SERVICES (continued)

Appropriate staff shall receive training in administrative claiming categories and related activities.

Note: The district must submit claims through either a local educational agency consortium (i.e., one of the service regions of the California County Superintendent Educational Services Association) or a local governmental agency (i.e., county or chartered city) that has contracted with DHCS. The district may modify the following **two paragraphs** to reflect the appropriate entity or agency.

To receive reimbursement for Medi-Cal administrative activities, ~~the~~ Superintendent or designee shall, on a quarterly basis, submit an invoice to the local educational consortium or local governmental agency through which the district has contracted ~~to receive reimbursement.~~

Note: ~~The program requires the local educational consortium or local governmental agency to provide training to participating districts prior to the time survey. District staff to be included in the time survey must participate in training as described in the following paragraph.~~

~~Staff responsible for completing the time survey shall annually participate in training regarding eligible activities and the time survey methodology, and shall receive additional training whenever there are changes or updates in administrative claiming categories and activities. New or reassigned staff shall receive training before beginning their duties completing time surveys.~~

Note: The MAA program requires randomly selected employees who perform MAA activities as a normal part of their job duties to complete a random-moment time study which is used to determine the work effort of all time study participants over a given time period. Further information regarding the required procedure is available on the DHCS web site.

In addition, the Superintendent or designee shall submit to the local educational consortium or local governmental agency, and shall update each quarter, a roster of all employees who perform direct Medi-Cal services or administrative activities. When notified by the local educational consortium or local governmental agency of the date and time that a random-moment time survey must be conducted by a particular employee, the Superintendent or designee shall coordinate the completion and submission of the survey in accordance with DHCS timelines and procedures.

The Superintendent or designee shall maintain an audit file containing ~~original~~ **random-moment** time survey documentation and other records specified by DHCS. Such documentation shall be kept for three years after the end of the quarter in which expenditures were incurred or, if an audit is in progress, until the completion of the audit.

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CSBA Sample Board Policy

Students

BP 5144.1(a)

SUSPENSION AND EXPULSION/DUE PROCESS

Note: Education Code 35291 requires the Governing Board to prescribe rules and regulations for maintaining discipline in the schools under its jurisdiction. Education Code 48918 **mandates** the setting of rules and regulations for student expulsion as specified in this Board policy and the accompanying administrative regulation.

While recognizing that suspension or expulsion of students is sometimes necessary, legislative, administrative, regulatory, civic, and educational leaders are united in the belief that instructional time should be used for student learning purposes and that school discipline should be imposed in a way that, as much as possible, does not exclude students from school or limit their ability or opportunity to learn. According to the U.S. Department of Justice's Civil Rights Division (DOJ) and the U.S. Department of Education's Office for Civil Rights (OCR), in their joint January 2014 [Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline](#), studies suggest a correlation between exclusionary discipline policies and practices (such as suspension and expulsion) and an array of serious educational, economic, and social problems, including school avoidance and diminished educational engagement, decreased academic achievement, increased behavior problems, and increased likelihood of dropping out, substance abuse, and involvement with the juvenile justice system. Consequently, they recommend that districts adopt alternative disciplinary measures that provide students with appropriate interventions and supports as a means for preventing and addressing student misbehaviors.

Pursuant to Education Code 48900.5, a district is not authorized to suspend a student for certain specified violations unless the student has been subjected to other means of correction which have failed to bring about proper conduct. Such other means of correction include, but are not limited to, conferences between school personnel and the student and his/her parents/guardians; use of study, guidance, or other intervention teams to develop a plan to address the behavior in partnership with the student; and participation in a restorative justice program. For further information about specific disciplinary strategies, including alternatives to class or school removals, see BP/AR 5144 - Discipline. Education Code 48900.5 authorizes a district to document in a student's records the alternative means of correction used to address the student's behavior. Furthermore, when a student is being suspended by the Superintendent, principal, or designee, Education Code 48911, ~~as amended by AB 667 (Ch. 445, Statutes of 2017)~~, requires that the student be informed, during the informal conference that precedes the suspension, of the other means of correction that were attempted before the suspension.

The Governing Board desires to provide district students access to educational opportunities in an orderly school environment that protects their safety and security, ensures their welfare and well-being, and promotes their learning and development. The Board shall develop rules and regulations setting the standards of behavior expected of district students and the disciplinary processes and procedures for addressing violations of those standards, including suspension and/or expulsion.

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.2 - Bullying)

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

The grounds for suspension and expulsion and the procedures for considering, recommending, and/or implementing suspension and expulsion shall be only those specified in law, in this policy, and in the accompanying administrative regulation.

Note: Pursuant to Education Code 48900(s), a student may be subject to discipline only when the violation is related to a school activity or school attendance as specified below. A student may also be disciplined for a violation committed away from school if it is related to a school activity or to school attendance. For example, Education Code 48900 defines bullying by means of an electronic act as including an act that originates off campus; see the accompanying administrative regulation and BP/AR 5131.2 - Bullying. Another example is the hostile school environment which a victim may suffer from sexual harassment that occurs off campus; see BP/AR 5145.7 - Sexual Harassment.

Except when otherwise permitted by law, a student may be suspended or expelled only when his/her behavior is related to a school activity or school attendance occurring within any district school or another school district, regardless of when it occurs, including, but not limited to, the following: (Education Code 48900(s))

1. While on school grounds
2. While going to or coming from school
3. During the lunch period, whether on or off the school campus

(cf. 5112.5 - Open/Closed Campus)

4. During, going to, or coming from a school-sponsored activity

Note: The following paragraph addresses the problem of unlawful discrimination in the administration of student discipline. In their joint January 2014 Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, DOJ and OCR noted that, based on the civil rights data collection conducted by OCR, students of certain racial or ethnic groups tended to be disciplined more, and sometimes more harshly, than their similarly situated peers in violation of federal nondiscrimination laws. The letter warned that any district determined to have engaged in unlawful discrimination could be subject to OCR investigation and significant remedial action.

District staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, equally, and in accordance with the district's nondiscrimination policies.

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

Appropriate Use of Suspension Authority

Note: Education Code 48900.5 requires districts to use other means of correction instead of suspension or expulsion except when a student commits certain enumerated offenses. The following section reflects legislative intent regarding appropriate use of suspension as a means of disciplining students and may be modified to reflect district practice.

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

Except when a student's act violates Education Code 48900(a)-(e), as listed in items #1-5 under "Grounds for Suspension and Expulsion: Grades K-12" of the accompanying administrative regulation, or when his/her presence causes a danger to others, suspension shall be used only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5, 48900.6)

(cf. 1020 - Youth Services)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

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

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6164.5 - Student Success Teams)

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| Note: The following optional paragraph may be revised to reflect district practice. |
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A student's parents/guardians shall be notified as soon as possible when there is an escalating pattern of misbehavior that could lead to on-campus or off-campus suspension.

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| Note: Education Code 48900(k) prohibits a district from suspending students in grades K-3 for disruption or willful defiance and authorizes, but does not require, a district to suspend students in grades 4-12 for disruption or willful defiance. Even with this authority, districts should be careful in using these grounds, as available data have indicated a disproportionate use with certain student subgroups. Option 1 below is for use by any district that chooses to suspend students in grades 4-12 for disruption and/or willful defiance as authorized pursuant to Education Code 48900(k). Any district that chooses to eliminate disruption and willful defiance as reasons for suspending any of its students from school should select Option 2 below. Such districts should also delete the first paragraph in the section titled "Additional Grounds for Suspension and Expulsion: Grades 4-12" in the accompanying administrative regulation. |
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| Each option below reflects an exception granted to teachers pursuant to Education Code 48910 to suspend students, including a K-3 student, from class; see section "Suspension from Class by a Teacher" in the accompanying administrative regulation. |
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OPTION 1: No student in grades K-3 may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code 48910. (Education Code 48900)

OPTION 2: No student may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code 48910. (Education Code 48900)

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| Note: The following optional paragraph reflects the Legislature's intent, expressed in Education Code 48900, concerning disciplinary actions against truant, tardy, or absent students. Since these are not enumerated offenses, a district does not have the authority to suspend or expel students for committing any of these acts. |
|---|

Students shall not be suspended or expelled for truancy, tardiness, or absenteeism from assigned school activities.

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

On-Campus Suspension

Note: As an alternative to off-campus suspension, Education Code 48911.1 authorizes a supervised suspension classroom program for students who pose no imminent danger to anyone at school and who have not been recommended for expulsion, as specified below. Education Code 48911.2 states that, if the number of students suspended during the prior year exceeds 30 percent of the school's enrollment, the district should consider implementing this program and/or another on-campus progressive discipline program.

The following **optional** section is for use by districts implementing a supervised suspension classroom program. Such districts may continue to claim funding apportionments for students so assigned, provided they meet specific criteria which are set forth under "Supervised Suspension Classroom" in the accompanying administrative regulation. A district does not receive funding for off-campus suspensions.

To ensure the proper supervision and ongoing learning of students who are suspended for any of the reasons enumerated in Education Code 48900 and 48900.2, but who pose no imminent danger or threat to anyone at school and for whom expulsion proceedings have not been initiated, the Superintendent or designee shall establish a supervised suspension classroom program which meets the requirements of law.

Except where a supervised suspension is permitted by law for a student's first offense, supervised suspension shall be imposed only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5)

Authority to Expel

A student may be expelled only by the Board. (Education Code 48918(j))

As required by law, the Superintendent or principal shall recommend expulsion and the Board shall expel any student found to have committed any of the following "mandatory recommendation and mandatory expulsion" acts at school or at a school activity off school grounds: (Education Code 48915)

1. Possessing a firearm which is not an imitation firearm, as verified by a certificated employee, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence

(cf. 5131.7 - Weapons and Dangerous Instruments)

2. Selling or otherwise furnishing a firearm
3. Brandishing a knife at another person

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

4. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
5. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committing a sexual battery as defined in Penal Code 243.4
6. Possessing an explosive as defined in 18 USC 921

For all other violations listed in the accompanying administrative regulation under "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12," the Superintendent or principal shall have the discretion to recommend expulsion of a student. If expulsion is recommended, the Board shall order the student expelled only if it makes a finding of either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct
2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

A vote to expel a student shall be taken in an open session of a Board meeting.

Note: Pursuant to Education Code 48917, the Board may decide to suspend the enforcement of an order for expulsion as long as a student satisfies specific conditions. See the accompanying administrative regulation for criteria. In addition, the Attorney General opined in 80 Ops.Cal.Atty.Gen. 85 (1997) that the enforcement of an expulsion order may be suspended even in those cases where the student has committed an offense for which expulsion is required by law. Legal counsel should be consulted as appropriate.

The Board may vote to suspend the enforcement of the expulsion order pursuant to the requirements of law and the accompanying administrative regulation. (Education Code 48917)

No student shall be expelled for disruption or willful defiance. (Education Code 48900)

Note: The following paragraph is for use by districts that contract with the California Department of Education (CDE) to operate a California State Preschool Program. Education Code 8239.1, as added by AB 752 (Ch. 708, Statutes of 2017), prohibits the expulsion or disenrollment of a child in a preschool program unless the district has taken specified steps and the child's continued enrollment would present a serious safety threat to the child or other enrolled children. For further details regarding the steps the district must take prior to expelling a child, see BP 5148.3 - Preschool/Early Childhood Education.

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

No child enrolled in a preschool program shall be expelled except under limited circumstances as specified in AR 5148.3 - Preschool/Early Childhood Education.

(cf. 5148.3 - Preschool/Early Childhood Education)

Due Process

The Board shall provide for the fair and equitable treatment of students facing suspension and/or expulsion by affording them their due process rights under the law. The Superintendent or designee shall comply with procedures for notices, hearings, and appeals as specified in law and administrative regulation. (Education Code 48911, 48915, 48915.5, 48918)

(cf. 5119 - Students Expelled from Other Districts)

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

Maintenance and Monitoring of Outcome Data

Note: Pursuant to Education Code 48900.8 and 48916.1, **require** the district ~~is required~~ to maintain data related to suspensions and expulsions **as provided below. Pursuant to Education Code 48916.1, the and to report such data to the Superintendent of Public Instruction may require submission of such data as part of the Federal Program Monitoring process. In addition, 20 USC 7961 requires districts to submit to the CDE a description of the circumstances surrounding any expulsions based on bringing or possessing a firearm on campus, including the name of the school, the number of students expelled, and the type of firearms involved.**

The Superintendent or designee shall ~~annually present to the Board a report of the~~ **maintain** outcome data **related to student suspensions and expulsions in accordance with which the district is required to collect pursuant to** Education Code 48900.8 and 48916.1, including, **but not limited to,** the number of students recommended for expulsion, the grounds for each recommended expulsion, the actions taken by the Board, the types of referral made after each expulsion, and the disposition of the students after the expulsion period. **For any expulsion that involves the possession of a firearm, such data shall include the name of the school and the type of firearm involved, as required pursuant to 20 USC 7961. Suspension and expulsion data shall be reported to the Board annually and to the California Department of Education when so required.**

Note: Pursuant to Education Code 52060, districts are required to address school climate in the local control and accountability plan, as measured by student suspension and expulsion rates and other local measures for each school and each numerically significant student subgroup. As defined in Education Code 52052, numerically significant subgroups include ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, when there are at least 30 students in the subgroup or at least 15 foster youth or homeless students.

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

In presenting the report to the Board, the Superintendent or designee shall disaggregate data on suspensions and expulsions by school and by numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students. Based on the data, the Board shall address any identified disparities in the imposition of student discipline and shall determine whether and how the district is meeting its goals for improving school climate as specified in its local control and accountability plan.

(cf. 0460 - Local Control and Accountability Plan)

*Legal Reference:*EDUCATION CODE

212.5 Sexual harassment

233 Hate violence

1981-1981.5 Enrollment of students in community school

8239.1 Prohibition against expulsion of preschool student

17292.5 Program for expelled students

32261 Interagency School Safety Demonstration Act of 1985

35145 Open board meetings

35146 Closed sessions (regarding suspensions)

35291 Rules (for government and discipline of schools)

35291.5 Rules and procedures on school discipline

48645.5 Readmission; contact with juvenile justice system

48660-48666 Community day schools

48853.5 Foster youth

48900-48927 Suspension and expulsion

48950 Speech and other communication

48980 Parental notifications

49073-49079 Privacy of student records

52052 Numerically significant student subgroups

52060-52077 Local control and accountability plan

64000-64001 Consolidated applicationCIVIL CODE

47 Privileged communication

48.8 Defamation liability

CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

GOVERNMENT CODE

11455.20 Contempt

54950-54963 Ralph M. Brown Act

HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia

11053-11058 Standards and schedules

Legal Reference continued: (see next page)

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

Legal Reference: (continued)

LABOR CODE

230.7 ~~Discharge or discrimination against employee for taking~~ **Employee** time off to appear in school on behalf of a child

PENAL CODE

31 Principal of a crime, defined

240 Assault defined

241.2 Assault fines

242 Battery defined

243.2 Battery on school property

243.4 Sexual battery

245 Assault with deadly weapon

245.6 Hazing

261 Rape defined

266c Unlawful sexual intercourse

286 Sodomy defined

288 Lewd or lascivious acts with child under age 14

288a Oral copulation

289 Penetration of genital or anal openings

417.27 Laser pointers

422.55 Hate crime defined

422.6 Interference with exercise of civil rights

422.7 Aggravating factors for punishment

422.75 Enhanced penalties for hate crimes

626.2 Entry upon campus after written notice of suspension or dismissal without permission

626.9 Gun-Free School Zone Act of 1995

626.10 Dirks, daggers, knives, razors, or stun guns

868.5 Supporting person; attendance during testimony of witness

WELFARE AND INSTITUTIONS CODE

729.6 Counseling

UNITED STATES CODE, TITLE 18

921 Definitions, firearm

UNITED STATES CODE, TITLE 20

1415(K) Placement in alternative educational setting

7961 Gun-free schools

UNITED STATES CODE, TITLE 42

11432-11435 Education of homeless children and youths

COURT DECISIONS

T.H. v. San Diego Unified School District (2004) 122 Cal. App. 4th 1267

Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421

Board of Education of Sacramento City Unified School District v. Sacramento County Board of Education and Kenneth H. (2001) 85 Cal.App.4th 1321

Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 118

Garcia v. Los Angeles Board of Education (1991) 123 Cal. App. 3d 807

John A. v. San Bernardino School District (1982) 33 Cal. 3d 301

Legal Reference: (see next page)

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

Legal Reference: (continued)

ATTORNEY GENERAL OPINIONS

84 Ops.Cal.Atty.Gen. 146 (2001)

80 Ops.Cal.Atty.Gen. 348 (1997)

80 Ops.Cal.Atty.Gen. 91 (1997)

80 Ops.Cal.Atty.Gen. 85 (1997)

Management Resources:

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

Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014

WEB SITES

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

California Attorney General's Office: <http://www.oag.ca.gov>

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

U.S. Department of Education, Office for Civil Rights:

<http://www.ed.gov/about/offices/list/ocr/docs/crdc-2012-data-summary.pdf>

U.S. Department of Education, Office of Safe and Healthy Students:

<https://www2.ed.gov/about/offices/list/oese/osh>

(12/14 12/17) 10/18

CSBA Sample Administrative Regulation

Students

AR 5144.1(a)

SUSPENSION AND EXPULSION/DUE PROCESS

Note: CSBA recommends that this administrative regulation be approved by the Governing Board, regardless of the usual district practice.

Education Code 35291 requires the Board to adopt rules and regulations, which are not inconsistent with law or rules adopted by the State Board of Education, for the government and discipline of the schools under its jurisdiction. In addition, Education Code 48918 and 48918.5 **mandate** that districts adopt rules concerning the due process rights of students in expulsion situations, and Education Code 48916 **mandates** procedures for filing and processing requests for readmission. Specific language complying with these mandates is included throughout this administrative regulation.

The acts for which students may be suspended or expelled are specified in law and in the sections below titled "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12." The Board does not have authority to add to those enumerated acts. However, the Board has authority to prohibit suspension or expulsion for certain acts for which suspension or expulsion is permissible rather than mandatory. The Board may consider limiting the use of suspension and expulsion for such offenses as part of the district plan to address school climate within the local control and accountability plan required pursuant to Education Code 52060. In addition, pursuant to Education Code 48900.5, a district is not authorized to suspend a student for certain specified violations unless other means of correction have failed to bring about proper conduct.

Definitions

Suspension means removal of a student from ongoing instruction for adjustment purposes. However, suspension does not mean any of the following: (Education Code 48925)

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level
2. Referral to a certificated employee designated by the principal to advise students
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910

Expulsion means removal of a student from the immediate supervision and control or the general supervision of school personnel. (Education Code 48925)

Notice of Regulations

At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, including suspension and expulsion. (Education Code 35291, 48900.1, 48980)

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

(cf. 5144 - Discipline)

(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion: Grades K-12

Acts for which a student, including a student with disabilities, may be suspended or expelled shall be only those specified as follows:

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

1. Caused, attempted to cause, or threatened to cause physical injury to another person; willfully used force or violence upon another person, except in self-defense; or committed as an aider or abettor, as adjudged by a juvenile court, a crime of physical violence in which the victim suffered great or serious bodily injury (Education Code 48900(a) and (t))

Note: The Attorney General, in 80 Ops.Cal.Atty.Gen. 91 (1997), determined that a student may be expelled for "possession" of a firearm if the student knowingly and voluntarily had direct control over the firearm. The only exceptions are when the student has permission from school officials to possess the firearm (pursuant to Education Code 48900 and 48915) or when the possession is brief and solely for the purpose of disposing of the firearm, such as handing it to school officials. Note that "firearm" does not include "imitation firearm" which is listed separately in item #12 below. See BP 5131.7 - Weapons and Dangerous Instruments.

Pursuant to Penal Code 417.27, students are prohibited from possessing a laser pointer on school premises, except for a valid instructional or other school-related purpose. See BP 5131 - Conduct.

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence (Education Code 48900(b))

(cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind (Education Code 48900(c))

(cf. 5131.6 - Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as such controlled substance, alcoholic beverage, or intoxicant (Education Code 48900(d))

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

5. Committed or attempted to commit robbery or extortion (Education Code 48900(e))
6. Caused or attempted to cause damage to school property or private property (Education Code 48900(f))
7. Stole or attempted to steal school property or private property (Education Code 48900(g))
8. Possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel, except that this restriction shall not prohibit a student from using or possessing his/her own prescription products (Education Code 48900(h))

(cf. 5131.62 - Tobacco)

9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))
10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))
11. Knowingly received stolen school property or private property (Education Code 48900(l))
12. Possessed an imitation firearm (Education Code 48900(m))

Imitation firearm means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (Education Code 48900(m))

13. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4 (Education Code 48900(n))
14. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness (Education Code 48900(o))
15. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (Education Code 48900(p))

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

16. Engaged in, or attempted to engage in, hazing (Education Code 48900(q))

Hazing means a method of initiation or pre-initiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. *Hazing* does not include athletic events or school-sanctioned events. (Education Code 48900(q))

Note: Education Code 48900(r) defines "bullying" as "any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of electronic act," which is directed toward a student and which would have serious detrimental consequences upon a reasonable student. Pursuant to Education Code 48900, a student may be disciplined for bullying by means of an electronic act even when the act originated off campus. See also BP 5131.2 - Bullying.

17. Engaged in an act of bullying (Education Code 48900(r))

Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicted to have the effect of placing a reasonable student in fear of harm to himself/herself or his/her property; cause the student to experience a substantially detrimental effect on his/her physical or mental health; or cause the student to experience substantial interferences with his/her academic performance or ability to participate in or benefit from the services, activities, or privileges provided by a school. (Education Code 48900(r))

Note: "Bullying" also would include any act of sexual harassment, hate violence, or harassment, threat, or intimidation committed by a student of any grade level, as set forth in Education Code 48900.2, 48900.3, or 48900.4, when the act results in harm to a reasonable student as specified in the above paragraph. However, when bullying is found under these circumstances, students below grade 4 may be disciplined for the "bullying" but not for the underlying act of sexual harassment, hate violence, or harassment, threat, or intimidation as specified below in items #1-3 of "Additional Grounds for Suspension and Expulsion: Grades 4-12."

Bullying shall include any act of sexual harassment, hate violence, or harassment, threat, or intimidation, as defined in Education Code 48900.2, 48900.3, or 48900.4 and below in items #1-3 of "Additional Grounds for Suspension and Expulsion: Grades 4-12," that has any of the effects described above on a reasonable student.

Electronic act means the creation or transmission of a communication originated on or off school site, including, but not limited to, a message, text, sound, image, or post on a social network Internet web site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager. A post on a social network Internet web site shall include,

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

but is not limited to, the posting or creation of a burn page or the creation of a credible impersonation or false profile for the purpose of causing a reasonable student any of the effects of bullying described above. (Education Code 48900(r))

Reasonable student means a student, including, but not limited to, a student who has been identified as a student with a disability, who exercises average care, skill, and judgment in conduct for a person of his/her age, or for a person of his/her age with his/her disability. (Education Code 48900(r))

(cf. 1114 - District-Sponsored Social Media)

(cf. 5131.2 - Bullying)

(cf. 6163.4 - Student Use of Technology)

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

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

Note: Education Code 48900 allows for the suspension, but not expulsion, of a student who "aids or abets," as defined in Penal Code 31, the infliction or attempted infliction of physical injury to another person. The term "aiding or abetting," is a complex legal term and requires that, at the time he/she committed the crime, the aider or abettor was aware of the crime and specifically intended to commit the crime. Because of the complexities of criminal law, legal counsel should be consulted as appropriate.

18. Aided or abetted the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31 (Education Code 48900(t))
19. Made terrorist threats against school officials and/or school property (Education Code 48900.7)

A *terrorist threat* includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death or great bodily injury to another person or property damage in excess of \$1,000, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out. (Education Code 48900.7)

Additional Grounds for Suspension and Expulsion: Grades 4-12

Note: The following section applies only to students in grades 4-12 and may be revised to reflect grade levels offered by the district.

Education Code 48900, ~~as amended by AB 420 (Ch. 667, Statutes of 2014)~~, prohibits the use of disruption and/or willful defiance as reasons for expelling any student. ~~As amended~~, Education Code 48900 also restricts their use as a basis for suspending students from school in grades 4-12. Since districts are authorized but not required to suspend students in grades 4-12 based on these grounds, a district may choose, consistent with Option 2 in accompanying Board policy, to prohibit the use of these reasons for suspending its students. **Any district that chooses to do so should delete the following paragraph.**

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

Any student in grades 4-12 may be suspended, but not expelled, for disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. (Education Code 48900(k))

(cf. 5131.4 - *Student Disturbances*)

Note: As discussed in item #17 of "Grounds for Suspension and Expulsion: Grades K-12" above, although Education Code 48900(r) defines bullying to include acts involving items #1-3 below, only students in grades 4-12 may be suspended or expelled for the individual acts that constitute sexual harassment, hate violence, and harassment. The interplay between "bullying" and items #1-3 can raise complex legal issues. Districts should consult legal counsel as appropriate.

A student in grades 4-12 shall be subject to suspension or recommendation for expulsion when it is determined that he/she:

1. Committed sexual harassment as defined in Education Code 212.5 (Education Code 48900.2)

Sexual harassment means conduct which, when considered from the perspective of a reasonable person of the same gender as the victim, is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment. (Education Code 212.5, 48900.2)

(cf. 5145.7 - *Sexual Harassment*)

2. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 233 (Education Code 48900.3)

Hate violence means any act punishable under Penal Code 422.6, 422.7, or 422.75. Such acts include injuring or intimidating a victim, interfering with the exercise of a victim's civil rights, or damaging a victim's property because of the victim's race, ethnicity, religion, nationality, disability, gender, gender identity, gender expression, or sexual orientation; a perception of the presence of any of those characteristics in the victim; or the victim's association with a person or group with one or more of those actual or perceived characteristics. (Education Code 233; Penal Code 422.55)

(cf. 5145.9 - *Hate-Motivated Behavior*)

3. Intentionally engaged in harassment, threats, or intimidation against district personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

(cf. 5145.3 - Nondiscrimination/Harassment)

Suspension from Class by a Teacher

Note: The following section is **optional** and may be revised to reflect district practice. While Education Code 48900(k), ~~as amended by AB 420 (Ch. 660, Statutes of 2014)~~, prohibits a district from suspending students in grades K-3 for disruption or willful defiance, it still allows for a teacher to suspend a K-3 student on these grounds.

A teacher may suspend a student, including a grade K-3 student, from class for the remainder of the day and the following day for disruption, willful defiance, or any of the other acts specified in Education Code 48900 and listed as items #1-18 under "Grounds for Suspension and Expulsion: Grades K-12" above. (Education Code 48910)

When suspending a student from class, the teacher shall immediately report this action to the principal or designee and send the student to the principal or designee for appropriate action. If that action requires the continuing presence of the student at school, he/she shall be appropriately supervised during the class periods from which he/she has been suspended. (Education Code 48910)

As soon as possible after the teacher decides to suspend the student, he/she shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist may attend the conference if it is practicable, and a school administrator shall attend if either the parent/guardian or teacher so requests. (Education Code 48910)

A student suspended from class shall not be returned to class during the period of the suspension without the approval of the teacher of the class and the principal or designee. (Education Code 48910)

A student suspended from class shall not be placed in another regular class during the period of suspension. However, a student assigned to more than one class per day may continue to attend other regular classes except those held at the same time as the class from which he/she was suspended. (Education Code 48910)

The teacher of any class from which a student is suspended may require the student to complete any assignments and tests missed during the removal. (Education Code 48913)

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

Suspension by Superintendent, Principal or Principal's Designee

To implement disciplinary procedures at a school site, the principal may, in writing, designate as the principal's designee another administrator or, if the principal is the only administrator at the school site, a certificated employee. As necessary, the principal may, in writing, also designate another administrator or certificated employee as the secondary designee to assist with disciplinary procedures when the principal and the principal's primary designee are absent from the school site.

The Superintendent, principal, or designee shall immediately suspend any student found at school or at a school activity to have committed any of the acts listed in the Board policy under "Authority to Expel" and for which he/she is required to recommend expulsion. (Education Code 48915(c))

Note: Education Code 48900.5 limits situations warranting suspension for a first offense to when the violation involves Education Code 48900(a)-(e) or the student's presence causes a danger to persons.

The Superintendent, principal, or designee may impose a suspension for a first offense if he/she determines that the student violated any of items #1-5 listed under "Grounds for Suspension and Expulsion: Grades K-12" above or if the student's presence causes a danger to persons. (Education Code 48900.5)

Note: Pursuant to Education Code 48900 and 48915, except for certain egregious acts or offenses for which suspension is permissible or mandatory, as specified above pursuant to Education Code 48915(a) or (c), the Superintendent or principal is authorized to use his/her discretion to provide an alternative, age-appropriate disciplinary measure that is tailored to correct a student's specific misbehavior. In addition, the U.S. Department of Justice's Civil Rights Division (DOJ) and the U.S. Department of Education's Office for Civil Rights (OCR), in their joint January 2014 Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, recommend that effective alternatives to suspension and expulsion be implemented for correcting student misbehavior. For a list of appropriate alternatives, see AR 5144 - Discipline.

For all other offenses, a student may be suspended only when the Superintendent or principal has determined that other means of correction have failed to bring about proper conduct in the student. (Education Code 48900.5)

When other means of correction are implemented prior to imposing suspension or supervised suspension upon a student, the Superintendent, principal, or designee shall document the other means of correction used and retain them in the student's record. (Education Code 48900.5)

(cf. 5125 - Student Records)

Length of Suspension

The Superintendent, principal, or designee may suspend a student from school for not more than five consecutive school days. (Education Code 48911)

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

A student may be suspended from school for not more than 20 school days in any school year. However, if a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class for the purpose of adjustment, he/she may be suspended for not more than 30 school days in a school year. The district may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year. (Education Code 48903, 48911, 48912)

(cf. 6184 - Continuation Education)

These restrictions on the number of days of suspension shall not apply when the suspension is extended pending an expulsion. (Education Code 48911)

Due Process Procedures for Suspension

Suspensions shall be imposed in accordance with the following procedures:

1. **Informal Conference:** Suspension shall be preceded by an informal conference conducted by the Superintendent, principal, or designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action, presented with the available evidence against him/her, and given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911)

This conference may be omitted if the Superintendent, principal, or designee determines that an emergency situation exists involving a clear and present danger to the lives, safety, or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of the conference and the conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such a case, the conference shall be held as soon as the student is physically able to return to school. (Education Code 48911)

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| Note: Item #2 below should be revised to reflect the district's processing and reporting procedures. |
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2. **Administrative Actions:** All requests for student suspension are to be processed by the principal or designee. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee. (Education Code 48911)

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

3. **Notice to Parents/Guardians:** At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall also be notified in writing of the suspension. (Education Code 48911)

This notice shall state the specific offense committed by the student. (Education Code 48900.8)

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|--|
| Note: The following optional paragraph may be revised to reflect district practice. |
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In addition, the notice may state the date and time when the student may return to school.

4. **Parent/Guardian Conference:** Whenever a student is suspended, school officials may request a meeting with the parent/guardian to discuss the cause(s) and duration of the suspension, the school policy involved, and any other pertinent matter. (Education Code 48914)

If school officials request to meet with the parent/guardian, the notice may state that the law requires the parent/guardian to respond to such requests without delay. However, no penalties may be imposed on the student for the failure of the parent/guardian to attend such a conference. The student may not be denied reinstatement solely because the parent/guardian failed to attend the conference. (Education Code 48911)

5. **Extension of Suspension:** If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision, provided the following requirements are followed: (Education Code 48911)
- a. The extension of the original period of suspension is preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension.
 - b. The Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process. (Education Code 48911)

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

Note: When the student being considered for expulsion is a foster youth, Education Code 48911 and 48918.1 require the district to invite the student's attorney and an appropriate county child welfare agency representative to the meeting specified above. **See the section below titled "Additional Notice of Expulsion Hearing for Foster Youth and Homeless Students."** To ensure such invitation, the following paragraph provides that the district liaison for foster youth be notified. However, any district that has designated another position to carry out this responsibility may modify the paragraph to specify that position. For designation of the liaison for foster youth, see AR 6173.1 - Education for Foster Youth.

- c. If the student involved is a foster youth, the Superintendent or designee shall notify the district liaison for foster youth of the need to invite the student's attorney and a representative of the appropriate county child welfare agency to attend the meeting. (Education Code 48853.5, 48911, 48918.1)

(cf. 6173.1 - Education for Foster Youth)

Note: Pursuant to Education Code 48918.1, ~~as amended by AB 1806 (Ch. 767, Statutes of 2014)~~, the district's liaison for homeless students must be notified when the student being considered for expulsion is a homeless student. See the section below titled "Additional Notice of Expulsion Hearing for Foster Youth and Homeless Students."

- d. If the student involved is a homeless child or youth, the Superintendent or designee shall notify the district liaison for homeless students. (Education Code 48918.1)

(cf. 6173 - Education for Homeless Children)

Note: The following **optional** paragraph may be revised to reflect district practice. Since Education Code 48900 and 48900.5 require a district, under certain circumstances, to use alternative disciplinary measures prior to imposing suspension, including supervised suspension, the district may, as necessary, provide services that would address the student's specific misbehavior along with the suspension program. For example, the district may require the student to enroll in a program that teaches prosocial behavior or anger management even while the student is suspended.

In lieu of or in addition to suspending a student, the Superintendent, principal, or designee may provide services or require the student to participate in an alternative disciplinary program designed to correct his/her behavior and keep him/her in school.

Suspension by the Board

Note: The following **optional** section reflects the Board's authority to suspend students from school pursuant to Education Code 48912. In practice, it is impractical for boards to directly exercise this authority since circumstances warranting suspension usually require quick and sometimes immediate action which may not be possible for a board due to legal requirements for taking board actions, such as having a meeting.

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

The Board may suspend a student for any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12" above and within the limits specified under "Suspension by Superintendent, Principal, or Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it shall hold a closed session if a public hearing would lead to disclosure of information **that would violate** ~~violating~~ a student's right to privacy under Education Code 49073-49079. (Education Code 35146, 48912)

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by registered or certified mail or personal service. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Board's notice. However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session. (Education Code 35146, 48912)

On-Campus Suspension

Note: The following **optional** section is for use by any district establishing an on-campus suspension program pursuant to Education Code 48911.1. However, pursuant to Education Code 48900.5, such a district is required to use other means of correcting a student's behavior before imposing a supervised suspension, unless such a supervised suspension is otherwise permitted by law for a student's first offense. Use of a supervised suspension classroom program does not in any way limit the district's ability to transfer a student to an opportunity school or class or a continuation education school or class in accordance with law.

A student for whom an expulsion action has not been initiated and who poses no imminent danger or threat to the school, students, or staff may be assigned to on-campus suspension in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The on-campus suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The on-campus suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

4. The student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher(s) shall provide all assignments and tests that the student will miss while suspended. If no such work is assigned, the person supervising the suspension classroom shall assign schoolwork.

At the time a student is assigned to an on-campus suspension classroom, the principal or designee shall notify the student's parent/guardian in person or by telephone. When the assignment is for longer than one class period, this notification may be made in writing. (Education Code 48911.1)

Superintendent or Principal's Authority to Recommend Expulsion

Unless the Superintendent or principal determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct, he/she shall recommend a student's expulsion for any of the following acts: (Education Code 48915)

1. Causing serious physical injury to another person, except in self-defense
2. Possession of any knife or other dangerous object of no reasonable use to the student
3. Unlawful possession of any controlled substance as listed in Health and Safety Code 11053-11058, except for (a) the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis, or (b) the student's possession of over-the-counter medication for his/her use or other medication prescribed for him/her by a physician
4. Robbery or extortion
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee

In determining whether or not to recommend the expulsion of a student, the Superintendent, principal, or designee shall act as quickly as possible to ensure that the student does not lose instructional time. (Education Code 48915)

Student's Right to Expulsion Hearing

Note: Education Code 48918 **mandates** that the Board establish rules and regulations governing procedures for the expulsion of students. The timelines of Education Code 48918 must be strictly followed; failure to do so may result in loss of the district's power to act (Garcia v. Los Angeles Board of Education). In calculating timelines, the district should also be aware of the difference between the calculation of "school days" and "calendar days" under Education Code 48918.

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

Any student recommended for expulsion shall be entitled to a hearing to determine whether he/she should be expelled. The hearing shall be held within 30 school days after the Superintendent, principal, or designee determines that the student has committed the act(s) that form the basis for the expulsion recommendation. (Education Code 48918(a))

The student is entitled to at least one postponement of an expulsion hearing for a period of not more than 30 calendar days. The request for postponement shall be in writing. Any subsequent postponement may be granted at the Board's discretion. (Education Code 48918(a))

If the Board finds it impractical during the regular school year to comply with these time requirements for conducting an expulsion hearing, the Superintendent or designee may, for good cause, extend the time period by an additional five school days. Reasons for the extension shall be included as a part of the record when the expulsion hearing is held. (Education Code 48918(a))

If the Board finds it impractical to comply with the time requirements of the expulsion hearing due to a summer recess of Board meetings of more than two weeks, the days during the recess shall not be counted as school days. The days not counted during the recess may not exceed 20 school days, as defined in Education Code 48925. Unless the student requests in writing that the expulsion hearing be postponed, the hearing shall be held not later than 20 calendar days prior to the first day of the next school year. (Education Code 48918(a))

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code 48918(a))

Stipulated Expulsion

Note: The following section is **optional** and may be revised to reflect district practice. "Stipulated expulsion" is for districts that have adopted an expedited procedure which allows a student to waive his/her right to a pre-expulsion hearing in exchange for an agreement as to the terms of the expulsion. Such waivers are not specifically addressed in law and districts should ensure that the due process rights of students are included in the stipulated agreement and are clearly explained to them before the agreement is signed. Districts should consult legal counsel as appropriate.

After a determination that a student has committed an expellable offense, the Superintendent, principal, or designee shall offer the student and his/her parent/guardian the option to waive a hearing and stipulate to the expulsion or to a suspension of the expulsion under certain conditions. The offer shall be made only after the student or his/her parent/guardian has been given written notice of the expulsion hearing pursuant to Education Code 48918.

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

The stipulation agreement shall be in writing and shall be signed by the student and his/her parent/guardian. The stipulation agreement shall include notice of all the rights that the student is waiving, including the waiving of his/her right to have a full hearing, to appeal the expulsion to the County Board of Education, and to consult legal counsel.

A stipulated expulsion agreed to by the student and his/her parent/guardian shall be effective upon approval by the Board.

Rights of Complaining Witness

Note: Education Code 48918.5 **mandates** the following rights related to the treatment of witnesses alleging acts of sexual assault or sexual battery. Other procedures related to complaining witnesses also may be added as desired by the district. Additional mandated procedures related to the rights and treatment of complaining witnesses are included where appropriate throughout this regulation.

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental, or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

Written Notice of the Expulsion Hearing

Note: Education Code 48918 **mandates** the Board to adopt procedures that include the following items.

Written notice of the expulsion hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code 48900.8, 48918(b))

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

1. The date and place of the hearing
2. A statement of the specific facts, charges, and offense upon which the proposed expulsion is based
3. A copy of district disciplinary rules which relate to the alleged violation
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment

This obligation applies when a student is expelled for acts other than those described in Education Code 48915(a) or (c).

(cf. 5119 - Students Expelled from Other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person or be represented by legal counsel or by a nonattorney adviser

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Nonattorney adviser means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.

6. The right to inspect and obtain copies of all documents to be used at the hearing
7. The opportunity to confront and question all witnesses who testify at the hearing
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses

Additional Notice of Expulsion Hearing for Foster Youth and Homeless Students

Note: Prior to conducting an expulsion hearing to determine whether a foster youth should be expelled, Education Code 48918.1 requires the district to notify the student's attorney and a representative of an appropriate county child welfare agency, provided that the violation does not require a mandatory recommendation for expulsion. Pursuant to Education Code 48918.1, as amended by AB 1806 (Ch. 767, Statutes of 2014), such additional notice must be given to the district liaison for homeless students when the student involved is a homeless child or youth and the violation does not require a mandatory recommendation for expulsion. While such a notice is not required if the offense requires a mandatory recommendation for expulsion, it is nonetheless recommended and the following section reflects this recommendation.

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

If the student facing expulsion is a foster student, the Superintendent or designee shall also send notice of the hearing to the student's attorney and a representative of an appropriate child welfare agency at least 10 days prior to the hearing. (Education Code 48918.1)

If the student facing expulsion is a homeless student, the Superintendent or designee shall also send notice of the hearing to the district liaison for homeless students at least 10 days prior to the hearing. (Education Code 48918.1)

Any notice for these purposes may be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code 48918.1)

Conduct of Expulsion Hearing

Note: Education Code 48918 **mandates** that the Board adopt procedures that include the following items.

Instead of the Board conducting an expulsion hearing, it may appoint a hearing officer or an impartial administrative panel to conduct the hearing; see section "Alternative Expulsion Hearing: Hearing Officer or Administrative Panel" below. Even if the district conducts all expulsion hearings in this manner, the requirements of Education Code 48918 pertaining to the conduct of the hearing must be met.

1. **Closed Session:** Notwithstanding Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public to the extent that privacy rights of other students are not violated. (Education Code 48918)

Note: For the purpose of Board deliberations during the closed session described below, the presence of any person other than the Board members, including the Superintendent, necessitates allowing the presence of the parent/guardian, student, and student's counsel.

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine whether or not the student should be expelled. If the Board admits any other person to this closed session, the parent/guardian, the student, and the counsel of the student also shall be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including, but not limited to, videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

2. **Record of Hearing:** A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. (Education Code 48918(g))

Note: Education Code 48918 authorizes the Board to issue subpoenas for the personal appearance of percipient witnesses at an expulsion hearing. In Woodbury v. Dempsey, the court held that a district's authority to determine whether to issue subpoenas is discretionary, but a district could not have a blanket policy denying the issuance of subpoenas in all cases.

In accordance with Code of Civil Procedure 1987, the subpoena must be served at least 10 days before the time required for attendance unless the court prescribes a shorter time. Unless they are parties to the hearing or are district or government employees, witnesses who appear pursuant to a subpoena receive fees equal to those prescribed for witnesses in civil actions in a superior court, and all witnesses other than the parties to the hearing receive mileage. These fees and mileage must be paid by the party requesting the subpoena.

3. **Subpoenas:** Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

4. **Presentation of Evidence:** Technical rules of evidence shall not apply to the expulsion hearing, but relevant evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. The decision of the Board to expel shall be supported by substantial evidence that the student committed any of the acts pursuant to Education Code 48900 and

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

listed in "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12" above. (Education Code 48918(h))

Note: Findings of fact made by the Board or a hearing panel must not be based on hearsay alone. "Hearsay" is evidence of an oral or written statement made by a person who is not present at the hearing which is offered to establish a fact as being true. Some exceptions to the hearsay rule exist under the Evidence Code and Education Code. The district should consult legal counsel as appropriate.

Findings of fact shall be based solely on the evidence at the hearing. Although no finding shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm. (Education Code 48918(f))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

Note: Education Code 48918.6 provides that testimony by a student witness at an expulsion hearing is privileged and thus protected from liability for defamation pursuant to Civil Code 47(b).

5. **Testimony by Complaining Witnesses:** The following procedures shall be observed when a hearing involves allegations of sexual assault or sexual battery by a student: (Education Code 48918, 48918.5)
- a. Any complaining witness shall be given five days' notice before being called to testify.
 - b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
 - c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
 - d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
 - e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.
 - f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

- g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
 - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
 - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
 - (3) The person conducting the hearing may:
 - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
 - (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours
 - (c) Permit one of the support persons to accompany the complaining witness to the witness stand
6. **Decision:** The Board's decision as to whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Note: For districts that use a hearing officer or administrative panel, Education Code 48918 **mandates** that the Board adopt procedures that include the following section.

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. The Board may also appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code 48918)

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing," including the requirement to issue a decision within 40 school days of the student's removal from school, unless the student requests that the decision be postponed. (Education Code 48918(a) and (d))

Note: Pursuant to Education Code 48918, ~~as amended by SB 1111 (Ch. 837, Statutes of 2014)~~, if the hearing officer or administrative panel does not recommend expulsion, a student must be permitted to return to the classroom instructional program from which the expulsion referral was made, unless the student's parent/guardian requests a different placement. ~~As amended~~, Education Code 48918 also states that a student who is found to have committed any of the violations listed in "Authority to Expel" in the accompanying Board policy but for whom expulsion is not recommended may be referred to his/her prior school. However, the hearing officer or administrative panel, like the Board, must recommend expulsion or a suspended expulsion under Education Code 48915, if it finds that a student committed any such violation that mandates expulsion. District should consult legal counsel to resolve this apparent discrepancy.

The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, the expulsion proceeding shall be terminated and the student shall be immediately reinstated and permitted to return to the classroom instructional program from which the referral was made, unless another placement is requested in writing by the student's parent/guardian. Before the student's placement decision is made by his/her parent/guardian, the Superintendent or designee shall consult with the parent/guardian and district staff, including the student's teachers, regarding other placement options for the student in addition to the option to return to the classroom instructional program from which the student's expulsion referral was made. The decision to not recommend expulsion shall be final. (Education Code 48918(e))

If expulsion is recommended, findings of fact in support of the recommendation shall be prepared and submitted to the Board. All findings of fact and recommendations shall be based solely on the evidence presented at the hearing. The Board may accept the recommendation based either upon a review of the findings of fact and recommendations submitted or upon the results of any supplementary hearing the Board may order. (Education Code 48918(f))

In accordance with Board policy, the hearing officer or administrative panel may recommend that the Board suspend the enforcement of the expulsion. If the hearing officer or administrative panel recommends that the Board expel a student but suspend the enforcement

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

of the expulsion, the student shall not be reinstated and permitted to return to the classroom instructional program from which the referral was made until the Board has ruled on the recommendation. (Education Code 48917, 48918)

Final Action by the Board

Note: Education Code 48918 **mandates** that the Board adopt procedures that include the following paragraph.

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel or is waived through the signing of a stipulated expulsion agreement, the final action to expel shall be taken by the Board in public. (Education Code 48918(j))

(cf. 9321.1 - Closed Session Actions and Reports)

The Board's decision is final. If the decision is to not expel, the student shall be reinstated immediately. If the decision is to suspend the enforcement of the expulsion, the student shall be reinstated under the conditions of the suspended expulsion.

Note: **The Gun-Free Schools Act, 20 USC 7151, requires that information in the following paragraph be sent to the California Department of Education (CDE) for assurances of compliance with federal and state law. For other language that must be submitted to the CDE, see section below entitled "Notifications to Law Enforcement Authorities." 20 USC 7961 requires the district, in the consolidated application for federal funding, to provide an assurance that it will comply with the state requirement to expel, for a period not less than one year, any student who brings a firearm to school or possesses a firearm at school.**

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for any **"mandatory recommendation and mandatory expulsion"** act listed ~~under "Mandatory Recommendation and Mandatory Expulsion" above~~ **in the section "Authority to Expel" in the accompanying Board policy**, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. If an expulsion is ordered during summer session or the intersession period of a year-round program, the Board shall set a date when the student shall be reviewed for readmission not later than the last day of the semester following the summer session or intersession period in which the expulsion occurred. (Education Code 48916)

At the time of the expulsion order, the Board shall recommend a plan for the student's rehabilitation, which may include: (Education Code 48916)

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

1. Periodic review, as well as assessment at the time of review, for readmission
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service, or other rehabilitative programs

Note: The following paragraph is **optional**. Education Code 48916.5 authorizes, but does not mandate, the Board to make the following requirement of certain expelled students.

With parent/guardian consent, students who have been expelled for reasons relating to controlled substances or alcohol may be required to enroll in a county-sponsored drug rehabilitation program before returning to school. (Education Code 48916.5)

Written Notice to Expel

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. This notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion: Grades K-12" or "Additional Grounds for Suspension and Expulsion: Grades 4-12" (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

Decision to Suspend Expulsion Order

Note: Pursuant to Education Code 48917, the Board's criteria for suspending the enforcement of expulsions must be applied uniformly to all students. Items #1-3 below are **optional** and should be revised to reflect district criteria.

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion order, the Board shall take into account the following criteria:

1. The student's pattern of behavior
2. The seriousness of the misconduct
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program

The suspension of the enforcement of an expulsion shall be governed by the following:

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program. (Education Code 48917)
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12" or "Additional Grounds for Suspension and Expulsion: Grades 4-12" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
4. When the suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order. (Education Code 48917)
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings. (Education Code 48917)
6. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall inform the parent/guardian of the right to appeal the expulsion to the County Board, the alternative educational placement to be provided

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

to the student during the period of expulsion, and the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of his/her status with the expelling district, pursuant to Education Code 48915.1(b). (Education Code 48918(j))

7. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board. (Education Code 48917)

Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision with the County Board. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion order is suspended and the student is placed on probation. (Education Code 48919)

If the student submits a written request for a copy of the written transcripts and supporting documents from the district simultaneously with the filing of the notice of appeal with the County Board, the district shall provide the student with these documents within 10 school days following the student's written request. (Education Code 48919)

Notification to Law Enforcement Authorities

Note: ~~The Gun Free Schools Act (20 USC 7151) requires that information in the following two paragraphs be sent to the CDE for assurances of compliance with federal and state law.~~

~~In addition,~~ Education Code 48902 requires the principal or designee to notify law enforcement authorities when a student ~~or nonstudent~~ possesses a firearm or explosive or sells or furnishes a firearm at school. However, when the student involved in such a case is a student with a disability, Education Code 49076 requires any law enforcement authority to which student information is disclosed to certify that those records will not be disclosed to another party without the prior written consent of the student's parent/guardian or other person invested with the student's educational right; see AR 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities).

~~When submitting the consolidated application for federal funding, the district must provide assurance that it has adopted a policy requiring referral to the criminal justice system or juvenile delinquency system of any student who brings a firearm or weapon to a school. The following section fulfills this requirement.~~

Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245. (Education Code 48902)

The principal or designee ~~also~~ shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

controlled substance, **or of any student acts involving** ~~In addition, law enforcement authorities shall be notified regarding any acts by students regarding~~ the possession, sale, or furnishing of firearms, explosives, or other dangerous weapons in violation of Education Code 48915(c)(1) or (5) or Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate ~~city or~~ county **or district** law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering, or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

Placement During Expulsion

Note: Education Code 48915 requires the Board to refer all expelled students to a program of study that is prepared to accommodate students with discipline problems and that is not located at the school the student currently attends or at any regular elementary, middle, junior, or senior high school. However, students expelled for the acts described in Education Code 48900(f) through (m) or Education Code 48900.2, 48900.3, or 48900.4 may be referred to a program of study that is at another elementary, middle, junior, or senior high school if the County Superintendent of Schools certifies that an alternative program is not available at a site away from such a school.

Education Code 48915.01 states that if the Board has established a community day school pursuant to Education Code 48661 on the same site as an elementary, middle, junior, or senior high school, expelled students may be referred to the community day school at that site. Although Education Code 48663 prohibits the use of independent study in community day schools, Education Code 48916.1 does not in any way restrict the district from offering independent study as a voluntary alternative placement option for expelled students.

The Board shall refer expelled students to a program of study that is: (Education Code 48915, 48915.01)

1. Appropriately prepared to accommodate students who exhibit discipline problems
2. Not provided at a comprehensive middle, junior, or senior high school or at any elementary school, unless the program is offered at a community day school established at any of these
3. Not housed at the school site attended by the student at the time of suspension

(cf. 6158 - Independent Study)

(cf. 6185 - Community Day School)

When the placement described above is not available and when the County Superintendent so certifies, students expelled for only acts described in items #6-12 under "Grounds for Suspension and Expulsion: Grades K-12" and items #1-3 under "Additional Grounds for

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

Suspension and Expulsion: Grades 4-12" above may be referred to a program of study that is provided at another comprehensive middle, junior, or senior high school or at an elementary school. (Education Code 48915)

The program for a student expelled from any of grades K-6 shall not be combined or merged with programs offered to students in any of grades 7-12. (Education Code 48916.1)

Readmission After Expulsion

Note: Education Code 48916 **mandates** that the Board adopt rules and regulations establishing a procedure for filing and processing requests for readmission and a process for Board review of all expelled students for readmission. Items #1-2 below should be revised to reflect district practice.

Prior to the date set by the Board for the student's readmission:

1. The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference, the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.
2. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session. If a written request for open session is received from the parent/guardian or adult student, it shall be honored to the extent that privacy rights of other students are not violated.
3. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission.
4. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code 48916)
5. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school.
6. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code 48916)

No student shall be denied readmission into the district based solely on the student's arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other such contact with the juvenile justice system. (Education Code 48645.5)

Maintenance of Records

The district shall maintain a record of each suspension and expulsion, including its specific cause(s). (Education Code 48900.8)

Expulsion records of any student shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls upon written request by that school. (Education Code 48918(k))

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| Note: Education Code 48915.1 requires that, when an expelled student asks to enroll in another district, the receiving district must hold a hearing to determine whether the student poses a danger to its students or staff. The receiving district then may either deny or permit the enrollment. Upon request from another district, the expelling district must provide information about the expulsion within five days. |
|---|

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

(cf. 5119 - Students Expelled from Other Districts)

CSBA Sample Board Policy

Students

BP 5148.3(a)

PRESCHOOL/EARLY CHILDHOOD EDUCATION

Note: The following **optional** policy may be used by districts that operate their own preschool/early childhood education programs and/or collaborate to provide preschool opportunities within the community; ~~see the appropriate sections below.~~ CSBA's publication ~~Expanding Access to High Quality Preschool Programs~~ **What Boards of Education Can Do about Kindergarten Readiness** provides information about characteristics of effective preschool programs and actions that the district and Governing Board can take to encourage and/or provide high-quality preschool education, ~~including a worksheet to assist districts in the development of policy pertaining to preschool and early childhood education.~~ **Education Code 8492, as added by AB 1808 (Ch. 32, Statutes of 2018), establishes the Early Education Expansion Program to provide grants for the purpose of increasing access to inclusive early care and education programs for children with and without disabilities.**

The Governing Board recognizes ~~that~~ **the value of** high-quality preschool experiences ~~help~~ **children ages 3-4 years to develop to enhance children's social-emotional development,** knowledge, skills, abilities, and attributes necessary for a successful transition into the elementary education program. ~~Early education programs should provide~~ **The Board desires to provide children ages 3-4 years access to** developmentally appropriate activities in a safe, adequately supervised, and cognitively rich environment.

Collaboration with Community Programs

Note: The following **optional** ~~section~~ **paragraphs** may be used by all districts, regardless of whether they provide their own preschool programs, and may be revised to reflect district practice.

Education Code 8499-8499.7 establish county-level child care and development planning councils, with members selected by the County Board of Supervisors and County Superintendent of Schools, to identify local priorities for child care, including preschool programs, and to develop policies to meet identified needs; see BP 5148 - Child Care and Development. Such councils ~~also~~ may **also** develop centralized student eligibility lists; see section on "Eligibility and Enrollment" in the accompanying administrative regulation.

The Superintendent or designee shall collaborate with the local child care and development planning council, **the county office of education,** other public agencies, organizations, ~~the county office of education,~~ and/or private preschool providers to assess the availability of preschool programs in the community and the extent to which the community's preschool needs are being met. The Board encourages the development of a comprehensive districtwide and/or countywide plan to increase children's access to high-quality preschool programs.

(cf. 1020 - Youth Services)

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

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

(cf. 5148 - Child Care and Development)

The Superintendent or designee shall provide information about preschool options in the community to parents/guardians upon request.

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)**District Preschool Programs**

Note: The following **optional** section is for use by districts that choose to provide preschool/early childhood education programs for children ages 3-4 years and should be revised to reflect district practice.

The district may contract with the California Department of Education (CDE) to offer a program through the California State Preschool Program (CSPP) pursuant to Education Code 8235-8239.1. The CSPP consolidates a number of state programs that serve children ages 3-4, including state preschool programs (Education Code 8235-8237), family literacy programs (Education Code 8238-8238.4), and general child care and development programs to the extent that they serve children ages 3-4 (Education Code 8240-8244). Children ages 3-4 years from low-income or otherwise disadvantaged families may be eligible for subsidized services. See the accompanying administrative regulation for major program requirements for CSPP.

Preschool programs ~~also~~ may **also** receive funding through the state migrant child care and development program (Education Code 8230-8233), **state child care and development services for children with special needs** program ~~for severely disabled children~~ (Education Code 8250-8252), federal Head Start program (42 USC 9831-9852), Title I preschool program (20 USC 6311-6322), or other funding sources available to the district.

When the Board determines that it is feasible, the district may contract with the California Department of Education (CDE) to provide preschool services in facilities at or near district schools, **either directly or through a subcontract with a public or private provider.**

Note: Beginning July 1, 2019 or upon the adoption of emergency regulations, whichever comes first, Health and Safety Code 1596.792, as amended by AB 99 (Ch. 15, Statutes of 2017) and AB 1808 (Ch. 32, Statutes of 2018), exempts CSPP programs from specified licensure and regulation requirements if they are operated in a school building by a school district under contract with CDE. However, such CSPP programs are required to comply with other specified health and safety requirements.

District preschool programs shall comply with all health and safety laws and regulations, including, when applicable, licensure requirements pursuant to 22 CCR 101156.

Note: 5 CCR 18130 specifies the state regulations for child care and development programs that are applicable to CSPP programs, including the requirement in 5 CCR 18271 that the Board approve a written philosophical statement, goals, and objectives addressing each program component specified in 5 CCR 18272-18281. See the accompanying administrative regulation and AR 5148 - Child Care and Development for further information about these required program components.

The Board shall approve, for the district's preschool program, a written philosophical statement, goals, and objectives that reflect the cultural and linguistic characteristics of the families to be served and address the program components specified in 5 CCR 18272-18281 and the accompanying administrative regulation. (5 CCR 18271)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

The Board shall set priorities for establishing or expanding services as resources become available, giving consideration to the benefits of providing early education programs for at-risk children and/or children residing in the attendance areas of the lowest performing district schools.

(cf. 6171 - Title I Programs)

Note: Pursuant to Education Code 8236, districts have the authority to subcontract with an appropriate public or private agency to operate a district CSPP program.

On a case by case basis, the Board shall determine whether the district shall directly administer a preschool program or contract with a public or private provider to offer such a program.

Facilities for preschool classrooms **needs** shall be addressed in the district's facilities master plan, including an assessment as to whether adequate and appropriate space exists on school sites. As necessary, the Superintendent or designee shall provide information to the Board regarding facilities financing options for preschool classrooms and/or facilities available through partnering organizations or agencies.

(cf. 1330.1 - Joint Use Agreements)
(cf. 7110 - Facilities Master Plan)
(cf. 7210 - Facilities Financing)

Because parents/guardians are essential partners in supporting the development of their children, the Superintendent or designee shall involve them in program planning.

(cf. 5020 - Parent Rights and Responsibilities)
(cf. 6020 - Parent Involvement)

Note: The following **optional** paragraph provides for coordination of the preschool program with the **transitional kindergarten (TK)** program and may be revised to reflect district practice. Pursuant to Education Code 48000, children whose fifth birthday is between September 2 and December 2 must be offered a **transitional kindergarten (TK)** program which operates as the first year of a two-year kindergarten program; see BP 6170.1 - Transitional Kindergarten. The following **optional** paragraph provides for coordination of the preschool program with the TK program and may be revised to reflect district practice.

The Superintendent or designee shall coordinate **planning efforts for** the district's preschool program, transitional kindergarten program (**TK**), and elementary education program to provide a developmental continuum that builds upon children's growing skills and knowledge.

(cf. 6011 - Academic Standards)
(cf. 6170.1 - Transitional Kindergarten)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

Note: CDE has developed voluntary "preschool learning foundations" which describe the knowledge, skills, and competencies that children are expected to exhibit as they complete their first or second year of preschool. These standards address essential skills in the subject areas listed below. The standards and companion preschool curriculum frameworks are available on CDE's web site.

The district's program shall be aligned with preschool learning foundations and curriculum frameworks developed by ~~the~~ CDE which identify the knowledge, skills, and competencies that children typically attain as they complete their first or second year of preschool. The program shall be designed to facilitate children's development in essential skills ~~related to in~~ **the areas of** language and literacy, mathematics, physical development, health, visual and performing arts, science, history-social science, English language development, and social-emotional development.

The district's preschool program shall provide appropriate services to support the needs of ~~English learners and children with disabilities~~ **at-risk children**.

(cf. 0415 - Equity)

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

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

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

(cf. 6174 - Education for English Learners)

(cf. 6175 - Migrant Education Program)

~~The district shall encourage volunteerism in the program and shall communicate frequently with parents/guardians of enrolled children regarding their child's progress.~~

(cf. 1240 - Volunteer Assistance)

To maximize the ability of children to succeed in the preschool program, the program shall support children's health through proper nutrition and physical activity and shall provide or make referrals to available health and social services as needed.

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

(cf. 5030 - Student Wellness)

(cf. 5141.31 - Immunizations)

(cf. 5141.32 - Health Screening for School Entry)

(cf. 5141.6 - School Health Services)

~~The district shall encourage volunteerism in the program and shall communicate frequently with parents/guardians of enrolled children regarding their child's progress.~~

(cf. 1240 - Volunteer Assistance)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

Note: The Commission on Teacher Credentialing issues permits for child development program directors, site supervisors, master teachers, teachers, associate teachers, and assistants pursuant to criteria established in Education Code 8360-8370 and 5 CCR 80105-80125. The district may request from CDE a waiver of the qualification requirements for a site supervisor upon demonstration of a compelling need, in accordance with Education Code 8208(aa) and 5 CCR 18295.

Health and Safety Code 1596.7995, as added by SB 792 (Ch. 807, Statutes of 2015), requires that employees and volunteers at a day care center be immunized against influenza, pertussis, and measles, with specified exemptions. In addition, Health and Safety Code 1597.055, as amended by SB 792, requires that teachers in a day care center obtain a tuberculosis clearance. See the accompanying administrative regulation.

Education Code 8450 authorizes the district to create a reserve fund and use 10 percent of it for purposes of professional development for CSPP instructional staff. Professional development resources pertaining to preschool/early childhood education are available through CDE and organizations such as the California Preschool Instructional Network, and others. See the management resources below.

Education Code 8450 authorizes the district to create a reserve fund and use 10 percent of it for purposes of professional development for CSPP instructional staff.

The Superintendent or designee shall ensure that administrators, teachers, and paraprofessionals in district preschool programs possess the appropriate permit(s) issued by the Commission on Teacher Credentialing, meet any additional qualifications established by the Board, and participate in professional development opportunities designed to continually enhance their knowledge and skills.

(cf. 4112.2 - Certification)

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

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

(cf. 4131 - Staff Development)

(cf. 4222 - Teacher Aides/Paraprofessionals)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Note: Pursuant to 5 CCR 18130, CSPP programs are subject to the requirements of 5 CCR 18105. 5 CCR 18105 **mandates** that districts offering a CSPP program develop written admissions policies and procedures that conform to the requirements of 22 CCR 101218, as provided in the following paragraph. See the accompanying administrative regulation for additional language that fulfills this mandate.

Preschool admissions policies and procedures shall be in writing and available to the public. Such policies and procedures shall include criteria designating those children whose needs can be met by the program and services, the ages of children who will be accepted, program activities, any supplementary services provided, any field trip provisions, any transportation arrangements, food service provisions, and a health examination requirement. (CCR 18105; 22 CCR 101218)

Note: Education Code 8263 and 5 CCR 18106 establish eligibility criteria and priorities for subsidized preschool services, as provided below and in the accompanying administrative regulation

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

Eligibility is generally limited to children who reside within district boundaries. However, Education Code 8322 and 5 CCR 18107 authorize the Board to enter into an agreement with the boards of other districts to serve children who reside within those districts. The district may revise the following paragraph to reflect any such agreement approved by the Board.

The Superintendent or designee shall ensure that subsidized preschool is provided to eligible families to the extent that state and/or federal funding is available and shall establish enrollment priorities in accordance with Education Code 8263 and 5 CCR 18106.

Note: The following paragraph is **optional**. Pursuant to Education Code 8235, programs operated under the CSPP are part-day programs only. Education Code 8239 encourages the provision of "wraparound child care services" which combine part-day preschool and general child care services to provide a full day of services for qualifying families. See the accompanying administrative regulation for program requirements.

The Superintendent or designee shall recommend strategies to link the district's preschool program with other available child care and development programs in the district or community in order to assist families whose child care needs extend beyond the length of time that the district's part-day preschool program is offered.

Note: 5 CCR 18279-18281 require an annual evaluation using **the CDE's** standardized "Desired Results for Children and Families" system **developed by the CDE**. The system requires a self-evaluation that includes, but is not limited to, an assessment of the program by staff and the Board, a parent survey, and an environment rating scale using forms selected by CDE. In addition, every three years, CDE conducts a Federal Program Monitoring/Contract Monitoring Review (FPM/CMR) process with each contract agency which reviews compliance with program requirements. The FPM/CMR instrument is available on the CDE's web site.

Education Code 8203.1, **as added by SB 858 (Ch. 32, Statutes of 2014)**, establishes the early learning quality rating and improvement system (QRIS) block grant to support continuous local improvement efforts that increase the number of low-income children in high-quality preschool programs. Grant funds may be awarded to eligible local consortia, which then allocate funds to districts and other agencies contracting to provide CSPP programs. Pursuant to Education Code 8203.1, QRIS is based on a tiered rating structure with progressively higher quality standards for each tier. It is designed to (1) provide supports and incentives for programs, teachers, and administrators to reach higher levels of quality; (2) monitor and evaluate program impacts on child outcomes; and (3) disseminate information to parents/guardians and the public about program quality. For further information about the QRIS block grant, see CDE's web site and its publication [Dream Big for Our Youngest Children](#).

The Superintendent or designee shall develop and implement an annual plan of evaluation which conforms to state requirements. (5 CCR 18279)

Note: The following paragraph may be revised to reflect programs offered by the district. Education Code 8235.5, as added by AB 1808 (Ch. 32, Statutes of 2018), requires CSPP programs that are exempt from licensing pursuant to Health and Safety Code 1596.792 to utilize district complaint procedures, with modifications as necessary, to resolve any deficiencies related to the CSPP health and safety requirements of Health and Safety Code 1596.7925. The bill summary clarifies that the Williams uniform complaint procedures established pursuant to 5 CCR 4680-4687 are the applicable procedures. See BP/AR 1312.4 - Williams Uniform Complaint Procedures.

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

The district's Williams uniform complaint procedures, with modifications as necessary, shall be used to investigate and resolve complaints alleging violation of applicable health or safety requirements for license-exempt programs operating under the California State Preschool Program. However, licensed programs shall refer complaints alleging health and safety violations to the California Department of Social Services. (Education Code 8235.5; 5 CCR 4610, 4611)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

The Superintendent or designee shall regularly report to the Board regarding enrollment in district preschool programs and the effectiveness of the programs in preparing preschoolers for transition into the elementary education program.

(cf. 0500 - Accountability)

Legal Reference:

EDUCATION CODE

8200-8499.10 *Child Care and Development Services Act, especially:*

8200-8209 *General provisions for child care and development services*

8230-8233 *Migrant child care and development program*

8235-8239.1 *California State Preschool Program*

8240-8244 *General child care and development programs*

8250-8252 *Programs for children with special needs*

8263 *Eligibility and priorities for subsidized child development services*

8263.3 *Disenrollment of families due to reduced funding levels*

8264.8 *Center-based child care programs, staffing ratios*

8273.1 *Family fees*

~~8300-8303 *Early Learning Quality Improvement System Advisory Committee*~~

8360-8370 *Personnel qualifications*

8400-8409 *Contracts, **administrative appeal procedure***

8493-8498 *Facilities, **capital outlay***

8499.3-8499.7 *Local child care and development planning councils*

44065 *Interchange between certificated and classified positions*

44256 *Credential types*

48000 *Transitional kindergarten*

48985 *Notification, primary language other than English*

HEALTH AND SAFETY CODE

1596.70-1596.895 *California Child Day Care Act*

1596.90-1597.21 *Day care centers*

120325-120380 *Immunization requirements*

Legal Reference continued: (see next page)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

Legal Reference: (continued)

CODE OF REGULATIONS, TITLE 5

4680-4687 Williams uniform complaint procedures

18000-18434 Child care and development programs, especially:

18130-18136 California State Preschool Program

18295 Waiver of qualifications for site supervisor

80105-80125 Permits authorizing service in child development programs

CODE OF FEDERAL REGULATIONS, TITLE 22

101151-101239.2 General requirements, licensed child care centers, especially:

101151-101163 Licensing and application procedures

101212-101231 Continuing requirements

101237-101239.2 Facilities and equipment

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act

6311-6322 Title I, relative to preschool

6371-6376 Early Reading First

6381-6381k Even Start family literacy programs

6391-6399 Education of migratory children

UNITED STATES CODE, TITLE 42

9831-9852c Head Start programs

~~9858-9858q~~ **9857-9858r** Child Care and Development Block Grant

CODE OF FEDERAL REGULATIONS, TITLE 22

~~101151-101239.2~~ General requirements, licensed child care centers, including:

~~101151-101163~~ Licensing and application procedures

~~101212-101231~~ Continuing requirements

~~101237-101239.2~~ Facilities and equipment

CODE OF FEDERAL REGULATIONS, TITLE 45

~~1301-1310~~ **1301.1-1305.2** Head Start

Management Resources:

CSBA PUBLICATIONS

What Boards of Education Can Do About Kindergarten Readiness, Governance Brief, May 2016

~~Expanding Access to High-Quality Preschool Programs, 2008~~

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California Preschool Learning Foundations

~~14-02 Enrolling and Reporting Children in California State Preschool Programs, April 2014~~

~~Dream Big for Our Youngest Children: Final Report of the California Early Learning Quality Improvement System Advisory Committee, 2010~~

~~Preschool English Learners: Principles and Practices to Promote Language, Literacy, and Learning, 2nd ed., 2009~~

~~Prekindergarten Learning Development Guidelines, 2000~~

~~First Class: A Guide for Early Primary Education, 1999~~

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Policy Statement on Expulsion and Suspension Policies in Early Childhood Settings, 2016

~~Good Start, Grow Smart, April 2002~~

Management Resources continued: (see next page)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

Management Resources: (continued)

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

California Association for the Education of Young Children: <http://www.caeyc.org>

~~California Children and Families Commission: <http://www.cfc.ca.gov>~~

California County Superintendents Educational Services Association: <http://www.ccsesa.org>

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

California Head Start Association: <http://caheadstart.org>

California Preschool Instructional Network: <http://www.cpin.us>

Child Development Policy Institute: <http://www.cdpi.net>

Cities, Counties, and Schools Partnership: <http://www.ccspartnership.org>

First 5 Association of California: ~~<http://www.f5ac.org>~~ <http://www.ccfc.ca.gov>

National Institute for Early Education Research: <http://nieer.org>

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

~~Preschool California: <http://www.preschoolcalifornia.org>~~

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

CSBA Sample Administrative Regulation

Students

AR 5148.3(a)

PRESCHOOL/EARLY CHILDHOOD EDUCATION

Note: The following administrative regulation reflects the major requirements of the California State Preschool Program (CSPP) pursuant to Education Code 8235-8239.1. The CSPP consolidates state preschool programs (Education Code 8235-8237), family literacy programs (Education Code 8238-8238.4), and general child care and development programs to the extent that they serve children 3-4 years of age (Education Code 8240-8244).

The following administrative regulation does not reflect all requirements for other state and federally funded preschool program(s). The district may revise this administrative regulation to reflect other preschool program(s) it offers, such as the state migrant child care and development program (Education Code 8230-8233), state child care and development services for children with special needs program for severely disabled children (Education Code 8250-8252), federal Head Start program (42 USC 9831-9852), Title I preschool program (20 USC 6311-6322), or preschool program developed and funded by the district.

In addition to the program requirements described below, preschool programs may be subject to other policies contained throughout the district's policy manual (e.g., BP/AR 1240 - Volunteer Assistance, AR 3514.2 - Integrated Pest Management, BP/AR 3550 - Food Service/Child Nutrition Program, and BP/AR 5148 - Child Care and Development, ~~AR 3514.2 - Integrated Pest Management, BP/AR 1240 - Volunteer Assistance, and food safety standards and nutrition requirements in BP/AR 3550 - Food Service/Child Nutrition Program~~). Districts should consult legal counsel if they have questions regarding the applicability of other laws to the district's preschool program.

When approved by the California Department of Education (CDE) under the California State Preschool Program (CSPP), the district may operate one or more part-day preschool programs in accordance with law and the terms of its contract with the CDE.

(cf. 5148 - Child Care and Development)

Note: 5 CCR 18130 specifies the state regulations for child care and development programs that are applicable to CSPP programs. These requirements include, but are not limited to, the program components listed in 5 CCR 18272-18281. See AR 5148 - Child Care and Development for details regarding these required program components.

The district's preschool program shall include all required program components, as described in 5 CCR 18272-18281 and AR 5148 - Child Care and Development, for the educational program, the creation of a developmental profile for each child, staff development, parent involvement and education, community involvement, health and social services, nutrition, and program evaluation. (5 CCR 18271-28281)

Minimum Hours/Days of Operation

The district's part-day preschool program shall operate a minimum of three hours per day, excluding time for home-to-school transportation, and for a minimum of 175 days per year unless otherwise specified in the program's contract. (Education Code 8235; 5 CCR 18136)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)**Staffing**

The preschool program shall maintain an adult-child ratio of at least one adult for every eight children and a teacher-child ratio of at least one teacher for every 24 children. If the district cannot recruit a sufficient number of parents/guardians or volunteers to meet the required adult-child ratio, teacher aides shall be hired as necessary. (5 CCR 18135, 18290)

(cf. 1240 - Volunteer Assistance)

(cf. 6020 - Parent Involvement)

Note: Health and Safety Code 1596.7995, ~~as added by SB 792 (Ch. 807, Statutes of 2015),~~ requires employees and volunteers at a day care center to be immunized against influenza, pertussis, and measles, with specified exemptions. Health and Safety Code 1597.055, ~~as amended by SB 792, incorporates the immunization requirements into the qualifications of day care teachers and~~ adds a requirement for such teachers to obtain a tuberculosis clearance. Pursuant to Health and Safety Code 1596.76, a day care center includes a preschool. See AR 5148 - Child Care and Development for further information regarding immunization requirements for staff and volunteers. Districts that ~~do not offer child care and development programs and/or~~ have not adopted AR 5148 - Child Care and Development may revise the following paragraph accordingly and expand it to include the exemptions specified in Health and Safety Code ~~1596.7996~~ **1596.7995**.

Any person employed at a district preschool and any volunteer who provides care and supervision to children at a preschool shall, unless exempted by law, be immunized against influenza, pertussis, and measles in accordance with Health and Safety Code 1596.7995 and AR 5148 - Child Care and Development. Documentation of required immunizations, or applicable exemptions, shall be maintained in the employee's personnel file. (Health and Safety Code 1596.7995)

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

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

In addition, preschool teachers shall present evidence of a current tuberculosis clearance and meet other requirements as specified in Health and Safety Code 1597.055.

Wraparound Child Care Services

Note: The following section is **optional**. Because preschool programs operated under the CSPP are part-day programs only, Education Code 8329 encourages districts to contract with the **California Department of Education (CDE)** to offer "wraparound child care services" which combine preschool and general child care services to provide a full day of services for eligible families. Such programs must be consistent with requirements for general child care and development programs offered pursuant to Education Code 8240-8244; see BP/AR 5148 - Child Care and Development.

In accordance with its contract with ~~the~~ CDE, the district may offer full-day services to meet the needs of eligible families through a combination of part-day preschool and wraparound child care services that are offered for the remaining portion of the day or year following

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

completion of the preschool services. Child care and development services offered through this program shall meet the requirements of general child care and development programs pursuant to Education Code 8240-8244. (Education Code 8239)

Wraparound services shall operate a minimum of 246 days per year unless otherwise specified in the contract. Within this period of time, the part-day preschool program shall operate 175-180 days. After the completion of the preschool program, a part-time general child care and development program may operate a full day for the remainder of the year. (Education Code 8239)

Family Literacy Services

Note: The following section is **optional**. Contingent upon funding in the state Budget Act, Education Code 8238 and 8238.4 provide for the Superintendent of Public Instruction (~~SPI~~) to distribute family literacy supplemental grant funds to qualifying CSPP contractors for the purposes described below.

When any district preschool program receives funding for family literacy services pursuant to Education Code 8238.4, the Superintendent or designee shall coordinate the provision of: (Education Code 8238)

1. Opportunities for parents/guardians to work with their children on interactive literacy activities, including activities in which parents/guardians actively participate in facilitating their children's acquisition of prereading skills through guided activities such as shared reading, learning the alphabet, and basic vocabulary development
2. Parenting education for parents/guardians of **children in** participating **children classrooms** to support their child's development of literacy skills, including, but not limited to, parent education in:
 - a. Providing support for the educational growth and success of their children
 - b. Improving parent-school communications and parental understanding of school structures and expectations
 - c. Becoming active partners with teachers in the education of their children
 - d. Improving parental knowledge of local resources for the identification of and services for developmental disabilities, including, but not limited to, contact information for the district special education referral
3. Referrals to providers of adult education and instruction in English as a second language as necessary to improve **parents/guardians'** academic skills **of parents/guardians**

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

(cf. 6200 - Adult Education)

4. Staff development for teachers in participating classrooms that includes, but is not limited to:
 - a. Development of a pedagogical knowledge, including, but not limited to, improved instructional **and behavioral** strategies
 - b. Knowledge and application of developmentally appropriate assessments of the prereading skills of children in participating classrooms
 - c. Information on working with families, including the use of on-site coaching, for guided practice in interactive literacy activities
 - d. Providing targeted interventions for all young children to improve kindergarten readiness upon program completion

(cf. 4131 - Staff Development)

Eligibility and Enrollment

Note: The following section reflects eligibility criteria and enrollment priorities for the CSPP pursuant to state law and regulations. 5 CCR 18105 **mandates** that a district operating a CSPP program develop written admissions policies and procedures that conform to the requirements of 22 CCR 101218, including, **but not limited to**, criteria designating those children whose needs can be met by the program and services and the ages of children who will be accepted. **AB 2626 (Ch. 945, Statutes of 2018) amended Education Code 8208 to change the birthdate by which children are eligible for CSPP, as provided below.**

Children eligible for the district's **CSPP preschool** program include those who will have their third or fourth birthday on or before **September December 1** of the fiscal year that they are being served. **Children who have their third birthday on or after December 2 may be enrolled on or after their third birthday.** (Education Code 8208, 8235, 8236)

~~Note: The following paragraph reflects guidance in CDE's Management Bulletin 14-02. See BP 6170.1—Transitional Kindergarten for eligibility requirements pertaining to the transitional kindergarten program pursuant to Education Code 48000.~~

~~When a child is eligible for both the preschool program and the district's transitional kindergarten program, the family may choose the most appropriate program for the child. In accordance with the enrollment priorities described below, the child may be enrolled in both programs provided that the child is not enrolled in both programs for the same time period on the same day.~~

~~*(cf. 5111—Admission)*~~

~~*(cf. 6170.1—Transitional Kindergarten)*~~

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

Note: Pursuant to 5 CCR 18082-18083, the parent/guardian must submit an application for services which contains specified information and documentation. The application form is available on CDE's web site. Upon receiving an application, a person designated by the district must certify the family's or child's eligibility.

Eligibility for ~~subsidized preschool~~ **the CSPP program** shall be as follows:

1. Children shall be eligible for subsidized preschool services if their family is a current aid recipient, income eligible, or homeless and/or the children are recipients of protective services or have been identified as being, or at risk of being, abused, neglected, or exploited. (Education Code 8235, 8263, 8263.1; ~~5 CCR 18131, 18134~~)
2. Children shall be eligible for subsidized wraparound preschool and child care services if their family meets at least one of the criteria specified in item #1 above and needs child care services due to either of the following circumstances: (Education Code 8239, 8263)

Note: ~~AB 982 (Ch. 567, Statutes of 2015) amended Education Code 8263 to expand the list of entities that can identify a child in need of subsidized services to include a local educational agency liaison for homeless children and youth, a Head Start program, or a transitional shelter and to expand the list of children to be identified to include a homeless child.~~

- a. The child is identified by a legal, medical, or social services agency, the district liaison for homeless students, a Head Start program, or an emergency or transitional shelter as being a recipient of protective services, as being or at risk of being neglected, abused, or exploited, or as being homeless.

(cf. 6173 - Education for Homeless Children)

Note: **Education Code 8263, as amended by AB 273 (Ch. 689, Statutes of 2017), provides that eligibility for child care and development programs may be established by parent/guardian engagement in an educational program for English learners or for attainment of a high school diploma or general educational development certificate.**

- b. The parents/guardians are engaged in vocational training leading directly to a recognized trade, paraprofession, or profession; **are engaged in an educational program for English language learners or for the attainment of a high school diploma or general educational development certificate;** are employed or seeking employment; are seeking permanent housing for family stability; or are incapacitated.

Note: The following paragraph may be revised to reflect district practice. Unless state funding is allocated to support the "centralized eligibility list" established in each county pursuant to Education Code 8499.5, such lists will be maintained only if locally funded. In situations where there is no locally funded centralized eligibility list or the district elects not to participate in the local list, the district must establish its own waiting list in accordance with admission priorities pursuant to 5 CCR 18106.

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

The Superintendent or designee shall consult the county's centralized eligibility list, when available, or shall maintain a district waiting list in accordance with admission priorities. As vacancies occur, applicants shall be contacted in order of their priority. (5 CCR 18106)

First priority for enrollment in a preschool program shall be given to neglected or abused children **3 or 4 years of age ages 3-4** who are recipients of child protective services or who, based upon written referral from a legal, medical, or social service agency, are at risk of being neglected, abused, or exploited. If unable to enroll a child in this category, the district shall refer the child's parent/guardian to local resource and referral services so that services for the child can be located. (Education Code 8236; 5 CCR 18131)

(cf. 1020 - Youth Services)

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

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

Note: Pursuant to Education Code 8236, second priority for enrollment must be granted to children 4 years of age who are not enrolled in a **transitional kindergarten (TK)** program, as provided in the following paragraph.

In any CSPP program operating with funding that was initially allocated in a prior fiscal year, at least one-half of the children enrolled at a preschool site must be children who are 4 years of age unless an exception is granted by the SPI. Education Code 8236, as amended by AB 2626 (Ch. 945, Statutes of 2018), eliminates the requirement, for CSPP programs operating with funding that was initially allocated in a prior fiscal year, that at least one-half of the children enrolled at a preschool must be children who are age 4 years.

After all children with first priority are enrolled, the district shall give second priority to eligible children 4 years of age who are not enrolled in a transitional kindergarten **(TK)** program prior to enrolling eligible children 3 years of age. (Education Code 8236)

Note: Education Code 8235, as amended by AB 99 (Ch. 15, Statutes of 2017), allows CSPP programs to provide services to children with disabilities whose family income is above the income eligibility threshold. Such children do not count towards the 10 percent limitation for otherwise ineligible children as described below.

After all otherwise eligible children have been enrolled, the program may provide services to children with disabilities who are ages 3-4 and whose family income is above the income eligibility threshold. (Education Code 8235)

In addition, aAfter enrolling all eligible children **who meet the criteria for subsidized services**, up to 10 percent of the program's enrollment, calculated throughout the entire contract, may be filled with children who exceed the age limitations and children whose family income **exceeds is no more than 15 percent above** the income eligibility threshold **by no more than 15 percent.** (Education Code 8235; 5 CCR 18133)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

The district may certify eligibility and enrollment up to 120 calendar days prior to the first day of the beginning of the preschool year. After establishing eligibility at the time of initial enrollment, a child shall remain eligible for the remainder of the program year. (Education Code 8237; 5 CCR 18082)

Note: Pursuant to 5 CCR 18130, CSPP programs are subject to 5 CCR 18094 and 18118, which require the district to provide written notification to parents/guardians as to whether their application for subsidized services has been approved or denied. For this purpose, the district should use the Notice of Action form available on the CDE's web site. If the services are denied, the parent/guardian may appeal the decision in accordance with 5 CCR 18120-18122; see section "Parent Hearing" below.

The district's decision to approve or deny a child's enrollment shall be communicated to the family through a written Notice of Action mailed or delivered within 30 days from the date the application is signed by the parent/guardian. (5 CCR 18094, 18095, 18118)

(cf. 5145.6 - Parental Notifications)

Note: 5 CCR 18095 and 18119 require the district to notify a parent/guardian of any change in services or fees as described below. For such notification, the district should use the Notice of Action form available on the CDE's web site. Parents/guardians may appeal such actions pursuant to 5 CCR 18120-18122; see section "Parent Hearing" below.

Subsequently, the Superintendent or designee shall mail or deliver a Notice of Action to a parent/guardian at least 14 calendar days before any intended change in services, including, but not limited to, an increase or decrease in fees, an increase or decrease in the amount of services, or termination of services, due to any of the following circumstances: (5 CCR 18095, 18119)

1. A determination during recertification or update of the application that the need or eligibility requirements are no longer being met or the fee or amount of service needs to be modified
2. Failure of the parent/guardian to document the family's need or eligibility after the district requested such documentation in writing
3. An indication by the parent/guardian that he/she no longer wants the service
4. The death of a parent/guardian or child
5. The conclusion of a limited-term agreement, provided that the parent/guardian has been informed in writing of the date that the services would terminate

For each child enrolled in the district's preschool program, the Superintendent or designee shall maintain a family data file **containing including, but not limited to,** a completed and

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

signed application for services, documentation of income eligibility, and a copy of all Notices of Action. For each child not receiving subsidized services, the family data file shall also include records of the specific reason(s) for enrolling each child, the child's family income, and evidence that the district has made a diligent search for children eligible for subsidized services. (5 CCR 18130, 18133, 18081, 18084)

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

(cf. 5125 - Student Records)

Combined Preschool/Transitional Kindergarten Classroom

Note: AB 1808 (Ch. 32, Statutes of 2018) amended Education Code 8235 and 48000 to allow districts to place 4-year-old children enrolled in a CSPP program into a TK program and to commingle children from both programs in the same classroom as long as all of the requirements of each program are met and the district adheres to the requirements listed in the following section. See BP 6170.1 - Transitional Kindergarten for eligibility requirements pertaining to the TK program pursuant to Education Code 48000.

When a child is eligible for both the preschool program and the district's TK program, the district may place the child in a classroom which is commingled with children from both programs as long as the commingled program meets all of the requirements of each program as well as the following requirements: (Education Code 8235, 48000)

1. An early childhood environment rating scale, as specified in 5 CCR 18281, shall be completed for the classroom.
2. All children enrolled for 10 or more hours per week shall be evaluated using the Desired Results Developmental Profile, as specified in 5 CCR 18272.
3. The classroom shall be taught by a teacher who holds a credential issued by the Commission on Teacher Credentialing in accordance with Education Code 44065 and 44256.
4. The classroom shall comply with the adult-child ratio specified in Education Code 8264.8.
5. Contractors of the district shall report the services, revenues, and expenditures for children in the preschool program in accordance with 5 CCR 18068.
6. The classroom shall not include children enrolled in TK for a second year or children enrolled in a regular kindergarten classroom.

(cf. 5111 - Admission)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

(cf. 6170.1 - Transitional Kindergarten)

Fees and Charges

Fees for participation in the district's preschool program shall be assessed and collected in accordance with the fee schedule established by the Superintendent of Public Instruction **(SPI)**. (Education Code 8273, **8273.2**; 5 CCR 18078)

(cf. 3260 - Fees and Charges)

However, no fee shall be charged to an income-eligible family whose child is enrolled in a part-day preschool program; **or** a family that is receiving CalWORKs cash aid; **or a family that is otherwise exempted pursuant to Education Code 8273.1**. (Education Code 8273.1; 5 CCR 18110)

Note: Education Code 8273.1, as amended by AB 99 (Ch. 15, Statutes of 2017), extends the length of time, from three months to 12 months, for which a family who establishes preschool eligibility on the basis of abuse or neglect may be exempt from family fees.

~~In addition, any family qualifying for subsidized preschool on the basis of having a child who is a recipient of child protective services, or having a certification by a county child welfare agency that services continue to be necessary, may be exempt from these fees for up to 12 months. Any family whose child is receiving subsidized preschool on the basis of being at risk of abuse, neglect, or exploitation may be exempt from these fees for up to three months, unless the family becomes eligible based on receipt of child protective services or certification of need by a county child welfare agency. The cumulative period of exemption for these purposes shall not exceed 12 months. A family may be exempt from the fees for up to 12 months if the child qualifies for preschool on the basis of being the recipient of child protective services or as being, or at risk of being, abused or neglected.~~ (Education Code 8273.1)

Note: Education Code 8273.3 authorizes a district offering a CSPP program to charge a fee for field trips and/or to require parents/guardians to provide diapers, but **mandates** that the district adopt policy to include parents/guardians in the decision-making about such fees, as provided below. Pursuant to Education Code 8273.3, the fees cannot exceed \$25 per child in the contract year. The following paragraph may be modified to delete diapers as appropriate for the age of the children served.

The Superintendent or designee shall establish a process that involves parents/guardians in determining whether to require parents/guardians to provide diapers. **This process shall also be used to determine and/or** whether and how much to charge parents/guardians for field trip expenses, within the limit specified in law. A child shall not be denied participation in a field trip due to the parent/guardian's inability or refusal to pay the fee, and no adverse action shall be taken against a parent/guardian for that inability or refusal. (Education Code 8273.3)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)**Disenrollment Based on Reduced Funding**

Note: Education Code 8263.3 specifies the order by which families will be disenrolled from child care and development services when funding levels are reduced. The following list applies that order of disenrollment to CSPP programs but takes into account the priority specified in Education Code 8236 to enroll children 4 years of age before enrolling children 3 years of age.

When necessary due to a reduction in state reimbursements, families shall be disenrolled in the following order: (Education Code 8236, 8263.3)

1. Children 3 years of age whose families have the highest income in relation to family size shall be disenrolled first, followed by children 4 years of age whose families have the highest income in relation to family size.

At each age level, if two or more families have the same income ranking, the child with disabilities shall be disenrolled last. If there are no families that have a child with disabilities, the child who has received services the longest shall be disenrolled first.

2. Families of children 3 or 4 years of age who are receiving child protective services or who have been documented to be at risk of being neglected, **or** abused, ~~or exploited,~~ regardless of income, shall be disenrolled last.

Expulsion/Unenrollment Based on Behavior

Note: Education Code 8239.1, as added by AB 752 (Ch. 708, Statutes of 2017), prohibits the expulsion or unenrollment of a child from a CSPP program because of the child's behavior unless the district has followed the steps specified below.

A district preschool program shall not expel or unenroll a child based on the child's behavior, unless the district first takes the following actions to address the child's behavior: (Education Code 8239.1)

1. **Inform the parents/guardians of the child's persistent and serious challenging behaviors and consult with the parents/guardians and teacher in an effort to maintain the child's safe participation in the program**
2. **If the child has an individualized family service plan (IFSP) or individualized education program (IEP), with written parent/guardian consent, contact the agency or district employee responsible for such plan or program to seek consultation in regard to serving the child**

(cf. 6159 - Individualized Education Program)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

- 3. If the child does not have an IFSP or IEP, consider if it is appropriate to complete a universal screening of the child, including, but not limited to, screening the child's social and emotional development, referring the parents/guardians to community resources, implementing behavior supports within the program, and considering an IEP for the child**

If the district has taken the actions specified in items #1-3 above and the child's continued enrollment would present a serious safety threat to the child or other enrolled children, the district shall refer the parents/guardians to other potentially appropriate placements, the local child care resource and referral agency, or any other referral service available in the local community. Within 180 days of the start of the process, the district may unenroll the child. (Education Code 8239.1)

Note: A joint statement by the U.S. Department of Education and U.S. Department of Health and Human Services, Policy Statement on Expulsion and Suspension Policies in Early Childhood Settings, clarifies that preschool children with disabilities who are eligible for services under the Individuals with Disabilities Education Act (IDEA) (20 USC 1400-1482) are entitled to the same disciplinary protections that apply to all other IDEA-eligible students with disabilities, may not be subjected to impermissible disciplinary changes of placement for misconduct that is caused by or related to their disability, and must continue to receive educational services consistent with their right to a free appropriate public education. The statement indicates the need for the child's individualized education program (IEP) team to consider the use of positive behavioral interventions and supports when developing or modifying the IEP to reduce the need for discipline of a child with disabilities and avoid suspension or expulsion from a preschool program.

Children with disabilities may only be suspended or expelled in conformance with the procedures and limitations of the Individuals with Disabilities Education Act.

Parent Hearing

Note: Pursuant to 5 CCR 18130, districts are subject to the requirements of 5 CCR 18120-18122 to provide due process to parents/guardians who disagree with certain district actions, such as when services are denied, there is a change in services or fees, or their child is disenrolled.

If a parent/guardian disagrees with any district action to deny his/her child's eligibility for subsidized preschool services, disenroll the child due to a funding shortage, increase or decrease fees, increase or decrease the amount of services, terminate services, or otherwise change the level of services, he/she may file a request for a hearing with the Superintendent or designee within 14 calendar days of the date the Notice of Action was received. Within 10 calendar days of receiving the request for a hearing, the Superintendent or designee shall notify the parent/guardian of the time and place of the hearing, which, to the extent possible, shall be convenient for the parent/guardian. (5 CCR 18120)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

The hearing shall be conducted in accordance with the procedures specified in 5 CCR 18120 by a district administrator who is at a staff level higher in authority than the staff person who made the contested decision. Within 10 calendar days after the hearing, the district administrator shall mail or deliver a written decision to the parent/guardian. If the parent/guardian disagrees with the written decision, he/she may, within 14 calendar days, appeal the decision to **the** CDE. (5 CCR 18120-18122)

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CSBA Sample Board Policy

Instruction

BP 6142.3(a)

CIVIC EDUCATION

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

Education Code 51470-51474, as added by AB 24 (Ch. 604, Statutes of 2017), establish the State Seal of Civic Engagement, a voluntary program to recognize high school graduates who have demonstrated excellence in civic education and participation, as well as an understanding of the U.S. Constitution, the California Constitution, and the democratic system of government. The Superintendent of Public Instruction will provide an insignia that can be affixed to the diploma or transcript of eligible students. Criteria for the award will be approved by the State Board of Education by January 31, 2021.

The Governing Board recognizes that **citizen** involvement in civic and political institutions is essential to a democratic government and desires to provide a comprehensive civic education program to help students acquire the knowledge, skills, and principles essential for informed, **engaged, and** responsible citizenship.

Note: State standards and guidelines for **instruction in** civics and government are included in the standards and curriculum framework for history-social science. **The history-social science curriculum framework contains suggestions for lessons and activities that include simulations of government, student-led debates, research projects, voter education, and service learning.** In addition, the Center for Civic Education has developed voluntary National Standards for Civics and Government describing what students should know and be able to do in the field of civics and government ~~by the end of grades 4, 8, and 12~~ **in grades K-4, 5-8, and 9-12.**

The Board shall approve, upon the recommendation of the Superintendent or designee, academic standards and curriculum in civics and government that are aligned with state academic standards and curriculum frameworks.

(cf. 6000 - Concepts and Roles)

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6142.94 - History-Social Science Instruction)

(cf. 9000 - Role of the Board)

The Superintendent or designee shall determine specific courses within the K-12 curriculum in which civic education and government may be explicitly and systematically taught. He/she **also** shall **also** encourage the integration of civic education into other subjects as appropriate.

(cf. 6143 - Courses of Study)

(cf. 6146.1 - High School Graduation Requirements)

CIVIC EDUCATION (continued)

The district's civic education program shall provide students with an understanding of the rights and responsibilities of citizens in American democracy and the workings of federal, state, and local governments. As appropriate, instruction should include an examination of fundamental American documents, including, but not limited to, the Declaration of Independence, the United States Constitution, the Federalist Papers, and other significant writings and speeches. Instruction ~~also~~ **also** promote a student's understanding of shared democratic principles and values, such as personal responsibility, justice, equality, respect for others, civic-mindedness, and patriotism, and enable students to make their own commitment to these civic values.

~~To develop a sense of political effectiveness, instruction should develop students' understanding of the importance of civic participation in a democratic society. Service learning, extracurricular and cocurricular activities, class and school elections, simulations of government, student-led debates, voter education,~~ and observation of local government processes may be used to reinforce classroom instruction by linking civic knowledge to practical experience and encouraging civic involvement.

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

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

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 9150 - Student Board Members)

~~Instruction also should promote a student's understanding of shared democratic principles and values, such as personal responsibility, justice, equality, respect for others, civic-mindedness, and patriotism, and enable students to make their own commitment to these civic values.~~

Whenever civic education includes topics that may be controversial due to political beliefs or other influences, instruction shall be presented in a balanced manner that does not promote any particular viewpoint. Students shall not be discriminated against for expressing their ideas and opinions and shall be encouraged to respect different points of view.

(cf. 5145.2 - Freedom of Speech/Expression)

(cf. 6144 - Controversial Issues)

Constitution/Citizenship Day

Each year on or near September 17, in commemoration of Constitution and Citizenship Day, the district shall hold an educational program for students in grades K-12 pertaining to the United States Constitution which shall include exercises and instruction in the purpose, meaning, and importance of the Constitution, including the Bill of Rights. (Education Code 37221; ~~P.L. 108-447, Sec. 111~~ **36 USC 106 Note**)

(cf. 6115 - Ceremonies and Observances)

CIVIC EDUCATION (continued)**Student Voter Registration**

Note: The following section is for use by districts that maintain high schools. Elections Code 2146 requires the California Secretary of State to annually provide high schools with voter registration forms in numbers specifically requested by the school.

To encourage students to participate in the elections process when they are of voting age, the Superintendent or designee shall provide high school students with voter registration information, including information regarding the state's online voter registration system.

The Superintendent or designee shall identify an employee at each high school whom the California Secretary of State may contact to facilitate the distribution of voter registration forms to eligible students. The Superintendent or designee shall provide the business address, phone number, and email address of each contact person to the Secretary of State. (Elections Code 2148)

Note: The following optional paragraph reflects examples of methods of distributing voter registration forms as specified in Elections Code 2146 and may be revised to reflect district practice.

The designated employee shall determine the most effective means of distributing voter registration forms provided by the Secretary of State, which may include, but are not limited to, distributing the forms at the start of the school year with orientation materials, placing voter registration forms at central locations, including voter registration forms with graduation materials, and/or providing links and the web site address of the Secretary of State's online voter registration system on the district's web site and in email notices sent to students.

The principal or designee may appoint one or more students enrolled at each high school to serve as voter outreach coordinators at that school. The voter outreach coordinator(s) may coordinate voter registration activities at the school to encourage eligible persons to register to vote. With the approval of the principal or designee, the voter outreach coordinator(s) may also coordinate election-related activities on campus, including voter registration drives, mock elections, debates, and other election-related student outreach activities. (Education Code 49041)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5145.13 - Response to Immigration Enforcement)

Note: Education Code 49040 designates the last two full weeks in April and the last two full weeks in September as "high school voter education weeks" during which elections officials may, at their discretion, visit high school campuses to register students and school personnel to vote. This does not preclude registration events on a high school campus as otherwise permitted by the Elections Code.

CIVIC EDUCATION (continued)

During the last two full weeks in April and September, in areas on each high school campus that are reasonably accessible to all students as designated by the principal or designee, the county elections official shall be allowed to register students and school personnel to vote. (Education Code 49040)

Legal Reference:

EDUCATION CODE

54 Student service on boards and commissions

233.5 Teaching of principles

33540 Standards for government and civics instruction

37221 Commemorative exercises including anniversary of U.S. Constitution

48205 Absence from school for jury duty or precinct board service

49040-49041 Student voter registration

51210 Courses of study, grades 1-6

51220 Courses of study, grades 7-12

51470-51474 State Seal of Civic Engagement

ELECTIONS CODE

2146 Student voter registration

2148 Student voter registration, contact person

12302 Precinct boards, appointment of students

UNITED STATES CODE, TITLE 20

6711-6716 Education for Democracy Act

UNITED STATES CODE, TITLE 36

101-144 Patriotic observances

Management Resources:

CSBA PUBLICATIONS

School Board Leadership: The Role and Function of California's School Boards, 1996

FEDERAL REGISTER

77 Fed. Reg. 29727 Constitution Day and Citizenship Day

AMERICAN BAR ASSOCIATION PUBLICATIONS

Essentials of Law-Related Education, rev. 2003

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

History-Social Science Content Standards

History-Social Science Framework for California Public Schools

CENTER FOR CIVIC EDUCATION PUBLICATIONS

Education for Democracy: California Civic Education Scope & Sequence, 2003

National Standards for Civics and Government, 1994

NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS (NAEP) PUBLICATIONS

1998 Civics Report Card for the Nation, November 18, 1999

Civics Assessment

WEB SITES

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

American Bar Association, Law-Related Education Projects : <http://www.abanet.org/publiced/lre>

https://www.americanbar.org/groups/public_education.html

Management Resources continued: (see next page)

CIVIC EDUCATION (continued)

Management Resources: (continued)

WEB SITES (continued)

American Political Science Association: <http://www.apsanet.org>

Bill of Rights Institute: <http://www.billofrightsinstitute.org>

California Association of Student Leaders: <http://www.casl1.org>

California Council for the Social Studies: <http://www.ccss.org>

California Secretary of State Online Voter Registration: <https://registertovote.ca.gov>

Center for California Studies: <http://www.csus.edu/calst>

Center for Civic Education: <http://www.civiced.org>

Center for Information and Research on Civic Learning and Engagement: <http://www.civicyouth.org>

~~*Center for Youth Citizenship: <http://www.youthcitizenship.org>*~~

Constitutional Rights Foundation: <http://www.crf-usa.org>

National Assessment of Educational Progress (NAEP), Civics Assessment:

<https://nces.ed.gov/nationsreportcard/civics>

National Council for the Social Studies: <http://www.ncss.org>

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 ~~law and state laws~~ (Title IX, 20 USC 1681-1688) ~~and state law~~ (Education Code 200-262.4; 5 CCR 4900-4965).

ATHLETIC COMPETITION (continued)

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 alleging discrimination in** 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 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.

Any district school that participates in the California Interscholastic Federation (CIF) shall conduct its athletic activities in accordance with 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.

ATHLETIC COMPETITION (continued)

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 CIF. The following paragraph may be revised to reflect district practice.

The Board shall annually designate a representative to the local CIF league from each school that participates in CIF sports. 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 activities, knowledge of the athletic programs, awareness of the implications of league decisions for the school and the district, and 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 report regularly to the Board on league, section, and statewide issues 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 the same criteria adopted by the Board for all other extracurricular or cocurricular activities (see BP/AR 6145 - Extracurricular and Cocurricular Activities), and may be revised to reflect district practice.

Education Code 48850 specifies that a homeless student, or a foster youth whose residence changes pursuant to a court order or decision of a child welfare worker, shall be deemed to meet all residency requirements for participation in extracurricular activities 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; 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, 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. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

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

ATHLETIC COMPETITION (continued)

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: 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 include, 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.

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 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 Code of Ethics adopted by CIF.

Students and staff shall be subject to disciplinary action for improper conduct.

(cf. 3515.2 - Disruptions)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

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

ATHLETIC COMPETITION (continued)

(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

Note: See the accompanying administrative regulation for additional requirements pertaining to the health and safety of student athletes, including students who experience concussions or other head injuries, heat illness, or sudden cardiac arrest.

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.

(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: Education Code 35179.4, as added by AB 2009 (Ch. 646, Statutes of 2018), requires any district that offers an interscholastic athletic program to develop a written emergency action plan, as provided below. A sample emergency action plan that may be used in the event of sudden cardiac arrest, catastrophic injury, or other medical emergency is available on CIF's web site.

ATHLETIC COMPETITION (continued)

The Superintendent or designee shall develop a written emergency action plan that describes the location of automated external defibrillator(s) and procedures to be followed in the event of sudden cardiac arrest or other medical emergency related to the athletic program's activities or events. The plan shall be posted in accordance with guidelines of the National Federation of State High School Associations. (Education Code 35179.4)

Note: Education Code 49475 requires that 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 of **an a serious** injury 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 district employee who is present shall remove the student athlete from the activity, 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.

Whenever **an a serious** injury **or illness** is suffered by a student **athlete**, the Superintendent or designee shall notify the student's parent/guardian of the date, time, and extent of any injury **or illness** suffered by the student and any actions taken to treat the student.

Legal Reference: (see next page)

ATHLETIC COMPETITION (continued)

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

35179.4 Emergency action plan

35179.5 Interscholastic athletics; limitation on full-contact practices

35179.6 Automated external defibrillator, athletic activities

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

HEALTH AND SAFETY CODE

1797.196 Automated external defibrillator

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) 602 F. 3d 957

McCormick v. School District of Mamaroneck, (2004) 370 F.3d 275

Kahn v. East Side Union High School District, (2003) 31 Cal. 4th 990

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

ATHLETIC COMPETITION (continued)

Management Resources:

CSBA PUBLICATIONS

Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Discrimination, March 2017

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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

CALIFORNIA INTERSCHOLASTIC FEDERATION PUBLICATIONS

Athletic Department Emergency Action Plan: Response Teams

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

Event Emergency Guidelines, 2013

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

NATIONAL FEDERATION OF STATE HIGH SCHOOL ASSOCIATIONS PUBLICATIONS

Emergency Action Planning Guide for After-School Practices and Events

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>

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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 ~~and federal~~ law regarding nondiscrimination (~~Title IX, 20 USC 1681-1688~~; Education Code 200-262.4; 5 CCR 4900-4965; **Title IX, 20 USC 1681-1688**). 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~~ **any actual or perceived characteristic specified in law and BP 0410 - Nondiscrimination in District Programs and Activities**. (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 Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Discrimination.

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 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 #1a 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: 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

ATHLETIC COMPETITION (continued)

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. A letter issued by OCR in April 2010 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

Each school that offers competitive athletics shall, at the end of the school year, post on its school web site, or on the district web site if the school does not have a web site, the following information: (Education Code 221.9)

1. The total enrollment of the school, classified by gender

ATHLETIC COMPETITION (continued)

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)

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 initial practices or competition. (Education Code 49475)

(cf. 5145.6 - Parental Notifications)

Note: Education Code 49032 requires that each high school coach complete an education program that includes, but is not limited to, a basic understanding of the signs and symptoms of concussions and appropriate response to them. CIF makes 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 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

ATHLETIC COMPETITION (continued)

immediately removed from the athletic activity and not be allowed to return until a health care provider provides written clearance. 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.

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.

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)

Heat Illness

Note: Pursuant to Education Code 35179.1, as amended by AB 2800 (Ch. 21, Statutes of 2018), effective January 1, 2019, the district or CIF-developed coaching education program required by Education Code 49032 must include training on the signs and symptoms of, and the appropriate response to, heat illness. The National Federation of State High Schools offers a free online course, available on CIF's web site, that fulfills these requirements.

The Superintendent or designee shall provide training to coaches and/or athletic trainers regarding the signs and symptoms of, and the appropriate response to, heat illness, including heat cramps, heat syncope, heat exhaustion, and exertional heat stroke. (Education Code 35179.1, 49032)

Note: The following optional paragraph reflects recommendations in CSBA's and CIF's joint publication Preventing Catastrophic Heat Illness, and may be expanded to include additional district strategies.

ATHLETIC COMPETITION (continued)

To assist in the prevention of heat illness, coaches and/or athletic trainers shall gradually increase the intensity and duration of exercise to acclimate student athletes to practice in the heat, provide adequate rest breaks, make water available during all athletic activities, and alter practice plans in extreme environmental conditions.

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 CIF or, if the athletic activity is not governed by 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 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~~ **the student's participation** 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.

ATHLETIC COMPETITION (continued)

If a student athlete passes out or faints, or is known to have passed out or fainted, while participating in or immediately following his/her participation in an athletic activity, the student shall be removed from participation at that time. If a student exhibits any other symptoms of sudden cardiac arrest, including seizures during exercise, unexplained shortness of breath, chest pains, dizziness, racing heart rate, or extreme fatigue, he/she may be removed from participation by a coach or other employee who observes these symptoms. If any such symptoms are observed, notification shall be given to the student's parent/guardian so that the parent/guardian can determine the treatment, if any, the student should seek. A student who has been removed from participation shall not be permitted to return until he/she is evaluated and given written clearance to return to participation by a health care provider. (Education Code 33479.2, 33479.5)

Automated External Defibrillators

Note: Pursuant to Education Code 35179.6, as added by AB 2009 (Ch. 646, Statutes of 2018), effective July 1, 2019, a district that offers an interscholastic athletic program is required to make an automated external defibrillator (AED) available to coaches, athletic trainers, and/or other authorized persons at athletic activities or events. Education Code 35179.6 encourages districts to make AEDs available for emergency care or treatment within three to five minutes of sudden cardiac arrest to any person in attendance at an on-campus athletic activity or event.

Education Code 35179.6 clarifies that the district or district employee will not be liable for civil damages resulting from any act or omission in the rendering of emergency care or treatment provided that the employee complies with the requirements of Health and Safety Code 1797.196 and does not act with gross negligence or willful or wanton misconduct by using, attempting to use, or maliciously failing to use an AED to render emergency care or treatment.

The Superintendent or designee shall acquire at least one automated external defibrillator (AED) for each district school and shall make the AED(s) available to coaches, athletic trainers, and/or other authorized persons at athletic activities or events for the purpose of providing emergency care or treatment to students, spectators, and other individuals in attendance at athletic activities and events. (Education Code 35179.6)

(cf. 5141 - Health Care and Emergencies)

The district shall comply with all requirements of Health and Safety Code 1797.196 pertaining to any AED acquired by the district, including, but not limited to, regular maintenance and testing of the AED and the provision and posting of information regarding the proper use of the AED. (Education Code 35179.6; Health and Safety Code 1797.196)

ATHLETIC COMPETITION (continued)**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** 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 221.61, ~~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 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

ATHLETIC COMPETITION (continued)

(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)

7. Includes a copy of the local ~~California Interscholastic Federation (CIF)~~ league rules

Note: Pursuant to Education Code 49033 and CIF bylaws, any student participating in athletics and his/her parent/guardian must 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. See BP/AR ~~5~~ 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)

(10/15 5/17) 10/18

CSBA Sample Board Policy

Instruction

BP 6152.1(a)

PLACEMENT IN MATHEMATICS COURSES

Note: Pursuant to Education Code 51224.7, ~~the Governing Board of a district which serves 9th-grade students and has not adopted a mathematics placement policy is mandated pursuant to Education Code 51224.7, as added by SB 359 (Ch. 508, Statutes of 2015), to develop and, at a regularly scheduled public Board meeting, adopt a fair, objective, and transparent mathematics placement policy with specified components, before the 2016-17 school year. Even a district with an adopted mathematics placement policy must ensure that its policy includes components specified in Education Code 51224.7. Districts serving students that are transitioning between elementary and middle or junior high school are authorized, but not required, to adopt and implement a policy that satisfies the components specified in Education Code 51224.7. Although not required, districts serving students who are transitioning between elementary and middle or junior high schools are encouraged to adopt and implement policy to address the transition from elementary to secondary mathematics courses.~~

Pursuant to Education Code 51225.3, high school graduation requirements include the completion of at least two mathematics courses in grades 9-12. Pursuant to Education Code 51224.5, ~~as amended by AB 220 (Ch. 165, Statutes of 2015),~~ one of those two courses must meet or exceed state content standards for Algebra I or Mathematics I. While the completion of Algebra I or Mathematics I coursework prior to 9th grade would satisfy this requirement, it does not exempt a student from the requirement to complete two mathematics courses in grades 9-12. See BP 6142.92 - Mathematics Instruction and BP 6146.1 - High School Graduation Requirements.

According to a report ~~released in 2013~~ by the Lawyers' Committee for Civil Rights of San Francisco Bay Area, Held Back: Addressing Misplacement of 9th Grade Students in Bay Area School Math Classes, ~~in many districts, high school freshmen place students who have successfully completed Algebra I in 8th grade are placed in 9th grade into Algebra I class again in 9th grade.~~ In adding Education Code 51224.7, the legislature declared that placement in appropriate mathematics courses is critically important for a student in his/her middle and high school years, and that misplacement in the sequence of mathematics courses creates barriers for educational success, especially for students of color.

The Governing Board believes that a sound educational program must include the study of subjects that prepare students for admission to higher education and/or a fulfilling careers. ~~To the extent possible, dD~~istrict students shall be provided an opportunity to complete a sequence of mathematics courses recommended for admission into the University of California and California State University systems.

(cf. 6141.5 - Advanced Placement)

(cf. 6142.92 - Mathematics Instruction)

(cf. 6143 - Courses of Study)

(cf. 6146.1 - High School Graduation Requirements)

Note: ~~Education Code 51224.7 requires the use of multiple objective academic measures for student placement in mathematics courses. The following paragraph may be revised to reflect district practice.~~ For nonunified districts, Education Code 51224.7 ~~also requires mandates that the policy address the consistency of mathematics placement policies between elementary and high school districts.~~

PLACEMENT IN MATHEMATICS COURSES (continued)

The Superintendent or designee shall work with district teachers, counselors, and administrators and the representatives of feeder schools to develop **a well-articulated sequence of mathematics courses and** consistent protocols for placing students in mathematics courses offered at district high schools.

Note: Education Code 51224.7 mandates that the district's policy include the following statement. Also see the accompanying administrative regulation for further information regarding placement protocols.

Such placement protocols shall systematically take into consideration multiple objective academic measures that may include, but are not limited to, **statewide mathematics assessments, including state** interim and summative assessments; placement tests that are aligned to state-adopted content standards in mathematics; classroom assignment and grades; and report cards. **(Education Code 51224.7)**

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

(cf. 6011 - Academic Standards)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

Note: The Lawyers' Committee for Civil Rights of San Francisco Bay Area's report, Held Back: Addressing Misplacement of 9th Grade Students in Bay Area School Math Classes, also found that the practice of having 9th graders 9th-grade students repeat Algebra I disproportionately affects students of color and from low-income families, and could therefore be found to be discriminatory. For more information about the prohibition against discrimination in district programs and activities, see BP 0410 - Nondiscrimination in District Programs and Activities.

District staff shall implement the placement protocols uniformly and without regard to students' ~~race, sex, gender, nationality, ethnicity,~~ socioeconomic background, or ~~other subjective or discriminatory consideration in making placement decisions~~ **any characteristic specified in BP 0410 - Nondiscrimination in District Programs and Activities, including, but not limited to, race, sex, gender, nationality, and ethnicity.**

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

(cf. 0415 - Equity)

(cf. 6174 - Education for English Learners)

~~Students shall be enrolled in mathematics courses based on the placement protocols. No student shall repeat a mathematics course which he/she has successfully completed based on the district's placement protocols.~~

Note: The following optional paragraph provides a limited exception to the use of objective measures for making placement decisions and may be revised to reflect district practice.

PLACEMENT IN MATHEMATICS COURSES (continued)

~~When a student does not qualify to be enrolled in a higher level mathematics course based on a consideration of the objective measures specified in the placement protocols, he/she may nevertheless be admitted to the course based on the recommendation of a teacher or counselor who has personal knowledge of the student's academic ability.~~

Note: Education Code 51224.7, as added by SB 359 (Ch. 508, Statutes of 2015), requires **mandates** that the district's policy include at least one placement checkpoint within the first month of the school year to ensure accurate placement and permit reevaluation of individual student progress.

The placement protocols shall ~~specify a time~~ **provide for at least one reevaluation** within the first month of the school year ~~when students shall be reevaluated~~ to ensure that ~~they~~ **students** are appropriately placed in mathematics courses and shall specify the criteria the district will use to make this determination. Any student found to be misplaced shall be promptly placed in the appropriate mathematics course.

Note: ~~The following paragraph contains timelines that may be revised to reflect district practice. Pursuant to Education Code 51224.7, as added by SB 359 (Ch. 508, Statutes of 2015), the district's policy must~~ **mandates that the district's policy** offer a clear and timely recourse for any student and his/her parent/guardian who question the student's placement. **See the accompanying administrative regulation for additional language implementing this requirement.**

If a student or parent/guardian questions the student's placement, he/she may appeal the decision to the Superintendent or designee. The decision of the Superintendent or designee shall be final.

~~Within 10 school days of an initial placement decision or a placement decision upon reevaluation, a student and his/her parent/guardian who disagree with the placement of the student may appeal the decision to the Superintendent or designee. The Superintendent or designee shall decide whether or not to overrule the placement determination within 10 school days of receiving the appeal. The decision of the Superintendent or designee shall be final.~~

~~(cf. 5123—Promotion/Acceleration/Retention)~~

Note: ~~The Lawyers' Committee for Civil Rights of San Francisco Bay Area's report also found that the practice of having 9th graders repeat Algebra I disproportionately affects students of color and from low-income families, and could therefore be found to be discriminatory. For more information about the prohibition against discrimination in district programs and activities, see BP 0410—Nondiscrimination in District Programs and Activities.~~

~~District staff shall implement the placement protocols uniformly and without regard to students' race, sex, gender, nationality, ethnicity, socioeconomic background, or other subjective or discriminatory consideration in making placement decisions.~~

~~(cf. 0410—Nondiscrimination in District Programs and Activities)~~

PLACEMENT IN MATHEMATICS COURSES (continued)

The Superintendent or designee shall ensure that all teachers, counselors, and other district staff responsible for determining students' placement in mathematics courses receive training on the placement protocols.

(cf. 4131 - Staff Development)

~~Prior to the beginning of each school year, the Superintendent or designee shall communicate the district's commitment to providing students with the opportunity to complete mathematics courses recommended for college admission, including approved placement protocols and the appeal process, to parents/guardians, students, teachers, school counselors, and administrators.~~

~~This policy and the district's mathematics placement protocols shall be posted on the district's web site. (Education Code 51224.7)~~

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

Note: To ensure that students who are qualified to progress in mathematics courses based on their performance on district-selected objective academic measures are not unlawfully or inappropriately held back in the manner specified in the following paragraph, Education Code 51224.7, as added by SB 359 (Ch. 508, Statutes of 2015), requires **mandates that the policy include a requirement for an annual examination of aggregate student placement data which must be reported to the Board. In addition, pursuant to Education Code 52060, districts must annually review their progress toward the student achievement goals in their local control and accountability plan using measures that include, as applicable, the percentage of students who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University.**

~~Annually, t~~The Board and the Superintendent or designee shall **annually** review student data related to placement ~~and advancement in the~~ mathematics courses offered at district high schools to ensure that students who are qualified to progress in mathematics courses based on their performance on objective academic measures are not **being** held back in a disproportionate manner on the basis of ~~their race, ethnicity, gender, or socioeconomic background~~ **any subjective or discriminatory basis, and shall develop strategies.** ~~The Board and Superintendent shall also consider appropriate recommendations for removing any identified barriers to students' access to mathematics courses.~~ **The Superintendent or designee shall also report on the percentage of district students who have successfully completed mathematics courses that satisfy the requirements for entrance to the University of California and the California State University.**

(cf. 0460 - Local Control and Accountability Plan)

(cf. 0500 - Accountability)

Legal Reference: (see next page)

PLACEMENT IN MATHEMATICS COURSES (continued)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

48070.5 Promotion and retention; required policy

51220 Areas of study, grades 7-12

51224.5 Completion of Algebra I or Mathematics I

51224.7 California Mathematics Placement Act of 2015

51225.3 High school graduation requirements

51284 Financial literacy

52060-52077 Local control and accountability plan

60605 State-adopted content and performance standards in core curricular areas

60605.8 Common Core standards

60640-60649 California Assessment of Student Performance and Progress

Management Resources:

CSBA PUBLICATIONS

Math Misplacement, Governance Brief, September 2015

~~*Governing to the Core, Governance Briefs*~~

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Mathematics Framework for California Public Schools: Kindergarten Through Grade Twelve, 2013

California Common Core State Standards: Mathematics, January 2013

COMMON CORE STATE STANDARDS INITIATIVE PUBLICATIONS

Appendix A: Designing High School Mathematics Courses Based on the Common Core State Standards

LAWYERS' COMMITTEE FOR CIVIL RIGHTS OF THE SAN FRANCISCO BAY AREA (LCCR)

Held Back - Addressing Misplacement of 9th Grade Students in Bay Area School Math Classes, 2013

WEB SITES

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

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

Common Core State Standards Initiative: <http://www.corestandards.org/math>

Lawyers' Committee for Civil Rights of the San Francisco Bay Area (LCCR): <http://www.lccr.com>

Northwest Evaluation Association, Measures of Academic Progress: <http://www.nwea.org>

University of California, Mathematics Diagnostic Testing Project: <http://mdtp.ucsd.edu>

CSBA Sample Administrative Regulation

Instruction

AR 6152.1(a)

PLACEMENT IN MATHEMATICS COURSES

Placement Protocols

Note: Education Code 51224.7 mandates that any district that serves 9th-grade students adopt protocols for student placement in mathematics courses based on multiple objective academic measures, such as statewide assessments, including interim and summative assessments; placement tests that are aligned to state-adopted content standards in mathematics; classroom assignment and grades; and report cards. Districts that serve students transitioning from elementary to middle or junior high school may also adopt a placement protocol based on similar measures. The following section should be revised to reflect the grade levels at which the placement protocols will be applied, specific tests and other measures used for placement purposes, and the performance level on each assessment or minimum grade that will be used to determine a student's readiness for specific mathematics courses.

In determining student placement in mathematics courses for students entering grade 9, the Superintendent or designee shall assess whether each student has the prerequisite skills for success in the course and consider student and parent/guardian requests. Such determinations shall be based on multiple measures, including, but not limited to, the following:

Note: Pursuant to Education Code 60640, mathematics assessments in the California Assessment of Student Performance and Progress are administered at grades 3-8 and 11.

1. Interim and summative grade 8 mathematics assessments from the California Assessment of Student Performance and Progress
2. For students with disabilities, an alternate test or other measures when designated in a student's individualized education program (IEP)
3. Other assessments such as Measures of Academic Progress, the readiness tests of the University of California's Mathematics Diagnosis Testing Project, and/or district benchmark assessments
4. The student's grades in his/her previous mathematics course
5. The final mathematics grade on the end-of-year report card

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

(cf. 6142.92 - Mathematics Instruction)

(cf. 6143 - Courses of Study)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

PLACEMENT IN MATHEMATICS COURSES (continued)

Individual student performance data shall be analyzed each spring prior to scheduling and placing students into secondary mathematics courses. Students and parents/guardians shall be notified in writing by the end of the school year as to the mathematics course in which the student has been placed.

No student shall be required to repeat a mathematics course which he/she has successfully completed in accordance with district's placement protocols.

Note: Recommendations by teachers or counselors are generally considered subjective and therefore do not meet the requirement of Education Code 51224.7 that placement in mathematics courses be based on objective measures. The following optional paragraph authorizes staff recommendations to be considered when placing a student in a higher level mathematics course than he/she would be assigned based on the district's protocol, but such recommendations should not be the sole basis for placing a student in a lower level class.

When a student does not qualify to be enrolled in a particular mathematics course based on a consideration of the objective measures specified in the placement protocol, he/she may nevertheless be admitted to the course based on the recommendation of a teacher or counselor who has personal knowledge of the student's academic ability.

Students who exhibit deficits in knowledge and skills needed to advance to a higher level mathematics course may receive supplemental instruction to improve achievement of mathematic content standards.

(cf. 6011 - Academic Standards)
(cf. 6179 - Supplemental Instruction)

Reevaluation

Within the first month of the school year, mathematics course placements shall be individually reevaluated to ensure placement in the most rigorous mathematics course for which the student has the potential for success.

Criteria for reevaluating each student's placement shall include, but are not limited to, course preassessment results, attendance, and student performance in the first month of the school year as determined by teacher observation and grades on assignments and tests. Student and parent/guardian request for course placement may also be considered.

Notification of Placement Protocol

The district's policy and protocols related to student placement in mathematics courses shall be posted on the district's web site. (Education Code 51224.7)

(cf. 1113 - District and School Web Sites)

PLACEMENT IN MATHEMATICS COURSES (continued)

The Superintendent or designee shall also make the district's placement policy, protocols, and course sequence readily accessible to students, parents/guardians, and staff at school sites and/or in student handbooks.

Appeals

Note: Education Code 51224.7 mandates that the district's policy or protocol offer a clear and timely recourse for any student and parent/guardian who question the student's placement. See the accompanying Board policy. The following paragraph contains timelines that may be revised to reflect district practice.

Within 10 school days of an initial placement decision or a placement decision upon reevaluation, a student and his/her parent/guardian who disagree with the placement may appeal the decision to the Superintendent or designee. The Superintendent or designee shall decide whether or not to overrule the placement determination within 10 school days of receiving the appeal.

CSBA Sample Board Policy

Instruction

BP 6170.1(a)

TRANSITIONAL KINDERGARTEN

Note: The following policy is for use by districts that maintain kindergarten and may be revised to reflect district practice. Education Code 48000 provides that children are eligible for kindergarten enrollment if they have their fifth birthday on or before September 1 in that school year; see AR 5111 - Admission. Pursuant to Education Code 48000, any child whose **fifth** birthday is between September 2 and December 2 must be offered a transitional kindergarten (TK) program.

Education Code 48000 defines TK as the first year of a two-year kindergarten program that uses a modified kindergarten curriculum that is age and developmentally appropriate. Many of the requirements applicable to kindergarten (e.g., class size, minimum school day, facilities) are also applicable to TK. The district will receive funding based on average daily attendance (ADA) for students in a TK program that meets the requirements specified in Education Code 48000.

For guidance on implementing TK programs, see the [Transitional Kindergarten Implementation Guide: A Resource for California Public School District Administrators and Teachers](#), published by the California Department of Education (CDE).

The Governing Board desires to offer a high-quality transitional kindergarten (TK) program for eligible children who do not yet meet the minimum age criterion for kindergarten. The TK program shall assist students in developing the academic, social, and emotional skills they need to succeed in kindergarten and beyond.

The district's TK program shall be the first year of a two-year kindergarten program. (Education Code 48000)

The Board encourages ongoing collaboration among district preschool staff, other preschool providers, elementary teachers, administrators, and parents/guardians in the development, implementation, and evaluation of the district's TK program.

(cf. 1220 - Citizen Advisory Committees)

(cf. 6020 - Parent Involvement)

Eligibility

The district's TK program shall admit children whose fifth birthday is from September 2 through December 2. (Education Code 48000)

Note: The CDE's "Transitional Kindergarten FAQs" clarify that children are required to have documentation of required immunizations or a valid exemption prior to admission to TK. For information about required immunizations and exemptions, see BP/AR 5141.31 - Immunizations.

TRANSITIONAL KINDERGARTEN (continued)

Parents/guardians of eligible children shall be notified of the availability of the TK program and **the** age, residency, immunization, and any other enrollment requirements. Enrollment in the TK program shall be voluntary.

(cf. 5111 - Admission)

(cf. 5111.1 - District Residency)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.3 - Health Examinations)

(cf. 5141.31 - Immunizations)

(cf. 5141.32 - Health Screening for School Entry)

Note: The following paragraph is **optional**. If the district chooses to allow kindergarten-eligible children to enroll in the TK program, CDE recommends that the district establish criteria to determine selection requirements. The parent/guardian of a kindergarten-eligible child who is enrolled in TK must, at the end of the year, sign a Kindergarten Continuance Form verifying that he/she agrees to have the child **continue enroll** in kindergarten the following year; see section "Continuation in Kindergarten" below.

Upon request of a child's parents/guardians, the district may, on a case-by-case basis after the Superintendent or designee determines that it is in the child's best interest, admit into the district's TK program a child whose fifth birthday is on or before September 1 and who is therefore eligible for kindergarten.

Note: The following paragraph is **optional**. Pursuant to Education Code 48000, the district may, at its discretion, determine whether to allow admittance of children whose fifth birthday is after December 2. Such students may be admitted at any time during the school year, including at the beginning of the year. Education Code 48000 provides that districts will not receive ADA apportionment for a child whose birthday is after December 2 until the child reaches his/her fifth birthday.

At any time during the school year, the district may admit into the TK program a child whose fifth birthday is after December 2 of that same school year, provided that the Superintendent or designee recommends that enrollment in a TK program is in the child's best interest and the child's parents/guardians approve. Prior to such enrollment, the child's parents/guardians shall be provided information regarding the advantages and disadvantages and any other explanatory information about the effect of early admittance. (Education Code 48000)

Curriculum and Instruction

The district's TK program shall be based on a modified kindergarten curriculum that is age and developmentally appropriate. (Education Code 48000)

(cf. 6141 - Curriculum Development and Evaluation)

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

Note: Education Code 48000 states the Legislature's intent that the TK curriculum be aligned to the California Preschool Learning Foundations developed by CDE. These standards address essential skills in the subject areas listed below. The standards and companion preschool curriculum frameworks are available on CDE's web site.

TRANSITIONAL KINDERGARTEN (continued)

The program shall be aligned with the preschool learning foundations and preschool curriculum frameworks developed by the California Department of Education (CDE). It shall be designed to facilitate students' development in essential skills related to language and literacy, mathematics, physical development, health, visual and performing arts, science, history-social science, English language development, and social-emotional development.

(cf. 5148.3 - Preschool/Early Childhood Education)

(cf. 6011 - Academic Standards)

(cf. 6174 - Education for English Learners)

Note: The following **optional** paragraph may be revised to reflect district practice. Education Code 37202, ~~as amended by AB 99 (Ch. 15, Statutes of 2017)~~, permits districts to maintain TK and kindergarten classes for different lengths of time during the school day, either at the same or a different school site. Districts offering TK classes for different lengths of time are still required to meet the minimum and maximum length of school day provided in law. Pursuant to Education Code 46111, **46115**, and 46117, at the kindergarten and TK level the minimum school day is three hours (180 minutes), including recess but excluding noon intermission, and the maximum school day is four hours (240 minutes), excluding recess, unless the district has adopted an extended-day kindergarten pursuant to Education Code 8973. However, pursuant to Education Code 46119, if the district has fewer than 40 kindergarten students, the Governing Board may apply to the Superintendent of Public Instruction to maintain two kindergarten classes of 150 minutes each, including recesses, taught on the same day by the same teacher. Also see AR 6112 - School Day.

Pursuant to Education Code 48003, districts are required to provide an annual report to CDE regarding the type of kindergarten program offered by the district, including part day, full day, or both. The School Information Form 2017, located on the CDE web site, requires a report on the type of TK program offered.

The Board shall establish the length(s) of the school day in the district's TK program. TK programs may be maintained for different lengths of time either at the same or different school sites, as long as the school day is at least three hours but no more than four hours. The Superintendent or designee shall annually report to ~~the California Department of Education~~ **CDE** as to whether the district's TK programs are offered full day, part day, or both. (Education Code 37202, 46111, **46115**, 46117, 48003)

(cf. 6111 - School Calendar)

(cf. 6112 - School Day)

Note: The following **optional** paragraph may be revised to reflect district practice. According to CDE's "Transitional Kindergarten FAQs," it is the intent of the law to provide separate and unique experiences for TK and kindergarten students. However, districts have flexibility to determine how best to meet the curricular needs of each child and whether TK and kindergarten students may be enrolled in the same classrooms.

TK students may be placed in the same classrooms as kindergarten students when necessary, provided that the instructional program is differentiated to meet student needs.

TRANSITIONAL KINDERGARTEN (continued)

Note: AB 1808 (Ch. 32, Statutes of 2018) amended Education Code 8235 and 48000 to allow districts to place 4-year-old children enrolled in a California State Preschool Program into a TK program and to commingle children from both programs in the same classroom as long as all of the requirements of each program are met and the district adheres to specified requirements, including that the classroom does not contain children enrolled in TK for a second year or children enrolled in a regular kindergarten. Also see BP/AR 5148.3 - Preschool/Early Childhood Education.

TK students may be placed in a classroom commingled with 4-year-old students from a California State Preschool Program as long as the classroom does not include students enrolled in TK for a second year or students enrolled in a regular kindergarten. (Education Code 8235, 48000)

Staffing

Note: To be qualified to teach a TK class, the teacher must possess an appropriate multiple subjects or early childhood education credential issued by the Commission on Teacher Credentialing—~~(CTC)~~—authorizing instruction in TK. Education Code 48000 establishes additional requirements for credentialed teachers who are first assigned to a TK class after July 1, 2015, as provided below.

TK assignments are subject to assignment monitoring and reporting by the County Superintendent of Schools in accordance with Education Code 44258.9.

The Superintendent or designee shall ensure that teachers assigned to teach in TK classes possess a teaching credential or permit from the Commission on Teacher Credentialing (CTC) that authorizes such instruction.

(cf. 4112.2 - Certification)

A credentialed teacher who is first assigned to a TK class after July 1, 2015, shall, by August 1, 2020, have 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~~ CTC. (Education Code 48000)

The Superintendent or designee may provide professional development as needed to ensure that TK teachers are knowledgeable about the standards and effective instructional methods for teaching young children.

(cf. 4131 - Staff Development)

Continuation to Kindergarten

Note: The following section is consistent with guidance in CDE's "Transitional Kindergarten FAQs."

Students who complete the TK program shall be eligible to continue in kindergarten the following school year. Parents/guardians of such students shall not be required to submit a signed Kindergarten Continuance Form for kindergarten attendance.

TRANSITIONAL KINDERGARTEN (continued)

Note: The following **optional** paragraph is for use by districts that allow kindergarten-eligible children to enroll in TK; see "Eligibility" section above. When such students are subsequently enrolled in kindergarten, the district is required to obtain a signed Kindergarten Continuance Form in order to receive kindergarten ADA for those children since they would otherwise be age-eligible for first grade. CDE recommends that approval for a student to continue in kindergarten not be sought until near the end of the year of TK, since permission obtained unreasonably far in advance could be found invalid.

However, whenever children who would otherwise be age-eligible for kindergarten are enrolled in TK, the Superintendent or designee shall obtain a Kindergarten Continuance Form signed by the parent/guardian near the end of the TK year consenting to the child's enrollment in kindergarten the following year.

Note: Pursuant to Education Code 46300, the district may not include for ADA purposes the attendance of any student for more than two years in a combination of TK and kindergarten.

A student shall not attend more than two years in a combination of TK and kindergarten. (Education Code 46300)

(cf. 5123 - Promotion/Acceleration/Retention)

Assessment

Note: The following section may be revised to reflect district practice. One assessment resource for TK students is CDE's Desired Results Developmental Profile, which is designed to assess the developmental progression of all children from early infancy to kindergarten entry.

The Superintendent or designee may develop or identify appropriate formal and/or informal assessments of TK students' development and progress. He/she shall monitor and regularly report to the Board regarding program implementation and the progress of students in meeting related academic standards.

(cf. 0500 - Accountability)

(cf. 6162.5 - Student Assessment)

Legal Reference: (see next page)

TRANSITIONAL KINDERGARTEN (continued)

Legal Reference:

EDUCATION CODE

8235 California State Preschool Program

8973 Extended-day kindergarten

37202 School calendar; equivalency of instructional minutes

44258.9 Assignment monitoring by county superintendent of schools

46111 Kindergarten, hours of attendance

46114-46119 Minimum school day, kindergarten

46300 Computation of ADA, inclusion of kindergarten and transitional kindergarten

48000 Age of admission, kindergarten and transitional kindergarten

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

48003 Kindergarten annual report

48200 Compulsory education, starting at age six

Management Resources:

CSBA PUBLICATIONS

What Boards of Education Can Do About Kindergarten Readiness, Governance Brief, May 2016

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Transitional Kindergarten FAQs

Desired Results Developmental Profile, 2015

Transitional Kindergarten Implementation Guide: A Resource for California Public School District Administrators and Teachers, 2013

California Preschool Curriculum Framework, Vol. 3, 2013

California Preschool Learning Foundations, Vol. 3, 2012

California Preschool Curriculum Framework, Vol. 2, 2011

California Preschool Learning Foundations, Vol. 2, 2010

California Preschool Curriculum Framework, Vol. 1, 2010

California Preschool Learning Foundations, Vol. 1, 2008

WEB SITES

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

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

California Kindergarten Association: <http://www.ckanet.org>

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

Transitional Kindergarten California: <http://www.tkcalifornia.org>

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CSBA Sample Board Policy

Instruction

BP 6178(a)

CAREER TECHNICAL EDUCATION

Note: The following policy is for use by districts that maintain any of grades 7-12. Education Code 51220 requires that the adopted course of study for grades 7-12 include courses in career technical education (CTE); see BP/AR 6143 - Courses of Study.

~~The Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV) (20 USC 2301-2414) provides (1) state basic grants for local programs of CTE for secondary and postsecondary students, and (2) tech prep grants for programs that incorporate at least two years of secondary education with two years of postsecondary education in a sequential course of study. Funding for CTE programs may be available through the federal Strengthening Career and Technical Education for the 21st Century Act, sometimes referred to as Perkins V (20 USC 2301-2414, as amended by P.L. 115-224 and effective July 1, 2019), and state grant programs such as the California Career Pathways Trust pursuant to Education Code 53010-53016 and the California Career Technical Education Incentive Grant Program pursuant to Education Code 53070-53076.4, as amended by AB 1808 (Ch. 32, Statutes of 2018). In addition, secondary schools may offer CTE through partnership academies (Education Code 54690-54697), regional occupational centers and programs (ROC/Ps) (Education Code 52300-52335.12), and/or district-funded programs. Education Code 52372.5-52372.7, as amended by AB 790 (Ch. 616, Statutes of 2011), establish a pilot project to implement a limited number of districtwide "linked learning" programs integrating academic and technical study (sometimes called "multiple pathways") and describe components of such programs; see the accompanying administrative regulation.~~

The following policy should be revised to reflect program(s) offered by the district and grade levels at which such programs shall be offered.

The Governing Board desires to provide a comprehensive career technical education (CTE) program in the secondary grades which integrates core academic instruction with technical and occupational instruction in order to increase student achievement, graduation rates, and readiness for postsecondary education and employment. The district's CTE program shall be designed to help students develop the academic, career, and technical skills needed to succeed in a knowledge- and skills-based economy. The program shall include a rigorous academic component and provide students with ~~a strong~~ **practical** experience and understanding of all aspects of an industry.

(cf. 6143 - Courses of Study)

(cf. 6200 - Adult Education)

The district's CTE program shall focus on preparing students to enter current or emerging high-skill, high-wage, and/or high-demand occupations. CTE opportunities may be offered through linked learning programs, partnership academies, apprenticeship programs or orientation to apprenticeships, regional occupational centers or programs **(ROC/Ps)**, ~~tech prep programs~~, charter schools, small learning communities, **magnet programs**, or other programs that expose students to career options while preparing them for future careers in a given industry or interest area.

(cf. 0420.4 - Charter School Authorization)

CAREER TECHNICAL EDUCATION (continued)

(cf. 6178.2 - Regional Occupational Center/Program)

Note: Pursuant to 20 USC 2354, districts applying for Perkins IV funding must submit to the California Department of Education (CDE) a district plan which covers the same time period as the state plan required by 20 USC 2342; see the accompanying administrative regulation. In addition, the district must annually submit an application for funding which must be approved by the Governing Board.

The Superintendent or designee shall explore available funding sources that may be used to support CTE programs. The Board shall review and approve all district plans and applications for the use of **district**, state, and/or federal funds supporting CTE.

(cf. 3230 - Federal Grant Funds)

Note: State model curriculum standards for CTE for grades 7-12 integrate the state's academic content standards with industry-specific knowledge and skills in 58 career pathways organized into 15 industry sectors: agriculture and natural resources; arts, media, and entertainment; building trades and construction; education, child development, and family services; energy and utilities; engineering and design; fashion and interior design; finance and business; health science and medical technology; hospitality, tourism, and recreation; information technology; manufacturing and product development; marketing, sales, and service; public services; and transportation. The state's curriculum framework for CTE provides guidance in implementing the state content standards. Any district that adopts a course of study that meets or exceeds the state model curriculum standards will be deemed to have satisfied the requirement of Education Code 51228 that the district offer students in grades 7-12 the opportunity to attain entry-level employment skills in business or industry upon high school graduation; see BP 6143 - Courses of Study.

The Board shall adopt district standards for CTE which meet or exceed the state's model content standards and describe the essential knowledge and skills that students enrolled in these courses are expected to master. The course curriculum shall be aligned with district-adopted standards and the state's curriculum framework.

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

Note: Pursuant to Education Code 52376, the following two paragraphs are **mandated** for districts that receive funding through the targeted instructional improvement block grant (Education Code 41541) and choose to use such funds **accept funds for the purpose of** developing and implementing, in consultation with the ROC/P and community college serving the geographic area of the district, a CTE program for high school students in accordance with Education Code 52376. Pursuant to Education Code 52376, districts that receive supplemental funding or other funds for this purpose are mandated to adopt policies and procedures that include (1) comparison of the district's CTE curriculum, course content, and course sequence with the model state curriculum standards, and (2) review of CTE courses to determine the extent to which they may offer an alternative means for completing course requirements for high school graduation.

In addition, beginning in the 2012-13 school year, Education Code 51225.3, as amended by AB 1330 (Ch. 621, Statutes of 2011), authorizes the Board to include a course in CTE as an alternative to the visual or performing arts or foreign language course requirement for high school graduation; see BP 6146.1 - High School Graduation Requirements.

CAREER TECHNICAL EDUCATION (continued)

At least every three years, the Board shall compare the district's curriculum, course content, and course sequence of CTE with the model state curriculum standards. (Education Code 52376)

Note: Education Code 52376 requires districts to determine the extent to which their CTE courses may offer an alternative means for completing course requirements for high school graduation. In addition, beginning in the 2012-13 school year, Education Code 51225.3, as amended by AB 1330 (Ch. 621, Statutes of 2011), authorizes the Board to include a course in CTE as an alternative to the visual or performing arts or foreign language course requirement for high school graduation; see BP 6146.1 - High School Graduation Requirements.

The Superintendent or designee shall systematically review the district's CTE **classes courses** to determine the degree to which each **class course** may offer an alternative means for completing and receiving credit for specific portions of the course of study prescribed by the district for high school graduation. The Board shall ensure that these classes are equivalent in content and rigor to the courses prescribed for graduation. (Education Code 52376)

(cf. 6146.1 - High School Graduation Requirements)
 (cf. 6146.11 - Alternative Credits Toward Graduation)
 (cf. 6146.2 - Certificate of Proficiency/High School Equivalency)

Note: Education Code 51760.1 authorizes districts, county offices of education, ROC/Ps, and partnership academies to provide work-based learning opportunities which may include, but are not limited to, work experience education as defined in Education Code 51764, community classrooms or cooperative CTE programs as defined in Education Code 52372.1, and job shadowing as defined in Education Code 51769; see BP/AR 6178.1 - Work-Based Learning. In addition, although not specified in state law, other examples of work-based learning opportunities cited in the CDE's publication Multiple Pathways to Student Success: Envisioning the New California High School 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 Superintendent or designee shall develop partnerships with local businesses and industries to ensure that course sequences, career technical and integrated curriculum, classroom instruction and projects, and assessments have real-world relevance and reflect labor market needs and priorities. He/she **also** shall **also** work to develop connections with businesses, postsecondary institutions, community organizations, and/or other employers to provide students with actual or simulated work-based learning opportunities.

(cf. 1700 - Relations Between Private Industry and the Schools)
 (cf. 5113.2 - Work Permits)
 (cf. 6178.1 - Work-Based Learning)

The Superintendent or designee shall collaborate with postsecondary institutions to ensure that the district's program is articulated with postsecondary programs in order to provide a sequential course of study. Articulation opportunities may include dual or concurrent enrollment in community college courses.

CAREER TECHNICAL EDUCATION (continued)

(cf. 6172.1 - Concurrent Enrollment in College Classes)

Note: Education Code 8070 requires the Board to appoint ~~an~~ a CTE advisory committee composed of representatives from specified groups, as detailed below. During the **Federal Program Monitoring FPM** process, CDE staff will review whether the district has appointed such a committee.

In addition, pursuant to 20 USC 2354, as amended by P.L. 115-224, districts that receive Perkins V funding are required to involve specified stakeholders in conducting a needs assessment and developing the district application, and on a continuing basis thereafter. One way to accomplish this is to include such stakeholders on the CTE advisory committee. Other programs may have similar requirements for stakeholder involvement. The following paragraph may be revised to reflect requirements applicable to programs offered by the district.

The Board shall appoint a CTE advisory committee to develop recommendations on the district's CTE program and to serve as a liaison between the district and potential employers. The committee shall consist of at least one student, teacher, business representative, industry representative, school administrator, member of the general public knowledgeable about the disadvantaged, and representative of the field office of the California Employment Development Department. (Education Code 8070)

(cf. 1220 - Citizen Advisory Committees)

Note: The following **optional** paragraph may be revised to reflect district practice. Among the criteria for admission to the University of California (UC) or California State University (CSU) system is a requirement that high school students satisfactorily complete 15 units of specified courses ("a-g" courses). These include a growing number of CTE courses that connect knowledge of academic content with practical or work-related applications. Education Code 51229 requires that districts annually provide parents/guardians of students in grades 9-12 with (1) a brief explanation of the a-g course requirements; (2) a list of UC and CSU web sites that provide related information and a list of certified a-g courses; (3) a brief description of **what CTE is**, as defined by **the** CDE; (4) the Internet address for the portion of the CDE web site where students can learn more about CTE; and (5) information about how students may meet with school counselors to help them choose courses that will meet college admission requirements and/or to enroll in CTE courses. See AR 6143 - Courses of Study and E 5145.6 - Parental Notifications.

In addition, districts that include a course in CTE as an alternative to the visual or performing arts or foreign language course requirement for high school graduation, as authorized by Education Code 51225.3, are required by Education Code 48980 to provide a list of CTE courses offered by the district that satisfy the a-g course requirements for college admission and to specify which requirements they satisfy. **Districts that do not allow this alternative graduation requirement should modify the following paragraph accordingly.**

The Superintendent or designee shall inform all secondary students and their parents/guardians about the CTE experiences available in the district, CTE courses that satisfy college admission criteria, and, if applicable, CTE courses that satisfy high school graduation requirements. In addition, secondary students shall receive individualized **career guidance and** academic counseling which provides information about academic and CTE opportunities related to the student's career goals.

(cf. 5145.6 - Parental Notifications)

CAREER TECHNICAL EDUCATION (continued)

(cf. 6164.2 - Guidance/Counseling Services)

Note: Pursuant to 34 CFR 100-~~B~~ (Appendix B-~~IV~~), the notice specified below may be made in local newspapers, publications or media reaching target populations, or by other means, and should include a brief summary of program offerings, admission criteria, and the name and contact information of the person designated to coordinate Title IX and Section 504 compliance activity. If the population within the district contains a community of persons with limited English language skills, the notification ~~shall~~ **must** be disseminated in the languages of the community. See BP 5145.6 - Parental Notifications for state requirements pertaining to the translation of parental notifications.

Prior to the beginning of each school year, the Superintendent or designee shall advise students, parents/guardians, employees, and the general public that all CTE opportunities are offered without regard to any actual or perceived characteristic protected from discrimination by law. The notification shall be disseminated in languages other than English as needed and shall state that the district will take steps to ensure that the lack of English language skills will not be a barrier to admission and participation in the district's CTE program. (20 USC 2354; 34 CFR 100-~~B~~ **Appendix B**, 104.8, 106.9)

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

(cf. 1312.3 - Uniform Complaint Procedures)

Note: The following paragraph is for use by districts that receive funding through Perkins ~~IV~~ **V** for either basic CTE programs or ~~tech prep programs~~ pursuant to 20 USC 2301-2414. **See the accompanying administrative regulation for further information regarding the participation of private school students and staff in district programs.**

To the extent required by law, the Superintendent or designee shall invite the participation of private school students in CTE programs supported by federal funding under the Strengthening Career and Technical Education for the 21st Century Act (Perkins). (20 USC 2397)

Note: Teachers of technical, trade, or vocational courses must possess a single subject credential or a designated subjects credential issued by the Commission on Teacher Credentialing (~~CTC~~) which authorizes teaching CTE courses. The designated subjects CTE credential is available in 15 subjects which reflect the 15 industry sectors identified in the state's model curriculum standards; see AR 4112.2 - Certification. In order to obtain the preliminary designated subjects credential, teachers must have at least three years of work experience directly related to each industry sector specified on the credential.

Education Code 44257.3, as added by AB 1304 (Ch. 259, Statutes of 2011), authorizes the CTC to develop program standards for the issuance of a "recognition of study in linked learning" demonstrating completion of a CTC approved program in linked learning teaching methods. The recognition of study must not be considered a type of authorization, used as a condition of employment, replace subject matter competence requirements, or used in making decisions related to reductions in employee positions.

For districts applying for Perkins ~~IV~~ funding, 20 USC 2354 requires the district plan to address ongoing staff development for CTE teachers and administrators; see the accompanying administrative regulation.

CAREER TECHNICAL EDUCATION (continued)

The Superintendent or designee shall ensure that teachers of CTE courses possess the qualifications and credentials necessary to teach their assigned courses. He/she **also** shall **also** provide teachers and administrators with professional development designed to enhance their knowledge of standards-aligned CTE and shall provide opportunities for CTE teachers to collaborate with teachers of academic courses in the development and implementation of integrated curriculum models.

(cf. 4112.2 - Certification)

(cf. 4131 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee shall provide counselors and other guidance personnel with professional development that includes, but is not limited to, information about current workforce needs and trends, requirements of the district's CTE program, work-based learning opportunities, and postsecondary education and employment options following high school.

~~Note: The following paragraph is for use by districts that receive funding through Perkins IV for either basic CTE programs or tech prep programs pursuant to 20 USC 2301 2414.~~

~~Upon written request from a nonprofit private school within the geographical area served by the district, the Superintendent or designee shall consult with private school representatives in a timely and meaningful manner and may provide for the participation of private school secondary students in the district's programs and activities funded under the federal Carl D. Perkins Career and Technical Education Act. To the extent practicable, the Superintendent or designee also shall, upon request, permit participation of CTE teachers, administrators, and other personnel from private schools in the district's inservice and preservice professional development programs funded through the Perkins Act. (20 USC 2397)~~

Note: The following paragraph is **optional**. Education Code 17078.72 provides funding for improving and expanding CTE programs through construction of new facilities, remodeling of existing facilities, and/or purchase of equipment.

The Superintendent or designee shall regularly assess district needs for facilities, technologies, and equipment to increase students' access to the district's CTE program.

(cf. 0440 - District Technology Plan)

(cf. 3440 - Inventories)

(cf. 3512 - Equipment)

(cf. 7110 - Facilities Master Plan)

Nondiscrimination

~~Note: The following paragraph is for use by districts that receive Perkins IV funding but may be adapted for use by other districts. Pursuant to 20 USC 2354, the district plan for Perkins IV funding must describe how individuals who are members of "special populations," as defined in 20 USC 2302 will not be~~

CAREER TECHNICAL EDUCATION (continued)

discriminated against. In addition, a district that receives federal aid is required by 34 CFR 100.B (Appendix B-IV), 104.8, and 106.9 to take "continuing steps" to notify students, parents/guardians, employees, employee organizations, and applicants for admission and employment that it does not discriminate in its educational programs or activities. See BP 0410—Nondiscrimination in District Programs and Activities.

In the Federal Program Monitoring (FPM) process, CDE staff will check to ensure that the district complies with requirements to (1) ensure equitable participation of special population students through outreach, recruitment, enrollment, and placement activities; (2) identify and adopt strategies to overcome barriers to access or success in the program; (3) ensure that counseling materials and activities, including student program selection and career/employment selection, and promotional and recruitment efforts are nondiscriminatory; and (4) advise students, parents/guardians, employees, and the general public, prior to the beginning of the school year, that all CTE opportunities are offered without regard to race, color, national origin, sex, or disability in accordance with 34 CFR 100.B (Appendix B-IV).

The district's program shall provide equal access to and shall not unlawfully discriminate against students who are members of special populations. *Special populations* include, but are not limited to, students with disabilities; students from economically disadvantaged families, including foster youth; single parents and single pregnant females; displaced homemakers; students with limited English proficiency; and students preparing for nontraditional fields. *Nontraditional fields* include occupations or fields of work, including careers in computer science, technology, and other emerging high-skill occupations, for which individuals from one gender constitute less than 25 percent of the individuals employed in each such occupation or field of work. (20 USC 2302, 2354, 2373)

Note: Pursuant to 34 CFR 100.B (Appendix B-IV), the notice specified below may be made in local newspapers, publications or media reaching target populations, or by other means, and should include a brief summary of program offerings, admission criteria, and the name and contact information of the person designated to coordinate Title IX and Section 504 compliance activity. If the population within the district contains a community of persons with limited English language skills, the notification shall be disseminated in the languages of the community. See BP 5145.6—Parental Notifications for state requirements pertaining to the translation of parental notifications.

Prior to the beginning of each school year, the Superintendent or designee shall advise students, parents/guardians, employees, and the general public that all CTE opportunities are offered without regard to any actual or perceived characteristic protected from discrimination by law. The above notification shall be disseminated in languages other than English as needed and shall state that the district will take steps to ensure that the lack of English language skills will not be a barrier to admission and participation in the district's CTE program. (20 USC 2354; 34 CFR 100.B, 104.8, 106.9)

(cf. 0410—Nondiscrimination in District Programs and Activities)
(cf. 1312.3—Uniform Complaint Procedures)

CAREER TECHNICAL EDUCATION (continued)

School and Community Involvement

Note: Education Code 8070 requires the Board to appoint an advisory committee composed of representatives from specified groups, as detailed below. During the FPM process, CDE staff will review whether the district has appointed such a committee.

The Board shall appoint a CTE advisory committee to develop recommendations on the district's CTE program and to serve as a liaison between the district and potential employers. The committee shall consist of at least one student, teacher, business representative, industry representative, school administrator, member of the general public knowledgeable about the disadvantaged, and representative of the field office of the California Employment Development Department. (Education Code 8070)

(cf. 1220 – Citizen Advisory Committees)

Note: The following paragraph is for use by districts that receive Perkins IV funding but may be adapted for use by other districts. 20 USC 2354 requires that the persons specified below be involved in the development, implementation, and evaluation of CTE programs funded by Perkins IV. One way of accomplishing this is to include representatives of these groups on the CTE advisory committee described above. Pursuant to the 2008-2012 State Plan for Career Technical Education, the district must hold at least one annual business and industry advisory committee meeting.

The district also shall involve parents/guardians; students; academic and CTE teachers; administrators; career guidance and academic counselors; representatives of tech prep consortia if applicable, business and industry, labor organizations, and special populations; and other interested individuals in the development, implementation, and evaluation of CTE programs. (20 USC 2354)

Program Evaluation

Note: The following section is for use by districts that receive Perkins IV funding but may be adapted for use by other districts. paragraph may be revised to reflect requirements applicable to programs offered by the district. Pursuant to Education Code 52060, the district must annually review its progress toward the goals identified in its local control and accountability plan, including, when applicable, measures of student achievement such as the percentage of students who have successfully completed courses that satisfy the requirements for CTE sequences or programs of study that align with state CTE standards and frameworks. The California School Dashboard provides a tool to assist in evaluation of district and school performance and includes measures of CTE pathway completion within the college/career readiness indicator.

Pursuant to 20 USC 2323, In addition, each district receiving Perkins IV V funding must be evaluated annually by the state to determine whether the district is making substantial evaluate its progress in achieving specific performance levels targets on core indicators as detailed in the state plan and 20 USC 2323, as amended by P.L. 115-224. The following paragraph reflects indicators specified in the 2008-2012 State Plan for Career Technical Education. Districts are required to enter data electronically through the CDE's Perkins Data System. Pursuant to 20 USC 2343, if the district falls below 90 percent on any of these

CAREER TECHNICAL EDUCATION (continued)

performance level targets, the district will be required to develop and implement an improvement plan. The state plan further provides that if the district falls below 90 percent on three or more performance levels or below 60 percent on any one performance level, then the district will be required to submit a detailed action plan that describes the strategies to be implemented for bringing the district to the 90 percent performance level within two years. A district scoring in the lowest percentage of overall performance, as determined by a composite ranking of measures, will be subject to Perkins program monitoring. Ultimately, a district that fails to submit the required program improvement plan and/or fails to make the required improvements is subject to sanctions that could result in the loss of a portion or all of its allocated funds.

The Superintendent or designee shall annually report to the Board achievement data on participating students, including, but not limited to, the percentage of participating students who successfully complete CTE programs, their performance on state and district academic achievement tests, and graduation rate. Data shall be disaggregated by program and various student subgroups. Based on such data, the Board shall monitor the achievement of students participating in the district's CTE program in order to determine the need for program improvements and update the goals in the district's local control and accountability plan as necessary. The Superintendent or designee shall annually report to the Board and the California Department of Education on program enrollment and completion rates, including enrollment and completion of programs in nontraditional fields as defined in 20 USC 2302; student academic assessment results; attainment of career and technical skill proficiencies; attainment of a high school diploma or equivalent; graduation rates; and subsequent placement in postsecondary education or advanced training, military service, or employment. Data shall be disaggregated, in accordance with 20 USC 2323, by race, ethnicity, gender, disability status, migrant status, English proficiency, and economic disadvantage status and for each special population as defined in 20 USC 2302 and listed in the section "Nondiscrimination" above.

(cf. 0500 - Accountability)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference: (see next page)

CAREER TECHNICAL EDUCATION (continued)*Legal Reference:*EDUCATION CODE1205 *Classification of counties*8006-8155 *Career technical education*17078.70-17078.72 *Career technical education facilities*33430-33432 *Health science and medical technology grants*35168 *Inventory of equipment*41540-41544 *Targeted instructional improvement block grant*44257.3 *CTC recognition of study in linked learning teaching methods*44260-44260.1 *Designated subjects career technical education credential*44260.9 *Designated subjects career technical education credential*48430 *Legislative intent; continuation education schools and classes*48980 *Parental notifications*51220-51229 *Courses of study, grades 7-12*51760-51769.5 *Work experience education***52060-52077 *Local control and accountability plan***52300-52499.66 *Career technical education*52519-52520 *Adult education, occupational training***53010-53016 *California Career Pathways Trust*****53070-53076.4 *The California Career Technical Education Incentive Grant Program***~~53080-53084 *School to career initiatives*~~53086 *California Career Resource Network*54690-54699.1 *California Partnership Academies*54750-54760 *California Partnership Academies, green technology and goods movement occupations*56363 *Related services for students with disabilities; specially designed career technical education*66205.5-66205.9 *Approval of career technical education courses for admission to California colleges*88500-88551 *Community college economic and workforce development program*GOVERNMENT CODE54950-54963 *Brown Act*LABOR CODE3070-3099.5 *Apprenticeships*CODE OF REGULATIONS, TITLE 51635 *Credit for work experience education*3051.14 *Specially designed career technical education for students with disabilities*10070-10075 *Work experience education*10080-10092 *Community classrooms*10100-10111 *Cooperative vocational education*11500-11508 *Regional occupational centers and programs*11535-11538 *Career technical education contracts with private postsecondary schools*11610-11611 *Regional adult and vocational education councils*CODE OF REGULATIONS, TITLE 8200-240 *Apprenticeships*UNITED STATES CODE, TITLE 20**2301-2414 *Carl D. Perkins Career and Technical Education Act of 2006 - Strengthening Career and Technical Education for the 21st Century Act***6301-6578 *Improving the Academic Achievement of the Disadvantaged*

CAREER TECHNICAL EDUCATION (continued)

Legal Reference: (continued)

CODE OF FEDERAL REGULATIONS, TITLE 34

- 100-~~B~~ Appendix B Guidelines for eliminating discrimination in career technical education programs
- 104.1-104.39 Section 504 of the Rehabilitation Act of 1973
- 106.1-106.61 Discrimination on the basis of sex, effectuating Title IX

Management Resources:

CSBA PUBLICATIONS

A Governance Perspective: Interviews with School Board Members from the Nine Linked Learning Initiative School Districts, March 2014

The Linked Learning Approach to High School Reform, Governance Brief, January 2014

Orientation to Apprenticeship Overview, Construction Management Task Force Fact Sheet, November 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California Career Technical Education Model Curriculum Standards, Grades Seven Through Twelve, May 2005 January 2013

2008-2012 State Plan for Career Technical Education

Multiple Pathways to Student Success: Envisioning the New California High School, 2010

Regional Occupational Centers and Programs Operations Handbook March 2008

Model Programs and Practices: Setting Standards for Regional Occupational Centers and Programs (ROCPs), rev. October 2007

Career Technical Education Framework for California Public Schools, Grades Seven Through Twelve, January 2007

California Career Technical Education Model Curriculum Standards, Grades Seven Through Twelve, May 2005

Management of Vocational Education Equipment, April 2000

CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS, DIVISION OF APPRENTICESHIP STANDARDS PUBLICATIONS

Orientation to Apprenticeships: A Guide for Educators, January 2001

WEB SITES

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

Association for Career and Technical Education: <http://www.acteonline.org>

California Association of Regional Occupational Centers and Programs: <http://www.carocp.org>

California Career Resource Network: <http://www.californiacareers.info>

California Department of Education, Career Technical Education: <http://www.cde.ca.gov/ci/ct>

California Department of Employment Development: <http://www.edd.ca.gov>

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

California Workforce Development Board: <http://www.cwdb.ca.gov>

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

University of California, a-g Course Submissions: http://www.ucop.edu/a-gGuide/ag/course_submissions

U.S. Department of Education, Office of Vocational and Adult Education: <http://www.ed.gov/about/offices/list/ovae/pi/cte/index.html>

U.S. Department of Labor, Bureau of Labor Statistics: <http://www.bls.gov>

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Policy Reference UPDATE Service

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CSBA Sample Administrative Regulation

Instruction

AR 6178(a)

CAREER TECHNICAL EDUCATION

Note: The following **optional** administrative regulation should be revised to reflect program(s) offered by the district.

Perkins Basic Federal Grants for Career Technical Education (Perkins)

Note: The following **optional** section is for use by districts that receive basic grants to support programs of career technical education (CTE) pursuant to the reauthorized Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV) (20 USC 2301-2355) the Strengthening Career and Technical Education for the 21st Century Act, often referred to as Perkins V (20 USC 2301-2355, as amended by P.L. 115-224) to support programs of career technical education (CTE). As amended, the "hold harmless" provision has been replaced with a guarantee that each state receive a minimum grant equal to 90 percent of its prior year allocation, effective in fiscal year 2021.

During the Federal Program Monitoring (FPM) process, California Department of Education (CDE) staff will review whether the district uses Perkins IV these federal funds to supplement, not supplant, state and local funds for CTE activities, as required by 20 USC 2391, and whether funds are used for appropriate purposes as described in 20 USC 2355 and in the state plan adopted pursuant to 20 USC 2342. As amended by P.L. 115-224, 20 USC 2342 authorizes states to develop a one-year transition plan until Perkins V becomes effective July 1, 2019, after which a four-year state plan will be required.

For any district program of career technical education (CTE) funded through a basic grant of the federal Carl D. Perkins Career and Technical Education Act, the district shall submit to the California Department of Education a districtwide plan an application for a basic grant of the federal Strengthening Career and Technical Education for the 21st Century Act. The application shall address addressing the components specified in 20 USC 2354 and any additional requirements specified in the state plan developed pursuant to 20 USC 2342. The multi-year district plan shall cover the same time period covered by the state plan. (20 USC 2354)

(cf. 3230 - Federal Grant Funds)

The district shall conduct a needs assessment in accordance with 20 USC 2354, which shall be updated at least once every two years. The needs assessment shall be conducted in consultation with representatives of district CTE programs, postsecondary CTE programs, state or local workforce development boards and businesses, parents/guardians, students, and other specified stakeholders. (20 USC 2354)

Note: The district may use Perkins IV V and other federal, state, and/or district funds to meet the program requirements listed in items #1-9 below. Additional permissible uses of Perkins IV funds are described in 20 USC 2355. The 2008-2012 State Plan for Career Technical Education allows districts to support CTE courses in grades 7-8 with Perkins funds only if the courses are integral to and aligned with approved sequences of courses conducted by a high school. P.L. 115-224 amended 20 USC 2355 to streamline the allowable uses of funds and eliminate the additional list of permissible uses.

CAREER TECHNICAL EDUCATION (continued)

To meet the needs identified in the needs assessment, the Superintendent or designee shall develop, coordinate, implement, or improve CTE programs that are of sufficient size, scope, and quality to be effective and that fulfill the following purposes: (20 USC 2355)

The district shall offer at least one CTE program of study which shall: (20 USC 2342, 2354, 2355)

1. Improve the academic and career technical skills of participating students by integrating coherent and rigorous academic content and relevant CTE programs

*(cf. 6011—Academic Standards)
(cf. 6143—Courses of Study)*

2. Link CTE at the secondary and postsecondary levels through at least one of the strategies specified in 20 USC 2342

(cf. 6172.1—Concurrent Enrollment in College Classes)

3. Provide students with strong experience in and understanding of all aspects of an industry, which may include work-based learning experiences

*(cf. 5113.2—Work Permits)
(cf. 6178.1—Work Based Learning)*

4. Develop, improve, or expand the use of technology in CTE

(cf. 0440—District Technology Plan)

5. Provide professional development to teachers, administrators, and career guidance and academic counselors who are involved with integrated CTE programs

*(cf. 4131—Staff Development)
(cf. 4331—Staff Development)
(cf. 6164.2—Guidance/Counseling Services)*

6. Develop and implement program evaluations, including an assessment of how the needs of special populations, as defined in 20 USC 2302 and Board policy, are being met

*(cf. 0500—Accountability)
(cf. 6190—Evaluation of the Instructional Program)*

7. Initiate, improve, expand, and modernize quality CTE programs, including relevant technology

CAREER TECHNICAL EDUCATION (continued)

~~8. Provide services and activities that are of sufficient size, scope, and quality to be effective~~

~~9. Provide activities to prepare special populations for high-skill, high-wage, or high-demand occupations that will lead to self-sufficiency~~

1. Provide career exploration and career development activities through an organized, systematic framework designed to aid students, including students in the middle grades, in making informed plans and decisions about future education and career opportunities and programs of study. Such activities shall occur before students enroll and while they are participating in a CTE program, and may include:

a. Introductory courses or activities focused on career exploration and career awareness, including non-traditional fields

b. Readily available career and labor market information, including information on occupational supply and demand, educational requirements, other information on careers aligned to economic priorities, and employment sectors

c. Programs and activities related to the development of student graduation and career plans

d. Career guidance and academic counselors who provide information on postsecondary education and career options

e. Any other activity that advances knowledge of career opportunities and assists students in making informed decisions about future education and employment goals, including nontraditional fields

f. Activities that provide students with strong experience in, and comprehensive understanding of, all aspects of an industry

(cf. 6143 - Courses of Study)

2. Provide the skills necessary to pursue careers in high-skill, high-wage, or in-demand industry sectors or occupations

(cf. 5113.2 - Work Permits)

(cf. 6178.1 - Work-Based Learning)

3. Integrate academic skills into CTE programs and programs of study to support participating students in meeting state academic standards

CAREER TECHNICAL EDUCATION (continued)

4. Provide professional development for teachers, school leaders, administrators, specialized instructional support personnel, guidance counselors, and/or paraprofessionals, which may include the types of activities listed in 20 USC 2355

(cf. 4131 - Staff Development)

(cf. 4331 - Staff Development)

(cf. 6164.2 - Guidance/Counseling Services)

5. Plan and carry out elements that support the implementation of CTE programs and programs of study and that result in increased student achievement. Such elements may include curriculum aligned with program requirements, sustainable relationships among community stakeholders, opportunities for students to participate in accelerated learning programs, equipment and instructional materials aligned with business and industry needs, and other activities specified in 20 USC 2355.

6. Develop and implement evaluations of the activities funded by the grant

(cf. 0500 - Accountability)

(cf. 6190 - Evaluation of the Instructional Program)

Note: The following **optional** paragraph reflects CDE policies included in the state plan and may be revised to reflect district practice.

The district's program shall consist of at least two full year CTE courses with a combined duration of at least 300 hours, or a single multiple hour course which provides sequential units of instruction and has a duration of at least 300 hours. At least 50 percent of course curriculum and content shall be directly related to the development of career knowledge and skills.

Note: Pursuant to 20 USC 2354, the district **application** for Perkins ~~IV~~ V funding must describe how individuals **will not be discriminated against based on their status as** ~~who are~~ members of "special populations," as defined in 20 USC 2302 **as amended by P.L. 115-224** ~~will not be discriminated against~~. In addition, a district that receives federal aid is required by 34 CFR 100-~~B~~ (Appendix B-~~IV~~), 104.8, and 106.9 to take "continuing steps" to notify students, parents/guardians, employees, employee organizations, and applicants for admission and employment that it does not discriminate in its educational programs or activities. See BP 0410 - Nondiscrimination in District Programs and Activities.

~~In~~ **During** the Federal Program Monitoring (FPM) process, CDE staff will check to ~~ensure that~~ **whether** the district complies with requirements to (1) ensure equitable ~~participation of~~ **access by** special population students through outreach, recruitment, enrollment, and placement activities; (2) identify and adopt strategies to overcome barriers to access or success in the program; (3) ensure that counseling materials and activities, including student program selection and career/employment selection, and promotional and recruitment efforts are nondiscriminatory; and (4) advise students, parents/guardians, employees, and the general public, prior to the beginning of the school year, that all CTE opportunities are offered without regard to race, color, national origin, sex, or disability in accordance with 34 CFR 100-~~B~~ (Appendix B-~~IV~~).

CAREER TECHNICAL EDUCATION (continued)

The district's program shall provide **activities to prepare special populations for high-skill, high-wage, or in-demand industry sectors or occupations that will lead to self-sufficiency. Special populations shall be provided with** equal access to CTE programs and shall not be unlawfully discriminated against students who are members of special populations. *Special populations* include, but are not limited to, students with disabilities; students from economically disadvantaged families, including foster youth; single parents and single pregnant females; **pregnant and parenting students, displaced homemakers out-of-work individuals;** students with limited English proficiency **English learners, homeless students, foster youth, children of military families;** and students preparing for nontraditional fields. *Nontraditional fields* include occupations or fields of work, including careers in computer science, technology, and other emerging high-skill occupations, for which individuals from one gender constitute less than 25 percent of the individuals employed in each such occupation or field of work. (20 USC 2302, 2354, 2373)

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

(cf. 0415 - Equity)

Upon written request from a nonprofit private school within the geographical area served by the district, the Superintendent or designee shall consult with private school representatives in a timely and meaningful manner and may provide for the participation of private school secondary students in the district's programs and activities funded under the federal Carl D. Perkins Career and Technical Education Act pursuant to 20 USC 2301-2414. To the extent practicable, the Superintendent or designee also shall also, upon request, permit participation of CTE teachers, administrators, and other personnel from private schools in the district's inservice and preservice professional development programs funded through the Perkins Act such grants. (20 USC 2397)

Tech Prep Programs

Note: The following **optional** section is for use by districts that offer technical preparation (tech prep) programs pursuant to Perkins IV (20 USC 2371-2376). Tech prep education is a planned sequence of study in a technical field or pathway which includes at least two years of secondary education (sometimes beginning as early as grade 9) and extends through two or more years of postsecondary education or through an apprenticeship program of at least two years following high school. The sequence culminates in an associate's degree, a certificate, and/or a bachelor's degree. Districts apply for program funding as a consortium with a postsecondary institution and may include businesses in the consortium.

During the FPM process, CDE staff will review whether tech prep programs funded by Perkins IV include the components listed in 20 USC 2373(c).

The district shall, under an articulation agreement with an institution of postsecondary education and other consortium partners as appropriate, offer a technical preparation (tech prep) program in accordance with 20 USC 2371-2376. The program shall: (20 USC 2373)

1. Consist of a program of study that:

CAREER TECHNICAL EDUCATION (continued)

- a. Combines at least two years of tech prep at the secondary level which is linked to at least two years of either postsecondary education in a sequential, nonduplicative course of study or an apprenticeship program
 - b. Integrates academic and career technical instruction and utilizes work-based and work site learning experiences as appropriate and available
 - c. Provides technical preparation in a career field, including high skill, high wage, or high demand occupations
 - d. Builds student competence in technical skills and in core academic subjects, as appropriate, through applied, contextual, and integrated instruction in a coherent sequence of courses
 - e. Leads to technical skill proficiency, an industry recognized credential, a certificate, or a degree in a specific career field
 - f. Leads to placement in high skill or high wage employment or to further education
 - g. Utilizes CTE programs of study, to the extent practicable
 - h. Meets state academic standards
 - i. Investigates opportunities for tech prep students to enroll concurrently in secondary education and postsecondary education courses
2. Uses educational technology and distance learning, as appropriate, to involve consortium partners more fully in the development and operation of programs
 3. Includes inservice professional development for teachers, administrators, and counselors that addresses the goals identified in 20 USC 2373
 4. Provides equal access to the full range of tech prep programs to individuals who are members of special populations, as defined in 20 USC 2302 and Board policy, including the development of tech prep program services appropriate to the needs of special populations
 5. Provides for preparatory services that assist participating students
 6. Coordinates with activities conducted under Title I of the No Child Left Behind Act

(cf. 6171 Title I Programs)

CAREER TECHNICAL EDUCATION (continued)**Linked Learning Programs**

Note: The following **optional** section is for use by districts that offer "linked learning" programs integrating academic and career technical study (sometimes called "multiple pathways") and may be revised to reflect district practice. ~~Education Code 52372.5-52372.7, as amended by AB 790 (Ch. 616, Statutes of 2011), establish a pilot project to implement a limited number of districtwide linked learning programs and describe components of such programs. Pursuant to Education Code 52372.5, such programs may be delivered through partnership academies, regional occupational centers and programs (ROC/Ps), charter schools, academies, small learning communities, and other career-themed small schools.~~

The district shall offer one or more comprehensive, multi-year linked learning programs in grades 9-12 that are organized around a broad theme, interest area, or industry sector including, but not limited to, the industry sectors identified in model standards adopted by the State Board of Education pursuant to Education Code 51226. The program shall provide all participating students with curriculum choices that prepare them for career entry and a full range of postsecondary options, including two-year and four-year colleges, apprenticeships, and formal employment training.

At a minimum, the district's linked learning program shall include:

1. An integrated core curriculum that meets the eligibility requirements for admission to the University of California and the California State University and is delivered through project-based learning and other engaging instructional strategies that bring real-world context and relevance to the curriculum where broad themes, interest areas, and CTE are emphasized
2. An integrated technical core of a sequence of at least four related courses that may reflect CTE standards-based courses and that provide students with career skills, are aligned to academic principles, and fulfill academic core requirements described in item #1 above to the extent possible
3. A series of work-based learning opportunities that begin with mentoring and job shadowing and evolve into intensive internships, school-based enterprises, or virtual apprenticeships
4. Support services, including supplemental instruction in reading and mathematics, that help students master the advanced academic and technical content that is necessary for success in college and career

CAREER TECHNICAL EDUCATION (continued)**Regional Occupational Center/Program**

Note: The following **optional** section is for use by districts that partner with or offer their own local **regional occupational center or program (ROC/P)** pursuant to Education Code 52300-52335.12, and may be revised to reflect district practice. Education Code 52301 authorizes the establishment of an ROC/P by (1) the County Superintendent of Schools, with the approval of the State Board of Education (SBE); (2) two or more districts maintaining high schools, with the approval of the SBE and the County Superintendent; or (3) a single district with an average daily attendance (ADA) of 50,000 or more located in a class 1 county or a district with an ADA of 100,000 or more located in a class 2 county, as defined in Education Code 1205. ROC/P courses are open to secondary students, with priority enrollment given to students ages 16-18 or in grades 11-12. See BP 6178.2 - Regional Occupational **al** Center/Program for additional program requirements.

The district shall operate and/or partner with a regional occupational center or program (ROC/P), established pursuant to Education Code 52335.12, which offers CTE courses **independently or in support of tech prep programs**, linked learning programs, partnership academies, and/or pre-apprenticeship and apprenticeship programs as appropriate.

(cf. 6178.2 - Regional Occupational Center/Program)

Occupational course sequences offered by the ROC/P shall provide prerequisite courses needed to enter apprenticeship or postsecondary vocational certificate or degree programs, focus on occupations requiring comprehensive skills leading to high entry-level wages and/or the possibility of significant wage increases after a few years on the job, offer as many courses as possible that meet college admission requirements, and lead to attainment of an occupational skill certificate. (Education Code 52302)

Student Organizations

Note: The following **optional** section may be used by districts providing any CTE program(s). 20 USC 2355 permits the use of Perkins **IV V** funding to support career technical student organizations and related activities. According to CDE, state-supported organizations include California DECA: A Marketing Association (formerly Distributive Education Clubs of America), Future Business Leaders of America (FBLA), Future Farmers of America (FFA), Future Homemakers of America-Home Economics Related Occupations (FHA-HERO), Health Occupations Students of America (HOSA), and Skills USA (formerly Vocational Industrial Clubs of America-VICA).

The district may provide support, including supplies, materials, activities, and advisor expenses, to student organizations which engage in activities that are integral to the CTE program and provide for the development of student leadership skills. However, no state or federal funds shall be used to pay students' membership dues, food or lodging expenses, out-of-state travel, or the cost of a social activity or assemblage.

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.5 - Student Organizations and Equal Access)

CAREER TECHNICAL EDUCATION (continued)

(3/08 7/12) 10/18

CSBA Sample Board Policy

Instruction

BP 6190(a)

EVALUATION OF THE INSTRUCTIONAL PROGRAM

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

The Governing Board recognizes that it is accountable to students, parents/guardians, and the community for the effectiveness of the district's educational program in meeting district goals for student learning. The Superintendent or designee shall conduct a continual evaluation of the curriculum and the instructional program in order to **improve identify strategies for improving** student achievement.

(cf. 0200 - Goals for the School District)

(cf. 0500 - Accountability)

(cf. 6000 - Concepts and Roles)

(cf. 6141 - Curriculum Development and Evaluation)

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

Note: The district may revise the following paragraph to specify the data and reports that will be used to evaluate the district's instructional program.

~~Historically, California's accountability system has been based on both federal and state requirements. However, as amended by the Every Student Succeeds Act (P.L. 114-95), 20 USC 6311 no longer requires a determination as to whether schools and districts meet a federal measure of "adequate yearly progress," and gives greater discretion to states and local educational agencies to determine accountability indicators. The state's Academic Performance Index has been suspended since the 2013-14 school year as the state transitions to a new state assessment and accountability system. The new state accountability system will integrate local, state, and federal accountability systems and be based on multiple measures.~~

~~In addition,~~ Education Code 52060-52061 require that the district's local control and accountability plan (LCAP) establish goals, for all students and for each numerically significant subgroup, that are aligned with the state priorities, and that the district annually review progress toward the goals; see BP/AR 0460 - Local Control and Accountability Plan. Pursuant to Education Code 52052, numerically significant student subgroups include ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, when the subgroup consists of at least 30 students with a valid test score or 15 foster or homeless youth. **The California School Dashboard reports the status of district and school performance on multiple state and local indicators and is intended to assist districts in identifying strengths and areas in need of improvement in each priority area addressed by the LCAP.**

The Superintendent or designee shall provide the Board and the community with regular reports ~~on student progress toward Board-established standards of expected achievement at each grade level in each area of study. In addition, he/she shall evaluate and report data for~~ **on student achievement. The reports shall include data for** each district school and for ~~every~~ **each** numerically significant student subgroup, as defined in Education Code 52052, including, but not limited to, school and subgroup performance on statewide achievement indicators and progress toward goals specified in the district's local control and accountability plan (LCAP).

EVALUATION OF THE INSTRUCTIONAL PROGRAM (continued)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 0510 - School Accountability Report Card)

(cf. 6011 - Academic Standards)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6174 - Education for English Learners)

In addition, the Superintendent or designee shall conduct an evaluation of any new instructional program implemented in the district and shall regularly assess district progress toward increasing student achievement in all subject areas taught in the district. The findings of such evaluations and assessments shall be reported to the Board.

Based on these reports, the Board shall take appropriate actions to maintain the effectiveness of programs and to improve the quality of education **that provided to** district students **receive**.

Annual **Monitoring Evaluation** of Consolidated Application Programs

Note: The following **optional** section should be revised to reflect district practice. Pursuant to Education Code 64000-64001, the consolidated application is used by the California Department of Education (**CDE**) to distribute funds from certain federal categorical programs. **For 2015-16, these programs include (1) Title I, Part A basic grant (low income students); (2) Title I, Part D (delinquent students); (3) Title II, Part A (teacher quality); (4) Title III, Part A (immigrant students); (5) Title III, Part A (English learners); and (6) Title VI, Part B (rural, low income students).** Pursuant to **5 CCR 3942**, **as** a condition of receiving continued funding for these programs, the district must make certain general assurances and certifications, including an assurance that the district's annual evaluation of categorical programs demonstrates that each program is "not one of low effectiveness." (**5 CCR 3942**). The district does not need to sign or return the general assurances, but does need to keep them on file for compliance reviews, complaint investigations, or audits.

Pursuant to 5 CCR 3942, criteria for the annual program evaluation are to be established by the Governing Board. ~~In order to consolidate the district's various evaluation processes,~~ **The district may consider measures of the academic progress of students participating in the program, including** numerically significant student **subgroups**, in addition to other measures ~~of student progress~~ contained in school plans or adopted by the Board.

The Board and the Superintendent or designee shall annually determine whether the district's categorical programs funded through the state's consolidated application are effective in meeting the needs of the students they are intended to serve. As a basis for this evaluation, the Superintendent or designee shall recommend for Board approval the specific, measurable criteria that shall be used at each school and at the district level. These criteria may include, but are not necessarily limited to, the progress of all students **participating in the program** and of each numerically significant subgroup toward goals contained in the district's LCAP,

EVALUATION OF THE INSTRUCTIONAL PROGRAM (continued)

the school's single plan for student achievement, **Title I local educational agency plan**, and/or other applicable district or school plans.

Federal Program Monitoring

Note: Pursuant to Education Code 64001, the CDE is required to monitor the district's compliance with legal requirements for categorical programs. This monitoring is accomplished through the Federal Program Monitoring (FPM) process, which is based on a combination of data and document reviews and on-site visits. Districts are assigned to one of four cycles, and may be selected for on-site or online monitoring every two years. Districts and school sites are selected based on criteria that include compliance history, academic achievement, program size, and fiscal analysis, with several districts being randomly selected for monitoring each year. During the FPM process, the CDE reviews school plans and may require a district to submit district policies, administrative regulations, or any other data necessary for the CDE to effectively monitor these programs. The CDE has developed monitoring instruments which contain major program legal requirements and are used by CDE staff to determine district compliance with the requirements. These instruments are available on the CDE's web site. Also, beginning in 2015, the CDE is transitioning to a new application, the California Monitoring Tool, to facilitate districts' response to state and federal requirements for program monitoring.

The following paragraph is **optional**. The CDE does not require districts to complete a self-review as part of the FPM process. However, the CDE emphasizes that compliance monitoring should be an ongoing responsibility of the district, not an event that occurs only when the CDE conducts its on-site monitoring. The FPM program instruments may be useful for this purpose.

To ensure that the district's categorical programs comply with applicable legal requirements, the Superintendent or designee shall, on an ongoing basis, conduct a district self-evaluation which may utilize tools developed by the district or the California Department of Education (CDE).

When the district is selected by the CDE for a Federal Program Monitoring (FPM) compliance review, the Superintendent or designee shall gather and submit all documentation and data required for the review and shall cooperate with CDE staff to facilitate program monitoring.

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

(cf. 0420—School Plans/Site Councils)

(cf. 1312.3—Uniform Complaint Procedures)

(cf. 1312.4—Williams Uniform Complaint Procedures)

(cf. 4131—Staff Development)

(cf. 5020—Parent Rights and Responsibilities)

(cf. 5148—Child Care and Development Programs)

(cf. 5148.2—Before/After School Programs)

(cf. 5148.3—Preschool/Early Childhood Education)

(cf. 6020—Parent Involvement)

(cf. 6142.7—Physical Education and Activity)

(cf. 6171—Title I Programs)

(cf. 6173—Education for Homeless Children)

(cf. 6175—Migrant Education Program)

EVALUATION OF THE INSTRUCTIONAL PROGRAM (continued)

~~(cf. 6178 – Career Technical Education)
(cf. 6178.1 – Work-Based Learning)
(cf. 6200 – Adult Education)~~

Note: According to the CDE's FPM Frequently Asked Questions, available on its web site, if the review results in a finding of noncompliance with legal requirements, the district must submit a Proposed Resolution of Findings through the CMT within 45 days of the date that the district was notified of the finding. The resolution agreement will specify a time period, not to exceed 225 calendar days from the last day of the review, to resolve the finding. The district may request additional resolution time if needed, and the CDE program monitor will determine whether to grant or adjust the request.

In the event that the FPM review results in a finding of noncompliance in relation to any program, the Superintendent or designee shall submit a proposed resolution to the CDE within 45 days of the date the district was notified of the finding. The resolution shall be implemented in accordance with the terms and timeframe specified in the resolution agreement with the CDE.

The Superintendent or designee shall report to the Board regarding the results of the review process.

Western Association of Schools and Colleges (WASC) Accreditation

Note: The following **optional** section is for use by districts that participate in the evaluation process leading to accreditation by the Western Association of Schools and Colleges (WASC). WASC is a private, nonprofit organization whose Accrediting Commission for Schools provides regular assessments of public and private schools in order to support ongoing improvement of the educational program. The term of the accreditation process varies from one to six years, as determined by WASC. Districts may seek accreditation for both elementary and secondary schools and may revise the following section to specify schools that will seek accreditation (e.g., only secondary schools and/or middle schools). Districts also may revise the following section to apply to any other accrediting agency.

The Board believes that accreditation by the Western Association of Schools and Colleges (WASC) can foster excellence and ongoing academic improvement in the district's schools. The results of the accreditation process also may demonstrate to parents/guardians and the community that the schools are meeting their goals and objectives and the WASC criteria for school effectiveness through a viable instructional program.

The Superintendent or designee shall undertake procedures whereby district schools may achieve and maintain full WASC accreditation status. The schools shall conduct a self-study in accordance with WASC requirements, cooperate with the WASC committee during a site visit, and develop and review action plans to increase the effectiveness of the instructional program for students. The Superintendent or designee shall regularly report to the Board on the status of district schools and any WASC recommendations for school improvement.

EVALUATION OF THE INSTRUCTIONAL PROGRAM (continued)

Not later than 60 days after receiving the results of any inspection of a school by WASC, or any other **the accrediting agency, the Superintendent or designee** shall ~~be published not later than 60 days after the results are made available to the school. Publication shall be by notifying each parents/guardians in writing~~ **of the inspection results** and/or **by shall** posting the information on the district's or school's web site, ~~as determined by the Superintendent or designee.~~ (Education Code 35178.4)

(cf. 1113 - District and School Web Sites)

(cf. 5145.6 - Parental Notifications)

If any district school loses its accreditation status, the Board shall give official notice at a regularly scheduled Board meeting. The Superintendent or designee shall provide written notification to each parent/guardian of a student in the school that the school has lost its accreditation status, including the potential consequences of the loss of accreditation status. This notice shall also be posted on the district's web site and the school's web site. (Education Code 35178.4)

Legal Reference: (see next page)

EVALUATION OF THE INSTRUCTIONAL PROGRAM (continued)

Legal Reference:

EDUCATION CODE

33400-33407 Educational evaluations

35178.4 Notice of accreditation status

44662 Evaluation and assessment guidelines, certificated employee performance

48985 Compliance with translation of parental notifications

51041 Education program, evaluation and revisions

51226 Model curriculum standards

52052 ~~52052.1 Academic Performance Index Accountability~~; numerically significant student subgroups

52060-52077 Local control and accountability plan

62005.5 Failure to comply with purposes of funds

64000-64001 Consolidated application process

CODE OF REGULATIONS, TITLE 5

3930-3937 Program requirements

3942 Continuity of funding

UNITED STATES CODE, TITLE 20

6311 Adequate yearly progress State plans

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

FPM Frequently Asked Questions

Federal Program Monitoring Instruments

WESTERN ASSOCIATION OF SCHOOLS AND COLLEGES PUBLICATIONS

Focus on Learning: Joint ACS WASC/CDE Process Guide, 2014 2017

WEB SITES

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

California Department of Education, Testing and Accountability: <http://www.cde.ca.gov/ta>

Western Association of Schools and Colleges (WASC), Accrediting Commission for Schools:

<http://www.acswasc.org>

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Policy Reference UPDATE Service

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CSBA Sample Board Bylaw

Board Bylaws

BB 9110(a)

TERMS OF OFFICE

Note: Governing ~~Boards~~ ~~generally~~ consist of **three, five, or seven** members. ~~Exceptions are as provided in Education Code 5018 and 35012. The district should fill in the blank in the following paragraph to reflect the number of Governing Board members in the district.~~

~~For information about the election of Board members, including election dates, see BB 9220 - Governing Board Elections.~~

The Governing Board shall consist of seven members whose terms shall be staggered so that as nearly as practicable, one half of the members shall be elected in each ~~odd-numbered~~ year **in which the Board's elections are regularly held. (Education Code 35012)**

(cf. 9220 - Governing Board Elections)

Note: AB 2449 (Ch. 146, Statutes of 2018) amended Education Code 5017 to change the commencement of the term of office of board members from the first Friday in December following their election to the second Friday in December. Although Education Code 5000 still states that a board member's four-year term expires on the first Friday in December, Education Code 5017 requires board members to continue to discharge their duties until their successor has qualified by taking the oath of office. Therefore, the following paragraph reflects the date specified in Education Code 5017.

The term of office for **Board** members elected in regular elections shall be four years, commencing on the ~~first~~ **second** Friday in December ~~next-succeeding~~ **following** their election. (Education Code 5017)

(cf. 9223 - Filling Vacancies)

(cf. 9224 - Oath or Affirmation)

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

~~Board member terms expire four years after their initial election on the first Friday in December following the election of new members.~~

~~A member whose term has~~ **Board members whose terms have** expired shall continue to discharge the duties of ~~the~~ office until ~~his/her successor has~~ **their successors have** qualified by taking the oath of office. (**Education Code 5017; Government Code 1302, 1360; Education Code 5017**)

(cf. 9220 - Governing Board Elections)

(cf. 9223 - Filling Vacancies)

(cf. 9224 - Oath or Affirmation)

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

BB 9110(b)

TERMS OF OFFICE (continued)

Note: Pursuant to Elections Code 10404.5, whenever a regularly scheduled board election is changed due to consolidation of elections, the term of office of incumbent Board members is extended to align with the next applicable election. 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 elections, and under defined circumstances are required to consolidate their elections with statewide elections as specified in Elections Code 14051-14052. See BB 9220 - Governing Board Elections.

If a regularly scheduled Board election date is changed due to consolidation with a statewide or municipal general election, the term of incumbent Board members shall be extended to align with the next applicable election. (Elections Code 10404.5)

Legal Reference:

EDUCATION CODE

5000-5033 *Election of school district board members*

35010 *Control of district*

35012 *Board members; number, election and terms*

35107 *Eligibility*

ELECTIONS CODE

1302 *Local elections, school district election*

10400-10418 *Consolidation of elections*

14050-14057 *California Voter Participation Rights Act*

GOVERNMENT CODE

1302 *Continuance in office until qualification of successor*

1303 *Exercising functions of office without having qualified*

1360 *Necessity of taking constitutional oath*

Management Resources:

WEB SITES

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

(12/92 3/93) 10/18

Policy Reference UPDATE Service

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**BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT**

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 19, 2019

Attachments: _____

From: Don Beno, Superintendent

Item Number: 12

Type of item: (Action, Consent Action or Information Only): Action

SUBJECT:

Request to approve redrawing the RDUSD Board Trustee Boundary Areas using the last census data from April 1, 2010 (redistricting) based upon information presented by Mr. Demers on February 19, 2019

BACKGROUND:

On 12-11-18 the Board engaged in a discussion about redrawing the Board Trustee Boundary Areas. Member Fernandez requested legal counsel come to the January Board meeting to opine on whether or not the Board had acted within the law in previous Board meetings.

At the conclusion of the discussion in December, there was a motion which was approved to "move forward in reconfiguring the Trustee Boundary Areas immediately, with an invitation to Mr. Demers to provide the Board with a presentation."

On 1-8-19, an attorney opined that "the district was on solid ground" in both 2013 and 2016 when they did not redraw the Board Trustee Boundary Areas.

Mr. Demers agreed present options of reconfiguring the member areas based on the 2010 census, at the February Board meeting.

STATUS:

Attached are maps of new Trustee Boundary Areas configured by Steve Demers to create areas that have similar populations and include representation from Trustees from throughout the whole district.

PRESENTER:

Don Beno, Superintendent and Steve Demers, County Demographer

OTHER PEOPLE WHO MIGHT BE PRESENT:






COST AND FUNDING SOURCES: NONE

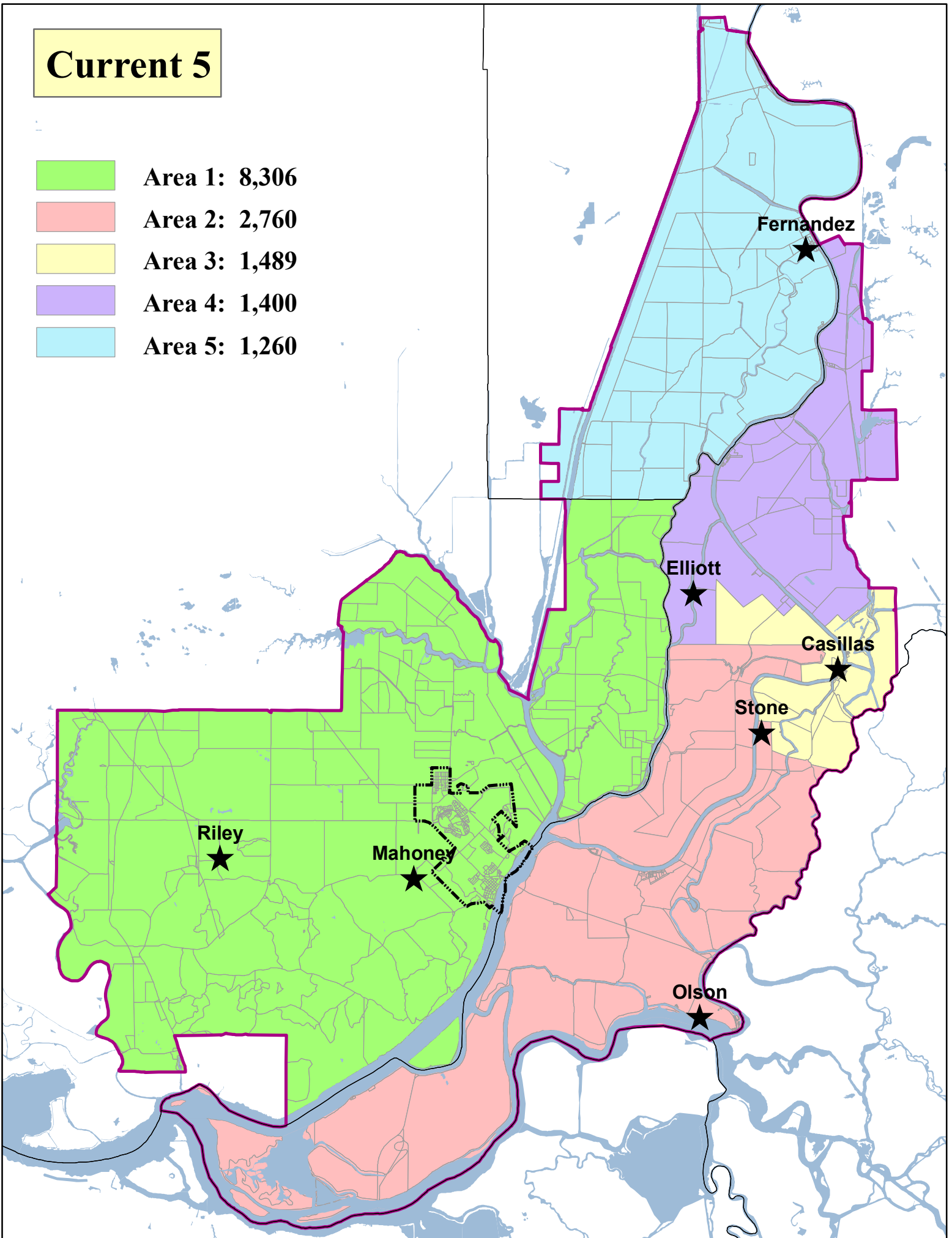
RECOMMENDATION:

That the Board makes a motion to approve one of the options presented by Mr. Demers to redraw the Trustee Area Boundaries using the 2010 census data and also approve to redraw the Trustee Area Boundaries after the census data is available from the 2020 census or that the Board makes a motion to redraw the Trustee Area Boundaries after the 2020 census.








Time allocated: 30 minutes

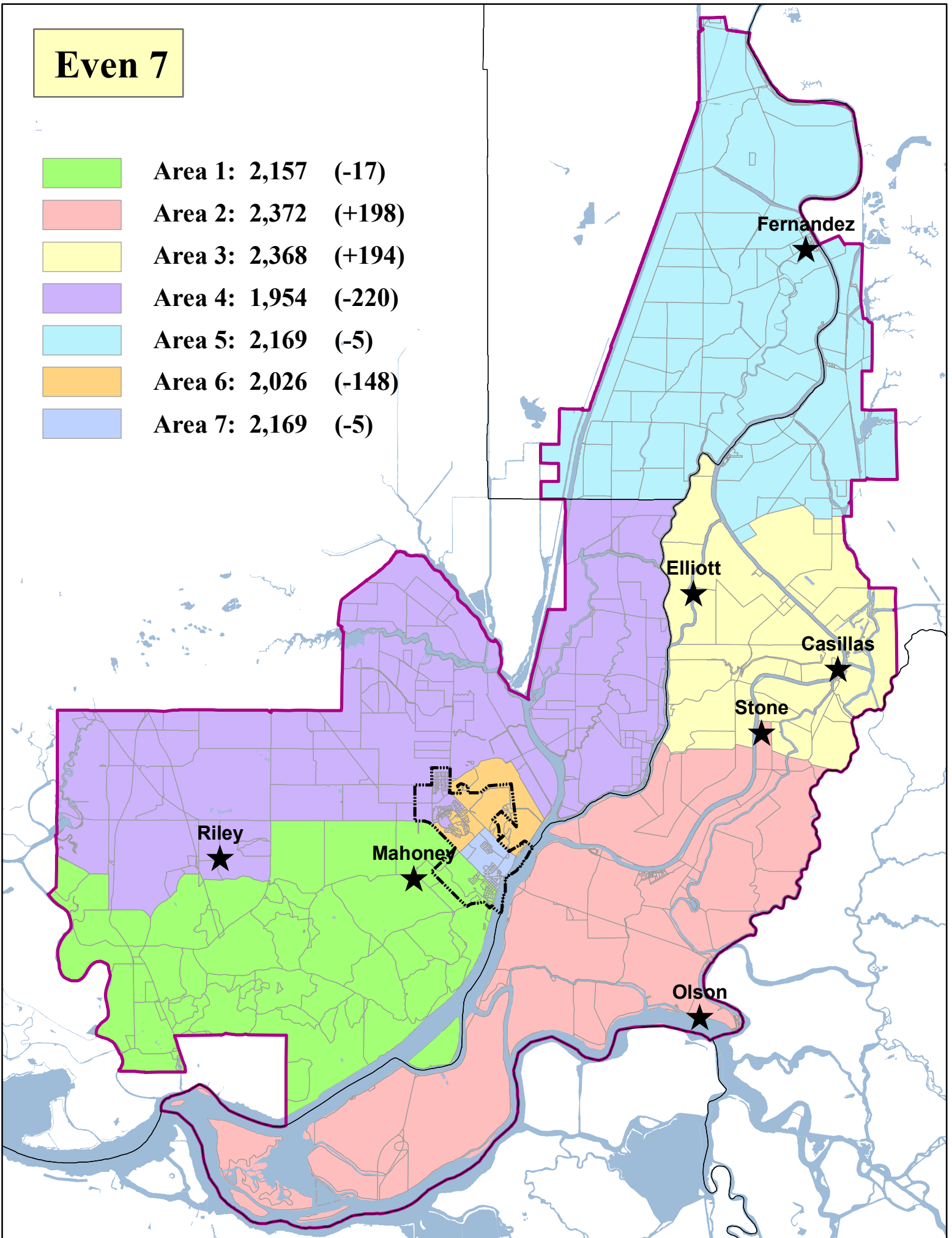
Current 5

-  Area 1: 8,306
-  Area 2: 2,760
-  Area 3: 1,489
-  Area 4: 1,400
-  Area 5: 1,260










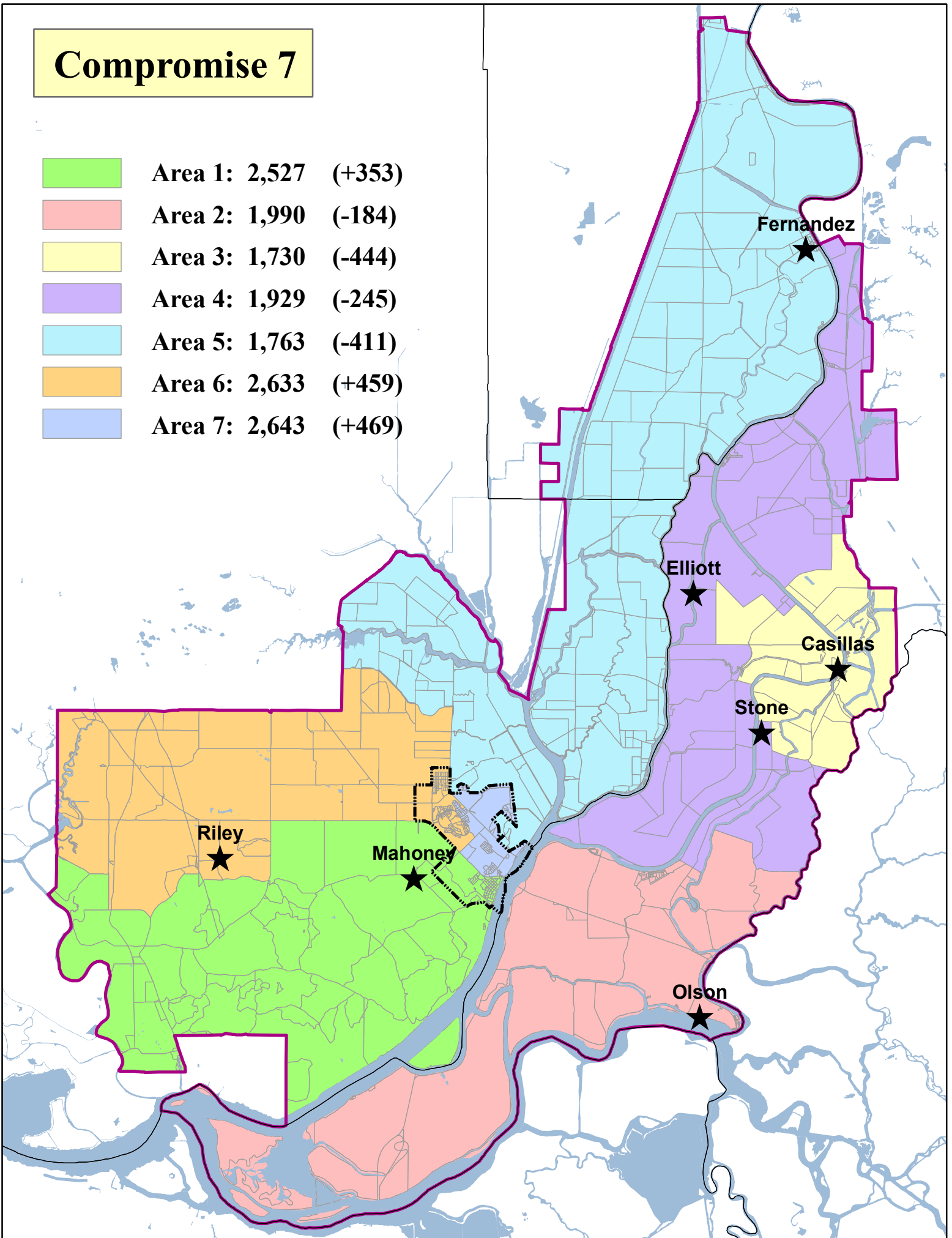
Even 7

| | |
|---|-----------------------------|
|  | Area 1: 2,157 (-17) |
|  | Area 2: 2,372 (+198) |
|  | Area 3: 2,368 (+194) |
|  | Area 4: 1,954 (-220) |
|  | Area 5: 2,169 (-5) |
|  | Area 6: 2,026 (-148) |
|  | Area 7: 2,169 (-5) |



Compromise 7

| | |
|---|-----------------------------|
|  | Area 1: 2,527 (+353) |
|  | Area 2: 1,990 (-184) |
|  | Area 3: 1,730 (-444) |
|  | Area 4: 1,929 (-245) |
|  | Area 5: 1,763 (-411) |
|  | Area 6: 2,633 (+459) |
|  | Area 7: 2,643 (+469) |



BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 19, 2019

Attachments: 1

From: Kathy Wright, Director of Educational Services

Item Number: 13

Type of Item: (Action, Consent Action or Information Only): Action

SUBJECT:

Low Performing Students Block Grant (LPSBG) Plan

BACKGROUND:

The Low Performing Students Block Grant (LPSBG) provides funds for local education agencies (LEAs) serving students identified as low-performing on state English Language Arts or Mathematics assessments, who are not otherwise identified for supplemental grant funding under the Local Control Funding Formula (LCFF), or eligible for special education services.

As a condition of receiving LPSBG funds, River Delta Unified School District is required to develop a plan describing how the funds will increase or improve evidence-based services for the pupils identified to accelerate increases in academic achievement, and how the effectiveness of services will be measured. The plan shall include information regarding how the services align with and are described in the district Local Control and Accountability Plan (LCAP). The plan shall be discussed and adopted at a regularly scheduled meeting of the RDUSD Board of Trustees.

STATUS:

Academic achievement data analysis of the 2018 SBAC results for ELA and Mathematics was completed. Root causes of the low achievement were identified and LCAP-aligned action steps were established for the purpose of developing a high impact plan. The Low Performing Students Block Grant (LPSBG) Plan for River Delta USD is attached for review. The total amount of \$205,507 was awarded to RDUSD and will be distributed by CDE in two allotments. RDUSD received the first allotment of \$102,573.50 in December 2018.

PRESENTER:

Kathy Wright

OTHER PEOPLE WHO MIGHT BE PRESENT:

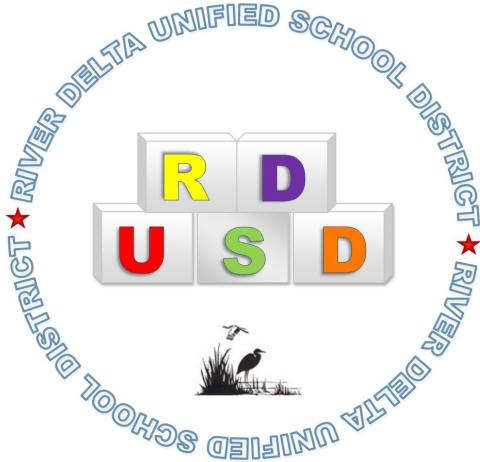
COST AND FUNDING SOURCES:

RECOMMENDATION:

That the Board approves the Low Performing Students Block Grant Plan for RDUSD.

Time allocated: 3 minutes

Low Performing Students Block Grant Plan



River Delta Unified School District

January 28, 2019

Summarize how the funds will be used to increase or improve evidence-based services for pupils identified pursuant to EC Section 41570(d)

River Delta Unified School District is dedicated to the continuous improvement of each students' educational experience in our schools. We believe that focusing our thinking, teaching and learning on building the capacity and capabilities of our teachers will have a profoundly positive impact on the achievement of our low performing students. Our district administrative team has analyzed data and collaboratively decided on using the funds for improving three evidence-based services: New Teacher Onboarding, Common Core Instructional Shifts PD, and Parent Engagement Opportunities.

River Delta USD will design and facilitate an Onboarding Orientation for our newly hired teachers aimed at understanding the district's instructional focus on Academic Conversations and its associated goals and actions steps in our Local Control and Accountability Plan (LCAP), the adopted curriculum for each content area, including formative and summative assessments, and the aligned educational technology software available for students. Embedded into all conversations will be social emotional learning and information about to strengthen our trauma-sensitive school environments.

River Delta USD plans to enter into a partnership with Math Solutions to provide professional development and teacher team coaching for mathematics instruction. The Math Solutions educators are prepared to focus their sessions on the Common Core instructional shifts, our adopted mathematics curriculum and research-based best mathematical practices. We intend to differentiate the sessions for newly hired and veteran teachers. To improve efforts in educating our teachers about the benefits of focused conversations and exercising literacy skills during mathematics lesson, we will continue to offer the opportunity for teachers and support staff to participate in the Number Talk Institute facilitated by experts from Mathematics Education Collaborative (MEC).

River Delta USD believes that parent engagement is an evidence-based service that will prove to have a positive impact on our students' academic achievement if it is planned, communicated and implemented well. We intend to offer small group learning sessions for parents that builds understanding of grade level academic standards, develops their self-efficacy to help their children their academics at home and build a network of people who they can rely on to offer support and helpful parenting tips.

How will the effectiveness of the evidence-based services be measured?

River Delta USD plans to measure the effectiveness of these evidence-based services using both qualitative and quantitative measures. We will use the SBAC results and Measurement of Academic Progress (MAP) assessment results for English Language Arts and Mathematics along with teacher feedback forms, student and teacher climate surveys, classroom observation data, and anecdotal records from focused conversations with parents who participate in the parent engagement opportunities.

How are services aligned with and described in the local educational agency's local control and accountability plan?

Our evidence-based services are directly aligned to our LCAP goals.

GOAL 1:

Improve and support student learning to close achievement gaps and ensure all students who graduate are college and career ready

Action 2: RDUSD provided a variety of opportunities for professional development in the 2017-2018 school year to ensure successful implementation of the CCSS and to support student achievement in grades K-12.

Action 3: Based upon available funds, we may provide additional professional development for new teachers to assist in their transition to the district and implementation of the district's initiatives and programs.

GOAL 2:

Provide an instructional program that supports full implementation of the CCSS, NGSS and ELD Standards in grades K-12

Action 2: Continue to utilize the TK-6 Curriculum Advisory Committee (CAC) and the Secondary Curriculum Council to collaborate and make decisions about textbook adoptions and provide input about staff

GOAL 4:

Provide meaningful and varied opportunities for parents to be involved with supporting their child's academic achievement

Action 2: Provide staff training and opportunities to enhance and improve communication and outreach efforts to families of our English Learners (ELs) and our foster youth families and implement the strategies.

GOAL 5:

Foster a school and district culture that ensures academic/social and emotional well-being for all students

Action 1: RDUSD will provide training and coaching for teachers/staff to have necessary skills to develop healthy relationship with students, create a productive learning environment, properly set up procedure for an orderly classroom environment, manage behavior and minimize student disruption, suspensions, and expulsions whenever possible.

Action 11: Provide professional development for staff on targeted populations including Trauma Informed Schools, Understanding Poverty and the Mental Health Awareness conference

All measures described above are also used as measures in the Expected Annual Measurable Outcomes sections of our LCAP.

On what date was the LPSBG plan discussed and adopted at a regularly scheduled meeting of the governing board of the school district, county board of education, or the governing body of the charter school? (California EC Section 41570[f][1]-[2])

THIS LANGUAGE IS BE REVISED TO PRESENT TENSE AS SOON AS THE DECISION OF THE BOARD OF TRUSTEES IS FINAL.

The LPBSG Plan for the River Delta Unified School District is scheduled to be discussed by the River Delta Unified School District Board of Trustees at a regularly scheduled meeting on February 19, 2019. A decision for adoption will be made at that time.

**BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT**

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 19, 2019

Attachments: X

From: Elizabeth Keema-Aston

Item Number: 14

Type of item: (Action, Consent Action or Information Only): Action

SUBJECT:

Delta High School, Isleton Elementary School, Rio Vista High School and Walnut Grove Elementary School Request Board Approval to file a Notice of Completion for the Roofing and Gutter systems.

BACKGROUND:

Final completion of the Roofing and Gutter Systems are completed. This Notice of Completion and recoding at the County Recorder's Office sets in motion the 35 day hold period before final retention can be released.

STATUS:

PRESENTER:

Elizabeth Keema-Aston, Chief Business Officer

OTHER PEOPLE WHO MIGHT BE PRESENT:

COST AND FUNDING SOURCES:

SFID 1 and SFID 2 Bond funds and Fund 21

RECOMMENDATION:

Request Board Approval to file a Notice of Completion for the Roofing and Gutter Systems for the 4 Schools.

Time allocated: 3 minutes

Recording Requested By:
Owner - School District

When Recorded Mail To:

Name River Delta Unified School District

Street Address 445 Montezuma Street

City & State Rio Vista, CA 94571

SPACE ABOVE THIS LINE FOR RECORDERS USE

NOTICE OF COMPLETION

(CA Civil Code §§ 8180-8190, 8100-8118, 9200-9208)

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned is an owner of an interest of estate in the hereinafter described real property, the nature of which interest or estate is:
Fee Simple Title (e.g. fee, leasehold, joint tenancy, etc.)
2. The full name and address of the undersigned owner or reputed owner and of all co-owners or reputed co-owners are:
Name River Delta Unified School District Street and No. 445 Montezuma Street City Rio Vista State CA
94571
3. The name and address of the direct contractor for the work of improvement as a whole is:
D7 Roofing Services Inc. 2851 Gold Tailings Court Rancho Cordova, CA 95670
4. This notice is given for (check one):
 Completion of the work of improvement as a whole.
 Completion of a contract for a particular portion of the work of improvement (per CA Civ. Code § 8186).
5. If this notice is given only of completion of a contract for a particular portion of the work of improvement (as provided in CA Civ. Code § 8186), the name and address of the direct contractor under that contract is:
N/A
6. The name and address of the construction lender, if any, is:
N.A
7. On the 15th day of December, 2018, there was completed upon the herein described property a work of improvement as a whole (or a particular portion of the work of improvement as provided in CA Civ. Code § 8186) a general description of the work provided:
Delta High School Roofing and Gutter Systems at Buildings D & O (Gym) and G (Wood Shop)
8. The real property herein referred to is situated in the City of Clarksburg, County of Yolo State of California, and is described as follows:
Delta High School (APN#)
9. The street address of said property is:
52810 Netherlands Rd., Clarksburg, CA 95612
10. If this Notice of Completion is signed by the owner's successor in interest, the name and address of the successor's transferor is:
N/A

I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

By: _____

Signature of Owner of Owner's Authorized Agent
Don Beno, Superintendent

Print Name

VERIFICATION

I, Don Beno, state: I am the Authorized Signer ("Owner", "President", "Authorized Agent", "Partner", etc.) of the Owner identified in the foregoing Notice of Completion. I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on December, 2018, (date), at Rio Vista (city), California.

Signature of Owner or Owner's Authorized Agent

PROOF OF SERVICE DECLARATION

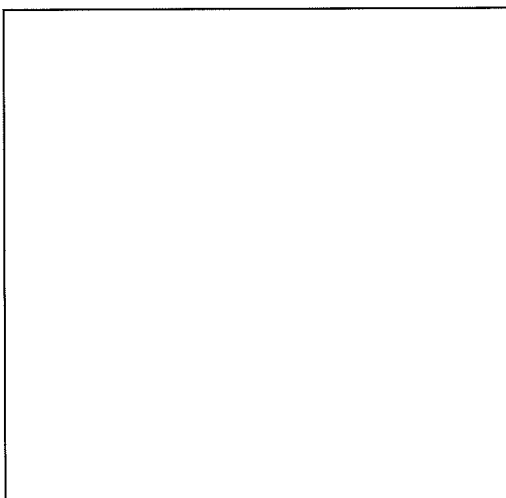
I, _____, declare that I served copies of the above **NOTICE OF COMPLETION**, (check appropriate box):

- a. By personally delivering copies to _____ (name(s) and title(s) of person served) at _____ (address), on _____, _____ (date), at _____, _____ m. (time)
- b. By Registered or Certified Mail, Express Mail or Overnight Delivery by an express service carrier, addressed to each of the parties at the address shown above on _____ (date).
- c. By leaving the notice and mailing a copy in the manner provided in § 415.20 of the California Code of Civil Procedure for service of Summons and Complaint in a Civil Action.

I declare under penalty of perjury that the foregoing is true and correct.

Signed at _____ (city), California, on _____, _____ (date).

(Signature of Person Making Service)



**STATE OF CALIFORNIA
COUNTY OF _____**

On _____, _____ (date), before me, _____, Notary Public (name and title of officer) personally appeared _____ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PURJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Recording Requested By:

Owner - School District

When Recorded Mail To:

Name River Delta Unified School District

Street Address 445 Montezuma Street

City & State Rio Vista, CA 94571

SPACE ABOVE THIS LINE FOR RECORDERS USE

NOTICE OF COMPLETION

(CA Civil Code §§ 8180-8190, 8100-8118, 9200-9208)

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned is an owner of an interest of estate in the hereinafter described real property, the nature of which interest or estate is:
Fee Simple Title _____ (e.g. fee, leasehold, joint tenancy, etc.)
2. The full name and address of the undersigned owner or reputed owner and of all co-owners or reputed co-owners are:
Name _____ Street and No. _____ City _____ State _____
River Delta Unified School District, 445 Montezuma Street, Rio Vista, CA 94571
3. The name and address of the direct contractor for the work of improvement as a whole is:
D7 Roofing Services Inc. 2851 Gold Tailings Court Rancho Cordova, CA 95670
4. This notice is given for (check one):
 Completion of the work of improvement as a whole.
 Completion of a contract for a particular portion of the work of improvement (per CA Civ. Code § 8186).
5. If this notice is given only of completion of a contract for a particular portion of the work of improvement (as provided in CA Civ. Code § 8186), the name and address of the direct contractor under that contract is:
N/A
6. The name and address of the construction lender, if any, is:
N.A
7. On the 15th day of December, 2018, there was completed upon the herein described property a work of improvement as a whole (or a particular portion of the work of improvement as provided in CA Civ. Code § 8186) a general description of the work provided:
ISLETON ELEMENTARY SCHOOL – Roofing and Gutter Systems at Buildings B and E & F
8. The real property herein referred to is situated in the City of Isleton, County of Sacramento, State of California, and is described as follows:
Isleton Elementary School (APN#)
9. The street address of said property is:
412 Union Street Isleton, CA 95641
10. If this Notice of Completion is signed by the owner's successor in interest, the name and address of the successor's transferor is:
N/A

I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

By: _____

Signature of Owner or Owner's Authorized Agent

Don Beno, Superintendent

Print Name

VERIFICATION

I, Don Beno, state: I am the Authorized Signer ("Owner", "President", "Authorized Agent", "Partner", etc.) of the Owner identified in the foregoing Notice of Completion. I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on December, 2018 (date), at Rio Vista (city), California.

(Signature of Owner or Owner's Authorized Agent)

PROOF OF SERVICE DECLARATION

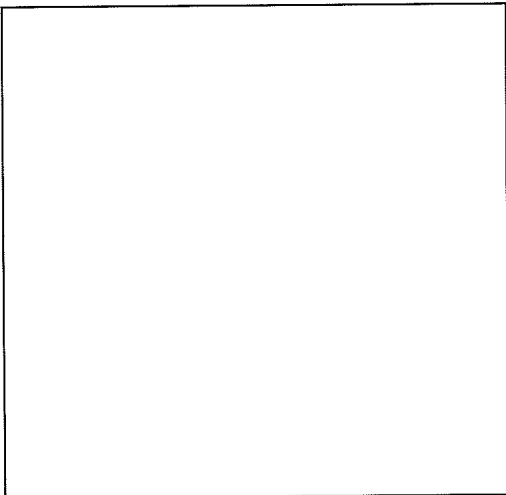
I, _____, declare that I served copies of the above **NOTICE OF COMPLETION**, (check appropriate box):

- a. By personally delivering copies to _____ (name(s) and title(s) of person served) at _____ (address), on _____ (date), at _____ m. (time)
- b. By Registered or Certified Mail, Express Mail or Overnight Delivery by an express service carrier, addressed to each of the parties at the address shown above on _____ (date).
- c. By leaving the notice and mailing a copy in the manner provided in § 415.20 of the California Code of Civil Procedure for service of Summons and Complaint in a Civil Action.

I declare under penalty of perjury that the foregoing is true and correct.

Signed at _____ (city), California, on _____ (date).

(Signature of Person Making Service)



STATE OF CALIFORNIA
COUNTY OF _____

On _____ (date), before me, _____, Notary Public (name and title of officer) personally appeared _____ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PURJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Recording Requested By:
Owner - School District

When Recorded Mail To:

Name River Delta Unified School District

Street Address 445 Montezuma Street

City & State Rio Vista, CA 94571

SPACE ABOVE THIS LINE FOR RECORDERS USE

NOTICE OF COMPLETION

(CA Civil Code §§ 8180-8190, 8100-8118, 9200-9208)

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned is an owner of an interest of estate in the hereinafter described real property, the nature of which interest or estate is:
Fee Simple Title _____ (e.g. fee, leasehold, joint tenancy, etc.)
2. The full name and address of the undersigned owner or reputed owner and of all co-owners or reputed co-owners are:
Name _____ Street and No. _____ City _____ State _____
River Delta Unified School District, 445 Montezuma Street, Rio Vista, CA 94571
3. The name and address of the direct contractor for the work of improvement as a whole is:
D7 Roofing Services Inc. 2851 Gold Tailings Court Rancho Cordova, CA 95670
4. This notice is given for (check one):
 Completion of the work of improvement as a whole.
 Completion of a contract for a particular portion of the work of improvement (per CA Civ. Code § 8186).
5. If this notice is given only of completion of a contract for a particular portion of the work of improvement (as provided in CA Civ. Code § 8186), the name and address of the direct contractor under that contract is:
N/A
6. The name and address of the construction lender, if any, is:
N.A
7. On the 15th _____ day of December, 2018, there was completed upon the herein described property a work of improvement as a whole (or a particular portion of the work of improvement as provided in CA Civ. Code § 8186) a general description of the work provided:
RIO VISTA HIGH SCHOOL – Roofing and Gutter Systems at Buildings D and B.
8. The real property herein referred to is situated in the City of Rio Vista _____, County of Solano _____
State of California, and is described as follows:
Rio Vista High School (APN# _____)
9. The street address of said property is:
410 South Fourth Street Rio Vista, CA 94571
10. If this Notice of Completion is signed by the owner's successor in interest, the name and address of the successor's transferor is:
N/A

I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

By: _____

Signature of Owner of Owner's Authorized Agent
Don Beno, Superintendent

Print Name

VERIFICATION

I, Don Beno, state: I am the Authorized Signer ("Owner", "President", "Authorized Agent", "Partner", etc.) of the Owner identified in the foregoing Notice of Completion. I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on December, 2018 (date), at Rio Vista (city), California.

(Signature of Owner or Owner's Authorized Agent)

PROOF OF SERVICE DECLARATION

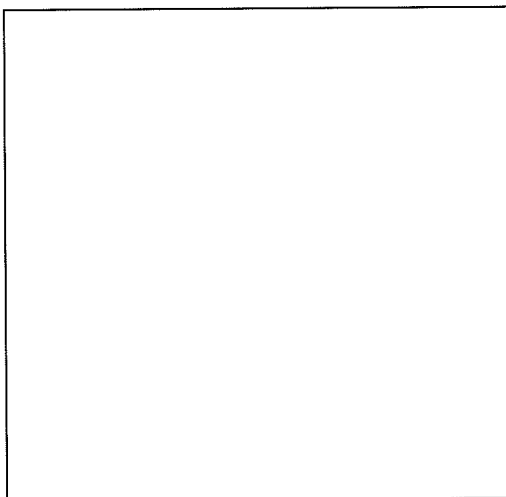
I, _____, declare that I served copies of the above **NOTICE OF COMPLETION**, (check appropriate box):

- a. By personally delivering copies to _____ (name(s) and title(s) of person served) at _____ (address), on _____ (date), at _____ m. (time)
- b. By Registered or Certified Mail, Express Mail or Overnight Delivery by an express service carrier, addressed to each of the parties at the address shown above on _____ (date).
- c. By leaving the notice and mailing a copy in the manner provided in § 415.20 of the California Code of Civil Procedure for service of Summons and Complaint in a Civil Action.

I declare under penalty of perjury that the foregoing is true and correct.

Signed at _____ (city), California, on _____ (date).

(Signature of Person Making Service)



**STATE OF CALIFORNIA
COUNTY OF _____**

On _____ (date), before me, _____, Notary Public (name and title of officer) personally appeared _____ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PURJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Signature

Recording Requested By:

Owner - School District

When Recorded Mail To:

Name River Delta Unified School District

Street Address 445 Montezuma Street

City & State Rio Vista, CA 94571

SPACE ABOVE THIS LINE FOR RECORDERS USE

NOTICE OF COMPLETION

(CA Civil Code §§ 8180-8190, 8100-8118, 9200-9208)

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned is an owner of an interest of estate in the hereinafter described real property, the nature of which interest or estate is:
Fee Simple Title _____ (e.g. fee, leasehold, joint tenancy, etc.)
2. The full name and address of the undersigned owner or reputed owner and of all co-owners or reputed co-owners are:
Name _____ Street and No. _____ City _____ State _____
River Delta Unified School District, 445 Montezuma Street, Rio Vista, CA 94571
3. The name and address of the direct contractor for the work of improvement as a whole is:
D7 Roofing Services Inc. 2851 Gold Tailings Court Rancho Cordova, CA 95670
4. This notice is given for (check one):
 Completion of the work of improvement as a whole.
 Completion of a contract for a particular portion of the work of improvement (per CA Civ. Code § 8186).
5. If this notice is given only of completion of a contract for a particular portion of the work of improvement (as provided in CA Civ. Code § 8186), the name and address of the direct contractor under that contract is:
N/A
6. The name and address of the construction lender, if any, is:
N.A
7. On the 15th day of December, 2018, there was completed upon the herein described property a work of improvement as a whole (or a particular portion of the work of improvement as provided in CA Civ. Code § 8186) a general description of the work provided:
Walnut Grove Elementary School – Roofing and Gutter Systems at Buildings A, B&C and Walkway
8. The real property herein referred to is situated in the City of Walnut Grove, County of Sacramento
State of California, and is described as follows:
Walnut Grove Elementary School (APN# _____)
9. The street address of said property is:
14181 Grove Street Walnut Grove, CA 95690
10. If this Notice of Completion is signed by the owner's successor in interest, the name and address of the successor's transferor is:
N/A

I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

By: _____

Signature of Owner of Owner's Authorized Agent
Don Beno, Superintendent

Print Name

VERIFICATION

I, Don Beno, state: I am the Authorized Signer ("Owner", "President", "Authorized Agent", "Partner", etc.) of the Owner identified in the foregoing Notice of Completion. I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on December, 2018 (date), at Rio Vista (city), California.

(Signature of Owner or Owner's Authorized Agent)

PROOF OF SERVICE DECLARATION

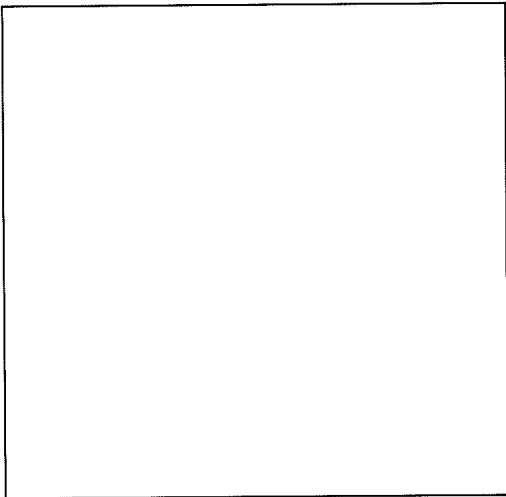
I, _____, declare that I served copies of the above **NOTICE OF COMPLETION**, (check appropriate box):

- a. By personally delivering copies to _____ (name(s) and title(s) of person served) at _____ (address), on _____ (date), at _____, _____ m. (time)
- b. By Registered or Certified Mail, Express Mail or Overnight Delivery by an express service carrier, addressed to each of the parties at the address shown above on _____ (date).
- c. By leaving the notice and mailing a copy in the manner provided in § 415.20 of the California Code of Civil Procedure for service of Summons and Complaint in a Civil Action.

I declare under penalty of perjury that the foregoing is true and correct.

Signed at _____ (city), California, on _____ (date).

(Signature of Person Making Service)



STATE OF CALIFORNIA
COUNTY OF _____

On _____ (date), before me, _____, Notary Public (name and title of officer) personally appeared _____ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PURJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

**BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT**

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 19, 2019

Attachments: X_____

From: Don Beno, Superintendent

Item Number: 15_____

Type of item: (Action, Consent Action or Information Only): Action_____

SUBJECT:

Request to approve the *first* reading of the updated or new Board Policies, Administrative Regulations or Exhibits due to new legislation or mandated language and citations revisions as of December 2018.

BACKGROUND:

Changes in legislation and amendments to laws lead to necessary and or mandated changes in District policies, regulations and or Exhibits.

STATUS:

Attached are Board Policies, Administrative Regulations and Exhibits which have been affected by changes in law effective prior to December 2018 which need to be approved for the *first* reading.

These policies, etc. will be submitted for the *second and final* reading and adoption at the March 12, 2019 Board meeting.

PRESENTER:

Don Beno, Superintendent

OTHER PEOPLE WHO MIGHT BE PRESENT:

Staff

COST AND FUNDING SOURCES:

RECOMMENDATION:

That the Board approves the *first* reading of these policies, regulations and exhibits resulting from legislations effective prior to December 2018.

Time allocated: 5 minutes

POLICY GUIDE SHEET
December 2018
Page 1 of 4

Note: Descriptions below identify revisions made to CSBA's sample board policies, administrative regulations, board bylaws, and/or exhibits. Editorial changes have also been made. Districts and county offices of education should review the sample materials and modify their own policies accordingly.

BP/AR 0420 - School Plans/Site Councils

(BP/AR revised)

Policy updated to reflect **NEW LAW (AB 716)** which renames the single plan for student achievement as the school plan for student achievement (SPSA), authorizes the use of uniform complaint procedures for complaints alleging noncompliance with requirements related to the establishment of school site councils or the development of the SPSA, and authorizes the use of the SPSA to satisfy the requirement for a school improvement plan when a school is identified for targeted or comprehensive support. Regulation updated to reflect AB 716 which eliminates the authority to use a school advisory committee other than a school site council to develop the SPSA, allows certain small schools to share a school site council, requires a needs assessment to identify school goals, and, if applicable, requires consultation with the school's English learner advisory committee on review of the SPSA.

BP/AR 0450 - Comprehensive Safety Plan

(BP/AR revised)

Policy updated to reflect **NEW LAW (AB 1747)** which requires the California Department of Education (CDE) to post a compliance checklist for developing the comprehensive safety plan and best practices related to reviewing and approving the plan, and requires districts to share their approved comprehensive safety plans with local law enforcement, the fire department, and other first responder entities. Regulation updated to reflect AB 1747, which adds requirements to consult with the fire department and other first responders in developing safety plans and to develop procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on campus and at school-related functions.

BP/AR 0460 - Local Control and Accountability Plan

(BP/AR revised)

Policy and regulation updated to reflect **NEW LAW (AB 2878)** which expands the state priority on parent involvement that must be addressed in the local control and accountability plan (LCAP) to include family engagement. Policy also reflects **NEW LAW (AB 1808)** which requires consultation on plan development with special education local plan administrator(s) and, by July 1, 2019, requires districts to develop a local control funding formula budget overview for parents/guardians in conjunction with the LCAP. Policy reflects **NEW LAW (AB 1840)** which requires the State Board of Education to expand the LCAP template by January 31, 2020 to include specified information. Section on "Technical Assistance/Intervention" updated to reflect AB 1808 which establishes a single statewide system of support for districts and schools, and AB 1840 which provides that a district receiving an emergency apportionment will be deemed to have been referred to the California Collaborative for Educational Excellence. Regulation updated to reflect AB 1840 which requires data in the LCAP to be reported in a manner consistent with the California School Dashboard and requires districts to post their LCAP prominently on the homepage of their web site. Section on "Annual Updates" deleted since the annual updates follow the same process and adhere to the same template as the initial LCAP.

AR 1220 - Citizen Advisory Committees

(AR revised)

Regulation updated to clarify that the parent advisory committee and English learner parent advisory committee established to review and comment on the LCAP are not subject to Brown Act requirements, but must comply with other, less complex procedural requirements. Legal cites for school site councils revised pursuant to **NEW LAW (AB 716)**.

POLICY GUIDE SHEET
December 2018
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AR 3311.1 - Uniform Public Construction Cost Accounting Procedures

(AR revised)

Regulation updated to reflect **NEW LAW (AB 2249)** which revises the threshold amounts that determine the process that may be used to award contracts for public works. Regulation also revised to clarify requirements for informal bid notifications that must be sent to contractors and/or construction journals.

AR 3543 - Transportation Safety and Emergencies

(AR revised)

Regulation updated to reflect **NEW LAW (AB 1798)** which requires that all school buses be equipped with passenger restraint systems by July 1, 2035. Regulation also reflects **NEW LAW (AB 1840)** which delays until March 1, 2019 the requirement that each school bus and student activity bus be equipped with a child safety alert system, and allows for a possible six-month extension for districts with an average daily attendance of 4,000 or less under specified conditions. Regulation adds the conditions under which a student activity bus is exempt from the requirement to install a child safety alert system.

AR 4200 - Classified Personnel

(AR revised)

Regulation updated to reflect **NEW LAW (AB 2160)** which eliminates the exemption of part-time playground positions from the classified service in merit system districts, thereby making those positions part of the classified service. Regulation also reflects **NEW LAW (AB 2261)** which eliminates the exemption from the classified service, in merit system districts, of community representatives employed in advisory or consulting capacities for not more than 90 working days per fiscal year. Paragraph moved to emphasize that employees in either merit or non-merit system districts who are exempted from the classified service must fulfill obligations related to physical examinations, fingerprinting, and tuberculosis tests.

AR 5113 - Absences and Excuses

(AR revised)

Regulation updated to reflect **NEW LAW (AB 2289)** which (1) amends the definition of "immediate family" for the purpose of authorizing certain excused absences, (2) prohibits a district from requiring a physician's note for an absence by a parenting student to care for a sick child, and (3) clarifies that students may be excused from school, under specified conditions, for work in the entertainment or allied industry, participation with a nonprofit performing arts organization in a performance for a public school audience, or other reasons at the discretion of school administrators.

AR 5131.41 - Use of Seclusion and Restraint

(AR added)

New regulation reflects **NEW LAW (AB 2657)** which prohibits seclusion and behavioral restraint of students as a means of discipline, and provides that seclusion and restraint may be used only to control behavior that poses a clear and present danger of serious physical harm to a student or others if that behavior cannot be immediately prevented by a less restrictive response. Regulation specifies the conditions for such use, reporting requirements, and a list of seclusion and behavioral techniques that are always prohibited.

BP/AR 5141.52 - Suicide Prevention

(BP/AR revised)

Policy updated to reflect **NEW LAW (AB 2639)** which requires boards of districts that serve grades 7-12 to review the district's suicide prevention policy at least every five years and update it as necessary. Regulation updated to reflect **NEW LAW (SB 972)** which requires districts that issue student identification cards to print specified suicide prevention hotline numbers on the cards effective July 1, 2019. Regulation also reflects **NEW LAW (AB 1808)** which requires CDE to identify online training programs that districts can use to train students and staff regarding suicide awareness and prevention.

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BP/AR 5144 - Discipline

(BP/AR revised)

Policy updated to reflect **NEW LAW (AB 2657)** which prohibits seclusion and behavioral restraint of students as a means of discipline, and to encourage staff development regarding equitable implementation of discipline. Regulation updated to revise section on "Detention After School" to more directly reflect state regulations and delete a specific timeline for advance notice to parents/guardians of a student's detention.

BP 5146 - Married/Pregnant/Parenting Students

(BP revised)

Policy updated to reflect **NEW LAW (AB 2289)** which requires notification to parents/guardians and to pregnant and parenting students of their rights under the law; authorizes an excused absence for a parenting student to care for a sick child without a physician's note; provides that a pregnant or parenting student is entitled to eight weeks of parental leave, or longer if deemed medically necessary by the student's physician; and authorizes the use of uniform complaint procedures for complaints alleging noncompliance with the law.

BP 6146.1 - High School Graduation Requirements

(BP revised)

Policy updated to reflect **NEW LAW (AB 2121)** which, under certain conditions, exempts from any district-established graduation requirements migrant students and newly arrived immigrant students participating in a newcomer program who transfer schools in grade 11-12. Policy also reflects **NEW LAW (AB 3022)** which authorizes the granting of a diploma to persons who departed California in grade 12 against their will, and adds section on "Honorary Diplomas" including item reflecting **NEW LAW (AB 2109)** which authorizes the board to grant an honorary diploma to a terminally ill student.

AR 6173.2 - Education of Children of Military Families

(AR revised)

Regulation updated to reflect **NEW LAW (AB 2949)** which allows a child of a military family to continue attending the school of origin regardless of any change of residence of the family. Regulation also adds new section on "Transportation" reflecting AB 2949, which authorizes, but does not require, districts to provide transportation to enable a child of a military family to attend the school or district of origin.

BP/AR 6175 - Migrant Education Program

(BP/AR revised)

Policy updated to include priorities for migrant education services, as amended by the federal Every Student Succeeds Act, and provision of services to private school students, formerly in AR. Policy also adds language encouraging the superintendent to annually report to the board regarding the performance of migrant students. Regulation updated to add definition of "migrant student" and add new section on "Summer School" reflecting requirement for any district receiving federal migrant education funding to conduct summer school programs for eligible migrant students. New section on "Applicability of Graduation Requirements" reflects **NEW LAW (AB 2121)** which, under certain conditions, exempts migrant students who transfer between schools in grades 11-12 from district-established graduation requirements.

AR 6183 - Home and Hospital Instruction

(AR revised)

Regulation reorganized and updated to reflect **NEW LAW (AB 2109)** which expands the parental notification to include information regarding student eligibility for individual instruction and the duration of such instruction, requires that individual instruction in a student's home begin within five days of determining a student's eligibility, provides that students receiving individual instruction in a hospital for a partial week are eligible to attend school on days that they are not at the hospital, and provides that the absences of a temporarily disabled student must be excused until the student is able to return to the regular school program.

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BB 9322 - Agenda/Meeting Materials

(BB revised)

Bylaw updated to reflect requirement effective January 1, 2019 that districts post a direct link on the homepage of their web site to the current board meeting agenda or to the district's agenda management platform. Bylaw also clarifies that the agenda need not provide an opportunity for public comment on any agenda item that has previously been considered at an open meeting of a committee comprised exclusively of board members.

BB 9324 - Minutes and Recordings

(BB revised)

Bylaw updated to reflect **NEW LAW (SB 1036)** which prohibits districts from including in board meeting minutes a student's directory information or a parent/guardian's personal information, as defined, when the student or parent/guardian requests that such information be excluded. Bylaw also includes optional statement that the minutes will summarize topics addressed during the public comment period and need not reflect the names of the individuals who comment.

CSBA Sample Board Policy

Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0420(a)

SCHOOL PLANS/SITE COUNCILS

Note: The following **optional** policy may be revised to reflect district practice. **Each school that participates in specified state and/or federal categorical programs must establish a school site council for the purpose of developing a single plan for student achievement (SPSA), pursuant to Education Code 64001.**

The Governing Board believes that comprehensive planning **that is aligned with the district's local control and accountability plan (LCAP)** is necessary at each school, in order to focus school improvement efforts on student academic achievement and facilitate the effective use of available resources. The Superintendent or designee shall ensure that school plans provide clear direction and identify cohesive strategies aligned with school and district goals.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0400 - Comprehensive Plans)

(cf. 0415 - Equity)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 0460 - Local Control and Accountability Plan)

Note: ~~The following **optional** paragraph may be revised to reflect district practice. Education Code 64001 requires the composition of a school site council or schoolwide advisory group to meet the requirements of Education Code 52852, as specified in the accompanying administrative regulation. Pursuant to Education Code 64000, the district may submit a consolidated application to the California Department of Education (CDE) to apply for federal categorical funds and/or state categorical programs that are not funded through the local control funding formula. As a condition of receiving such funds, Education Code 64001, as amended by AB 716 (Ch. 471, Statutes of 2018), requires each school to consolidate all of the plans that are required by these programs into a school plan for student achievement (SPSA), unless otherwise prohibited by law. If these programs do not require a plan, the Governing Board may require a school that participates in any program included on the consolidated application to develop an SPSA.~~

Pursuant to Education Code 64001, each school preparing an SPSA must have the SPSA developed and approved by a school site council. Education Code 65000-65001, as added by AB 716, contain requirements for the establishment and membership of school site councils; see the accompanying administrative regulation.

For additional information regarding the development and content of the SPSA, see the accompanying administrative regulation and CDE's publication [A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council](#), available on its web site. Education Code 64001 provides that, although SPSAs are not required to be submitted as part of the consolidated application, they will be reviewed by CDE during the Federal Program Monitoring process.

Pursuant to Education Code 64001, districts with a single school may instead utilize the local control and accountability plan (LCAP) to serve as the SPSA if the LCAP meets certain federal planning and stakeholder requirements.

SCHOOL PLANS/SITE COUNCILS (continued)

Each district school that participates in ~~specified one or more state and/or federal and/or state~~ **category** programs ~~funded through the state's consolidated application process pursuant to Education Code 64000~~ shall establish a school site council in accordance with Education Code ~~52852~~ **65000-65001**, ~~and the accompanying administrative regulation to develop, review, and approve school plans. For any school that participates in specified state and/or federal categorical programs, the school site council or other schoolwide advisory committee shall consolidate the plans required for those categorical programs into a single plan for student achievement (SPSA). The school site council shall develop, approve, and annually review and update a school plan for student achievement (SPSA) which consolidates the plans required for those categorical programs into a single plan, unless otherwise prohibited by law. (Education Code 64001)~~

Note: ~~School site councils or other schoolwide advisory committees are required to develop the SPSA to consolidate the school plans required for the state and federal categorical programs included in the state's consolidated application (Education Code 64000-64001).~~

~~For additional information regarding the development and content of the SPSA, see the accompanying administrative regulation and the California Department of Education's (CDE) publication A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council, available on its web site.~~

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

(cf. 1220 - Citizen Advisory Committees)

(cf. 1431 - Waivers)

(cf. 6020 - Parent Involvement)

(cf. 6171 - Title I Programs)

(cf. 6174 - Education for English Learners)

(cf. 6190 - Evaluation of the Instructional Program)

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

Note: The following **optional** paragraph may be revised to reflect district practice. Pursuant to Education Code 52062, there must be consistency between a school's SPSA and specific actions included in the district's ~~local control and accountability plan (LCAP)~~. For more detailed requirements of the LCAP, see BP/AR 0460 - Local Control and Accountability Plan.

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

SCHOOL PLANS/SITE COUNCILS (continued)

also ensure ~~that specific actions included in the district's LCAP are consistent~~ **consistency between the specific actions included in the district's local control and accountability plan and with** the strategies identified in each school's SPSA.

Note: Education Code 64001, as amended by AB 716, requires the Board to review and approve a school's SPSA whenever there are material revisions affecting the academic programs for students participating in the categorical programs. Although not explicitly required by law, it is recommended that the Board also review the initial plan.

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

~~Note: Pursuant to Education Code 52855 and as indicated in the CDE's publication *A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council*, the Board must communicate its reasons to the school site council any time it does not approve the SPSA.~~

~~Whenever~~ **If** the Board does not approve a school's SPSA, it shall communicate its specific reasons for disapproval of the plan to the school site council ~~or committee~~. The school site council ~~or committee~~ shall then revise and resubmit the SPSA to the Board for its approval. (Education Code ~~52855~~ **64001**)

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

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

Note: Education Code 64001, as amended by AB 716, authorizes a school identified for targeted or comprehensive support pursuant to 20 USC 6303 to use its SPSA to satisfy the requirement for a school improvement plan.

The SPSA may serve as the school improvement plan required when a school is identified for targeted or comprehensive support pursuant to 20 USC 6303. (Education Code 64001)

(cf. 0500 - Accountability)

Note: Education Code 64001, as amended by AB 716, provides that complaints alleging noncompliance with requirements pertaining to school site councils or the SPSA may be addressed through the district's uniform complaint procedures pursuant to 5 CCR 4600-4670.

SCHOOL PLANS/SITE COUNCILS (continued)

Any complaint alleging noncompliance with requirements related to the establishment of school site councils or the development of the SPSA may be filed with the district in accordance with the district's uniform complaint procedures pursuant to 5 CCR 4600-4670 and BP/AR 1312.3 - Uniform Complaint Procedures. (Education Code 64001)

(cf. 1312.3 - Uniform Complaint Procedures)

Legal Reference: (see next page)

SCHOOL PLANS/SITE COUNCILS (continued)

Legal Reference:

EDUCATION CODE

52-53 Designation of schools

33133 Information guide for school site councils

35147 Open meeting laws exceptions

41540-41544 Targeted instructional improvement block grants

52060-52077 Local control and accountability plan

52176 **English learner advisory committees**

~~52852 School site councils~~

~~54000-54028 Educationally Disadvantaged Youth Programs~~

~~54425 Advisory committees (compensatory education)~~

56000-56867 Special education

64000 Categorical programs included in consolidated application

64001 ~~Single~~ School plan for student achievement, consolidated application programs

65000-65001 School site councils

CODE OF REGULATIONS, TITLE 5

3930-3937 Compliance plans

4600-4670 Uniform complaint procedures

11308 English learner advisory committees

UNITED STATES CODE, TITLE 20

6303 School improvement

6311 State plan

~~6312 Title I local educational agency plans~~

6314 Schoolwide programs; schoolwide program plan

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

6601-6651 Teacher and Principal Training and Recruitment program

6801-7014 Limited English proficient and immigrant students

7101-7122 Student Support and Academic Enrichment Grants

7341-7355c Rural Education Initiative

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council, February 2014

WEST ED PUBLICATIONS

California Healthy Kids Survey

California School Climate Survey

WEB SITES

California Department of Education, ~~Single Plan for Student Achievement:~~

~~<http://www.cde.ca.gov/nclb/sr/le/singleplan.asp>~~

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

WestEd: <http://www.wested.org>

(8/13 7/15) 12/18

Policy Reference UPDATE Service

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CSBA Sample Administrative Regulation

Philosophy, Goals, Objectives, and Comprehensive Plans

AR 0420(a)

SCHOOL PLANS/SITE COUNCILS

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

School Site Councils

Note: Pursuant to Education Code 64001, each school **participating in a federal or state categorical program which is funded through the state's consolidated application and requires a school plan for student achievement (SPSA)** must ~~have establish~~ a school site council, or other advisory committee that meets the requirements of Education Code ~~52852~~ **65000-65001, as added by AB 716 (Ch. 471, Statutes of 2018). The school site council is responsible for** ~~to developing and reviewing the school's single SPSA for categorical programs included in the state's consolidated application process; see section "Single School Plan for Student Achievement" below.~~ **AB 716 eliminated the authority for another school advisory committee or school group to serve as the school site council for a school that operates a program requiring an SPSA. The same school site council composition may be adopted for other school programs as necessary.**

Pursuant to Education Code 65000, a school site council must generally include members from all of the categories listed in items #1-5 below, as applicable. However, pursuant to Education Code 65001, a school with a student population of less than 300 may operate a school site council which includes at least one representative from items #1-3 and at least one from items #4-5, provided there is parity between staff and non-staff members and the Governing Board has obtained approval from its local bargaining unit. Education Code 65001 also provides that schools with a common site administration may operate a shared school site council if the school has a student population of less than 300, and up to three schools with a combined student population of less than 1,000 may operate a shared school site council if the schools either share a campus or have geographic proximity to one another with similar student populations. Any shared school site council must meet the requirements of Education Code 65000 with regard to the composition of the council. Districts with any schools meeting these criteria may revise the following section accordingly.

For information about the organization of the school site council, including sample school site council bylaws that address duties, membership, officers, subcommittees, and meetings, see the California Department of Education's (CDE) publication [A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council](#), available on ~~the~~ CDE's web site.

Each school **that operates a program requiring the development of a school plan for student achievement (SPSA) pursuant to Education Code 64001** shall have a school site council composed of the following: (Education Code ~~52852~~ **65000**)

1. The principal **or designee**
2. **Classroom t**Teachers **at the school**, selected by the **school's classroom** teachers **at the school**
3. Other school personnel **who are not teachers**, selected by the **school's** other personnel **at the school who are not teachers**

SCHOOL PLANS/SITE COUNCILS (continued)

4. ~~Parent/guardian representatives, who may include~~ Parents/guardians of students attending the school and/or **other members of the** community ~~members~~, selected by ~~the~~ parents/guardians of students attending the school

Note: Education Code ~~52852~~ **65000** requires that secondary schools include students on their school site council. Pursuant to Education Code 52 and 53, secondary schools include high schools and junior high schools. ~~The~~ CDE's publication A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council advises that middle schools may include student representation on the school site council at the district's discretion. If the district decides to include middle school or K-8 students on the school site council, then such councils must meet the composition required of secondary schools.

5. If the school is a secondary school, students attending the school selected by other ~~such~~ **secondary** students

(cf. 0450 - Comprehensive Safety Plan)

Half of the school site council membership shall consist of school staff **in the categories listed in items #1-3 above**, the majority of whom shall be classroom teachers. For an elementary school site council, the remaining half shall be parents/guardians **and/or community members** ~~representatives~~. For a secondary school site council, the remaining half shall be ~~equal numbers of~~ parents/guardians, **community members, and/or** ~~representatives and~~ students. (Education Code ~~52852~~ **65000**)

A district employee may serve as a parent/guardian representative on the school site council of the school his/her child attends, provided the employee does not work at that school. (Education Code ~~52852~~ **65000**)

Note: The method of selecting members of school site councils is not specified in law, except that members must be chosen by peers as noted above. No additional membership qualifications may be required. ~~The~~ CDE's publication A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council suggests that the selection process may be addressed in Board policy or in bylaws of the school site council. The following **optional** paragraph may be revised to reflect district practice.

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

(cf. 0415 - Equity)

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

Note: Pursuant to Education Code 35147, school site councils **and some advisory committees** are exempt from open meeting law requirements (the Brown Act), but must comply with other, less complex procedural

SCHOOL PLANS/SITE COUNCILS (continued)

requirements as specified; see AR 1220 - Citizen Advisory Committees. **Education Code 35147 has not yet been amended for consistency with AB 716, which repealed Education Code 52852 and moved the requirements related to school site councils to Education Code 65000-65001.**

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

(cf. 1220 - Citizen Advisory Committees)

Single School Plan for Student Achievement

Note: The following section reflects requirements pertaining to the development of the SPSA required for the state and federal categorical programs included in the consolidated application process ~~(Education Code 64000-64001)~~. ~~The~~ CDE has developed a template for the SPSA, available on its web site, to help schools meet plan requirements.

~~Any district school that shall participate in any state or federal categorical program specified in Education Code 64000, on an ongoing basis shall have a~~ **The** school site council which shall ~~develop~~ **approve** and annually review and update ~~a single plan for student achievement (SPSA)~~ **an SPSA that addresses all federal and/or state categorical programs in which the school participates pursuant to Education Code 64000.** ~~If the school does not have a school site council, these responsibilities shall be fulfilled by a schoolwide advisory group or school support group conforming to the composition requirements of the school site council listed in the section "School Site Councils" above.~~ (Education Code 64001)

(cf. 1431 - Waivers)

(cf. 6020 - Parent Involvement)

(cf. 6171 - Title I Programs)

(cf. 6174 - Education for English Learners)

(cf. 6184 - Continuation Education)

Note: Pursuant to Education Code 64001, as amended by AB 716, the SPSA must be developed with the review and advice of the school English learner advisory committee, if required. Education Code 52176 and 5 CCR 11308 require each school with more than 20 English learners to establish a school-level advisory committee on which parents/guardians of such students constitute membership in at least the same percentage as their children represent of the total number of students in the school. See AR 6174 - Education for English Learners.

The SPSA shall be developed with the review, **advice, and** certification, **and advice of the school English learner advisory committee, if required.** ~~any applicable school advisory committees.~~ (Education Code 64001)

(cf. 6174 - Education for English Learners)

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

SCHOOL PLANS/SITE COUNCILS (continued)

~~Such groups may include, Other school and district committees, including, but are not limited to, a parent advisory committee established to review and comment on the district's local control and accountability plan (LCAP);, advisory committees established for English learner and special education programs;, and Western Association of Schools and Colleges leadership teams, may also be consulted on the content of the plan.;~~ ~~district or school liaison teams for schools identified for program improvement; and other committees established by the school or district.~~

(cf. 0460 - Local Control and Accountability Plan)

(cf. 6190 - Evaluation of the Instructional Program)

Note: Pursuant to Education Code 64001, the SPSA must be based upon an analysis of verifiable state data and may include other district data on student achievement. The CDE's publication A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council recommends that such data could include results of state assessments and local benchmark and curriculum embedded assessments. The following paragraph may be revised to include any additional measures required by the district. As amended by AB 716, Education Code 64001 requires the school site council to administer a comprehensive needs assessment that forms the basis of the goals in the SPSA. If any district schools are not participating in any state or federal categorical program that requires a plan but the Board requires them to develop an SPSA, the Board may determine the extent to which the needs assessment is applicable and the following paragraph may be revised accordingly.

The SPSA shall be aligned with the district's LCAP and school goals for improving student achievement. School goals shall be based on an analysis **Before developing the content of the SPSA, the school site council shall conduct a comprehensive needs assessment pursuant to 20 USC 6314, including an analysis of verifiable state data identified pursuant to law, and consistent with the state priorities specified in Education Code 52060 and the indicators in the state accountability system. The school** may consider any other data developed by the district to measure student **achievement outcomes.** (Education Code ~~52062,~~ 64001)

(cf. 0500 - Accountability)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

The SPSA shall, ~~at a minimum~~ **include all of the following:** (Education Code 64001)

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

SCHOOL PLANS/SITE COUNCILS (continued)

3. Identify how state and federal law governing the categorical programs will be implemented
1. Goals to improve student outcomes, including goals that address the needs of student groups as identified through the needs assessment
2. Evidence-based strategies, actions, or services
3. Proposed expenditures based on the projected resource allocation from the district to address the findings of the needs assessment, including identifying resource inequities, which may include a review of the district's budgeting, the LCAP, and school-level budgeting, if applicable

Note: The CDE's publication [A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council](#) clarifies that the SPSA must address all plan components required for individual categorical programs covered by the SPSA.

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

Note: The remainder of this section reflects steps recommended in the CDE's publication [A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council](#) and may be revised to reflect district practice.

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

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

Note: To measure the effectiveness of the school's current instructional program, as provided in item #2 below, the CDE's publication [A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council](#) recommends a number of state tools available on the CDE web site, including, but not limited to, the Academic Program Survey, District Assistance Survey, Inventory for School Services, and English Learner Subgroup Self-Assessment. In addition, the California School Climate Survey and California Healthy Kids Survey, available on WestEd's web site, are recommended to help assess the need for support services.

2. Assess the effectiveness of the school's instructional program in relation to the analysis of student data.

SCHOOL PLANS/SITE COUNCILS (continued)

3. Identify a limited number of achievement goals and key improvement strategies to achieve the goals. School goals shall reflect the needs identified at the school site while aligning with goals identified in federally required district plans. The school shall specify the student group(s) on which each goal is focused, the methods or practices that will be used to reach the goal, and the criteria that will be used to determine if the goal is achieved.

Note: The CDE has developed a budget planning tool to assist schools with projecting the estimated expenditures of their SPSA goals against the school's allocations from the consolidated application. The budget planning tool is available on the CDE's web site and is included in the publication A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council.

4. Define timelines, personnel responsible, proposed expenditures, and funding sources to implement the SPSA.

The school site council ~~or other schoolwide group~~ shall approve the proposed SPSA at a meeting for which public notice has been posted. **Whenever there are material revisions to the SPSA which affect the academic programs for students participating in applicable programs, the SPSA shall be submitted and then submit the SPSA** to the Governing Board for **review and approval at a regularly scheduled Board meeting**. (Education Code 35147, 64001)

Note: The CDE's publication A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council states that it is the responsibility of the school site council to monitor the effectiveness of the SPSA and modify activities when needed Pursuant to Education Code 64001, as amended by AB 716, the SPSA must include a process for evaluating and monitoring the implementation of the SPSA and progress toward accomplishing the goals set forth in the SPSA. The guide CDE's publication A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council contains an annual evaluation tool to assist school site councils in assessing the effectiveness of the plan.

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

The school site council ~~or other schoolwide group~~ may amend the SPSA at any time **through the same process required for the annual update of the plan**. Any revisions that would substantively change the academic programs funded through the consolidated application shall be submitted to the Board for approval.

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CSBA Sample Board Policy

Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0450(a)

COMPREHENSIVE SAFETY PLAN

Note: Pursuant to Education Code 32280-32289, districts are responsible for ensuring that a comprehensive safety plan with specified components is in place for each district school. As amended by AB 1747 (Ch. 806, Statutes of 2018), Education Code 32282 requires the California Department of Education (CDE) to post on its web site a compliance checklist for developing comprehensive safety plans, and Education Code 32288 requires CDE to post best practices for reviewing and approving the plans. Beginning in the 2018-19 school year, comprehensive safety plans will be audited through the annual audits required by Education Code 41020 to ensure that they are updated and approved by March 1 of each year.

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

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

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 3515 - Campus Security)

(cf. 3515.2 - Disruptions)

(cf. 3515.3 - District Police/Security Department)

(cf. 3515.7 - Firearms on School Grounds)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5131.4 - Student Disturbances)

(cf. 5131.41 - Use of Seclusion and Restraint)

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5136 - Gangs)

(cf. 5137 - Positive School Climate)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

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

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

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

Note: Pursuant to Education Code 32281 and 32286, each school is required to adopt a comprehensive **school** safety plan (Option 1 below). However, districts with an average daily attendance (ADA) of 2,500 or less are authorized by Education Code 32281 to develop a districtwide safety plan in lieu of developing school plans; thus, those districts may select either Option 1 or 2 to reflect district practice. Any district may choose to develop both district and school plans.

COMPREHENSIVE SAFETY PLAN (continued)

Districts with 2,500 or less ADA that choose to develop a districtwide plan

The Superintendent or designee shall oversee the development of a districtwide comprehensive safety plan that is applicable to each school site. (Education Code 32281)

Note: The following two paragraphs apply to all districts. Education Code 32286 requires that the school site council review and update the comprehensive safety plan by March 1 of each year. In districts with ADA of 2,500 or less that choose to develop a districtwide plan in accordance with Option 2 above, the Superintendent or designee may conduct the annual review.

Pursuant to Education Code 32288, the updated plan(s) must be submitted to the district for approval. The **Governing** Board may choose to delegate to the Superintendent or designee the responsibility to review and approve the updated plans, but the Board remains responsible for ensuring compliance with the law.

The comprehensive safety plan(s) shall be reviewed and updated by March 1 of each year and forwarded to the Board for approval. (Education Code 32286, 32288)

The Board shall review the comprehensive safety plan(s) in order to ensure compliance with state law, Board policy, and administrative regulation and shall approve the plan(s) at a regularly scheduled meeting.

(cf. 0500 - Accountability)

(cf. 9320 - Meetings and Notices)

Note: Education Code 32288 requires that districts notify **the California Department of Education CDE** if a school has not complied with the safety plan requirements. In the event that the Superintendent of Public Instruction determines that there has been a willful failure by a district to make any report required by Education Code 32280-32289, Education Code 32287 provides that the district may be fined up to \$2,000.

By October 15 of each year, the Superintendent or designee shall notify the California Department of Education of any schools that have not complied with the requirements of Education Code 32281. (Education Code 32288)

COMPREHENSIVE SAFETY PLAN (continued)

Tactical Response Plan

Note: The following section is **optional**. Pursuant to Education Code 32281, the **Governing** Board may, after consulting with law enforcement officials, elect to have the district, rather than the school site council, develop those portions of the comprehensive safety plan that include tactical responses to criminal incidents that may result in death or serious bodily injury.

Notwithstanding the process described above, any portion of a comprehensive safety plan that **includes** **addresses** tactical responses to criminal incidents that may result in death or serious bodily injury at the school site, including steps to be taken to safeguard students and staff, secure the affected school premises, and apprehend the criminal perpetrator(s), shall be developed by district administrators in accordance with Education Code 32281. In developing such strategies, district administrators shall consult with law enforcement officials and with **a** representative**(s)** of **an** employee bargaining unit**(s)**, if **he/she they** chooses to participate.

When reviewing the tactical response plan, the Board may meet in closed session to confer with law enforcement officials, provided that any vote to approve the tactical response plan is announced in open session following the closed session. (Education Code 32281)

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

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

(cf. 9321 - Closed Session Purposes and Agendas)

(cf. 9321.1 - Closed Session Actions and Reports)

Public Access to Safety Plan(s)

The Superintendent or designee shall ensure that an updated file of all safety-related plans and materials is readily available for inspection by the public. (Education Code 32282)

(cf. 1340 - Access to District Records)

Note: The following paragraph is **optional**. Pursuant to Education Code 32281, the Board may choose to prohibit disclosure of those portions of the comprehensive safety plan that include tactical responses to criminal incidents.

However, those portions of the comprehensive safety plan that include tactical responses to criminal incidents shall not be publicly disclosed.

Note: Education Code 32281, as amended by AB 1747, adds a requirement to share the comprehensive safety plans with the following entities.

The Superintendent or designee shall share the comprehensive safety plans and any updates to the plans with local law enforcement, the local fire department, and other first responder entities. (Education Code 32281)

COMPREHENSIVE SAFETY PLAN (continued)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32260-32262 Interagency School Safety Demonstration Act of 1985

32270 School safety cadre

32280-32289 School safety plans

32290 Safety devices

35147 School site councils and advisory committees

35183 School dress code; uniforms

35291 Rules

35291.5 School-adopted discipline rules

~~35294.10 35294.15 School Safety and Violence Prevention Act~~

41020 Annual audits

48900-48927 Suspension and expulsion

48950 Speech and other communication

49079 Notification to teacher; student act constituting grounds for suspension or expulsion

67381 Violent crime

GOVERNMENT CODE

54957 Closed session meetings for threats to security

PENAL CODE

422.55 Definition of hate crime

626.8 Disruptions

11164-11174.3 Child Abuse and Neglect Reporting Act

CALIFORNIA CONSTITUTION

Article 1, Section 28(c) Right to Safe Schools

CODE OF REGULATIONS, TITLE 5

11987-11987.7 School Community Violence Prevention Program requirements

11992-11993 Definition, persistently dangerous schools

UNITED STATES CODE, TITLE 20

7111-7122 Student Support and Academic Enrichment Grants

7912 Transfers from persistently dangerous schools

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

Management Resources:

CSBA PUBLICATIONS

Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, July 2016

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

Safe Schools: Strategies for Governing Boards to Ensure Student Success, ~~October~~ rev. 2011

Community Schools: Partnerships Supporting Students, Families and Communities, Policy Brief, October 2010

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

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

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Safe Schools: A Planning Guide for Action, 2002

Management Resources continued: (see next page)

COMPREHENSIVE SAFETY PLAN (continued)

Management Resources: (continued)

FEDERAL BUREAU OF INVESTIGATION PUBLICATIONS

Uniform Crime Reporting Handbook, 2004

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Practical Information on Crisis Planning: A Guide for Schools and Communities, January 2007

U.S. SECRET SERVICE AND U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates, 2004

WEB SITES

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

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

California Governor's Office of Emergency Services: <http://www.caloes.ca.gov>

California Healthy Kids Survey: <http://chks.wested.org>

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

Federal Bureau of Investigation: <http://www.fbi.gov>

National Center for Crisis Management: <http://www.schoolcrisisresponse.com>

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

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

U.S. Secret Service, National Threat Assessment Center: <http://www.secretservice.gov/protection/ntac>

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Policy Reference UPDATE Service

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CSBA Sample Administrative Regulation

Philosophy, Goals, Objectives, and Comprehensive Plans

AR 0450(a)

COMPREHENSIVE SAFETY PLAN

Note: The following **optional** administrative regulation should be revised to reflect district practice.

Pursuant to Education Code 234.5, the California Department of Education (CDE) has posted on its web site a list of statewide resources for youth who have been **subjected to school-based discrimination, harassment, intimidation, or bullying, and youth** affected by gangs, gun violence, and psychological trauma caused by violence at home, at school, and in the community.

Content of the Safety Plan

Each comprehensive safety plan shall include an assessment of the current status of any crime committed on campus and at school-related functions. (Education Code 32282)

Note: The following **optional** paragraph may be revised to reflect district practice. In assessing the current status of school crime as required by Education Code 32282, districts may contract with a consultant, work with local law enforcement, develop their own local assessment, and/or use available instruments such as the California Healthy Kids Survey or the Centers for Disease Control and Prevention's Youth Risk Behavior Survey.

The assessment may include, but not be limited to, reports of crime, suspension and expulsion rates, and surveys of students, parents/guardians, and staff regarding their perceptions of school safety.

(cf. 0500 - Accountability)

(cf. 0510 - School Accountability Report Card)

Note: Education Code 32282 requires that the following components be included in the districtwide and/or school site safety plan. The district may expand this list to require other components at its discretion.

The plan **also** shall identify appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, including all of the following: (Education Code 32282)

1. Child abuse reporting procedures consistent with Penal Code 11164-**11174.3**

(cf. 5141.4 - Child Abuse Prevention and Reporting)

2. Routine and emergency disaster procedures including, but not limited to:
 - a. Adaptations for students with disabilities in accordance with the Americans with Disabilities Act

(cf. 6159 - Individualized Education Program)

Note: Education Code 32282 requires districts to incorporate earthquake emergency procedures **and disaster policies** into the comprehensive **school** safety plan, as specified in items #2b and #2c below. See BP/AR 3516 - Emergencies and Disaster Preparedness Plan and AR 3516.3 - Earthquake Emergency Procedure System for further details about required components of these procedures. **As amended by AB 1747, Education Code 32282 requires CDE to provide guidance to districts in regard to the contents of school building disaster plans.**

AR 0450(d)

COMPREHENSIVE SAFETY PLAN (continued)

- b. An earthquake emergency procedure system in accordance with Education Code 32282

(cf. 3516 - Emergencies and Disaster Preparedness Plan)
(cf. 3516.3 - Earthquake Emergency Procedure System)

- c. A procedure to allow public agencies, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare

(cf. 1330 - Use of School Facilities)
(cf. 3516.1 - Fire Drills and Fires)
(cf. 3516.2 - Bomb Threats)
(cf. 3516.5 - Emergency Schedules)
(cf. 3543 - Transportation Safety and Emergencies)

3. Policies pursuant to Education Code 48915(d) for students who commit an act listed in Education Code 48915(c) and other school-designated serious acts **which that** would lead to suspension, expulsion, or mandatory expulsion recommendations

(cf. 5131.7 - Weapons and Dangerous Instruments)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

4. Procedures to notify teachers of dangerous students pursuant to Education Code 49079

(cf. 4158/4258/4358 - Employee Security)

Note: Education Code 234.1 requires the Board to adopt policy prohibiting discrimination, harassment, intimidation, and bullying based on specified characteristics and requires school personnel who witness such acts to take immediate steps to intervene when safe to do so; see BP 0410 - Nondiscrimination in District Programs and Activities and BP 5145.3 - Nondiscrimination/Harassment. In addition, the district's complaint process must include a timeline for investigating and resolving complaints and an appeals process; see BP/AR 1312.3 - Uniform Complaint Procedures.

Education Code 234.4, as amended by AB 2291 (Ch. 491, Statutes of 2018), requires districts to adopt, by December 31, 2019, procedures for preventing acts of bullying, including cyberbullying. See BP 5131.2 - Bullying.

5. A policy consistent with the prohibition against discrimination, harassment, intimidation, and bullying pursuant to Education Code 200-262.4

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

(cf. 1312.3 - Uniform Complaint Procedures)

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

(cf. 5131.2 - Bullying)

AR 0450(e)

COMPREHENSIVE SAFETY PLAN (continued)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

6. If the school has adopted a dress code prohibiting students from wearing "gang-related apparel" pursuant to Education Code 35183, the provisions of that dress code and the definition of "gang-related apparel"

(cf. 5132 - Dress and Grooming)

7. Procedures for safe ingress and egress of students, parents/guardians, and employees to and from school

(cf. 5142 - Safety)

8. A safe and orderly school environment conducive to learning

(cf. 5137 - Positive School Climate)

9. The rules and procedures on school discipline adopted pursuant to Education Code 35291 and 35291.5

(cf. 5144 - Discipline)

Note: Pursuant to Education Code 32282, as amended by AB 1747, schools are required to include in their comprehensive safety plans procedures for conducting tactical responses to criminal incidents, as specified in item #10. Such procedures must be based on the specific needs and context of each school and community.

Pursuant to Education Code 32281, the Governing Board may elect to have district administrators, rather than the school site council, develop those portions of the comprehensive safety plan that include tactical responses to criminal incidents that may result in death or serious bodily injury; see the accompanying Board policy.

- 10. Procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on campus and at school-related functions**

Note: The following components are **optional** and should be revised to reflect district practice.

Among the strategies for providing a safe environment, the **school comprehensive** safety plan may also include:

1. Development of a positive school climate that promotes respect for diversity, personal and social responsibility, effective interpersonal and communication skills, self-esteem, anger management, and conflict resolution

AR 0450(f)

COMPREHENSIVE SAFETY PLAN (continued)

(cf. 5138 - Conflict Resolution/Peer Mediation)

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

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| Note: Education Code 32282 and 32261 encourage, but do not require, all comprehensive safety plans to include policies and procedures aimed at the prevention of bullying, as defined in Education Code 48900(r). |
|---|

2. Disciplinary policies and procedures that contain prevention strategies, such as strategies to prevent bullying, hazing, and cyberbullying, as well as behavioral expectations and consequences for violations

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5131 - Conduct)

3. Curriculum that emphasizes prevention and alternatives to violence, such as multicultural education, character/values education, **social and emotional learning**, media analysis skills, conflict resolution, community service learning, and education related to the prevention of dating violence

(cf. 6142.3 - Civic Education)

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

(cf. 6142.8 - Comprehensive Health Education)

4. Parent involvement strategies, including strategies to help ensure parent/guardian support and reinforcement of the school's rules and increase the number of adults on campus

(cf. 1240 - Volunteer Assistance)

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

5. Prevention and intervention strategies related to the sale or use of drugs and alcohol which shall reflect expectations for drug-free schools and support for recovering students

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.61 - Drug Testing)

(cf. 5131.62 - Tobacco)

(cf. 5131.63 - Steroids)

6. Collaborative relationships among the city, county, community agencies, local law enforcement, the judicial system, and the schools that lead to the development of a set of common goals and community strategies for violence prevention instruction

(cf. 1020 - Youth Services)

AR 0450(g)

COMPREHENSIVE SAFETY PLAN (continued)

7. District policy related to possession of firearms and ammunition on school grounds

(cf. 3515.7 - Firearms on School Grounds)

8. Measures to prevent or minimize the influence of gangs on campus

(cf. 5136 - Gangs)

Note: Education Code 32281 authorizes the principal, upon receiving verification from law enforcement, to notify parents/guardians and employees in writing that a violent crime has occurred on the school site. A "violent crime" is any act for which a student could be expelled **or crimes and which meets the definition** listed in Education Code 67381, including homicide, rape, robbery, and aggravated assault, as defined in the Federal Bureau of Investigation's Uniform Crime Reporting Handbook. Education Code 32281 encourages that the notice be sent no later than the second workday after receiving verification from law enforcement.

20 USC 7912 requires that all students attending a "persistently dangerous" school be provided notice of the designation and an option to transfer to a different school within the district. See BP/AR 5116.1 - Intradistrict Open Enrollment.

9. Procedures for receiving verification from law enforcement when a violent crime has occurred on school grounds and for promptly notifying parents/guardians and employees of that crime

(cf. 5116.1 - Intradistrict Open Enrollment)

10. Assessment of the school's physical environment, including a risk management analysis and development of ground security measures such as procedures for closing campuses to outsiders, installing surveillance systems, securing the campus perimeter, protecting buildings against vandalism, and providing for a law enforcement presence on campus

(cf. 1250 - Visitors/Outsiders)

(cf. 3515 - Campus Security)

(cf. 3515.3 - District Police/Security Department)

(cf. 3530 - Risk Management/Insurance)

(cf. 5112.5 - Open/Closed Campus)

(cf. 5131.5 - Vandalism and Graffiti)

Note: Education Code 32282.1 does not require, but encourages, that comprehensive safety plans include the strategies described in item #11 below, to the extent the district uses the listed professionals.

11. Guidelines for the roles and responsibilities of mental health professionals, community intervention professionals, school counselors, school resource officers, and police officers on school campuses. Guidelines may include, but are not limited to, the following:

AR 0450(h)

COMPREHENSIVE SAFETY PLAN (continued)

- a. Strategies to create and maintain a positive school climate, promote school safety, and increase student achievement
 - b. Strategies to prioritize mental health and intervention services, restorative and transformative justice programs, and positive behavior interventions and support
 - c. Protocols to address the mental health care of students who have witnessed a violent act at any time, including, but not limited to, while on school grounds, while coming or going from school, during a lunch period whether on or off campus, or during or while going to or coming from a school-sponsored activity
12. Strategies for suicide prevention and intervention

(cf. 5141.52 - Suicide Prevention)

Note: Penal Code 626.8 provides that a person may be guilty of a misdemeanor **if he/she infringes for infringing with or disrupting a school activity, remaining on campus after having been asked to leave, reentering within seven days of being asked to leave, establishing a continued pattern of unauthorized entry,** or willfully or knowingly creating a disruption with the intent to threaten the immediate physical safety of a student in preschool or grades K-8 who is arriving at, attending, or leaving school; see BP/AR 3515.2 - Disruptions.

13. Procedures to implement when a person interferes with or disrupts a school activity, remains on campus after having been asked to leave, or creates a disruption with the intent to threaten the immediate physical safety of students or staff

(cf. 3515.2 - Disruptions)

14. Crisis prevention and intervention strategies, which may include the following:
 - a. Identification of possible crises that may occur, determination of necessary tasks that need to be addressed, and development of procedures relative to each crisis, including the involvement of law enforcement and other public safety agencies as appropriate

(cf. 3515.5 - Sex Offender Notification)

(cf. 5131.4 - Student Disturbances)

(cf. 5131.41 - Use of Seclusion and Restraint)

- b. Threat assessment strategies to determine the credibility and seriousness of a threat and provide appropriate interventions for the potential offender(s)

AR 0450(i)

COMPREHENSIVE SAFETY PLAN (continued)

- c. Assignment of staff members responsible for each identified task and procedure
- d. Development of an evacuation plan based on an assessment of buildings and grounds and opportunities for students and staff to practice the evacuation plan
- e. Coordination of communication to schools, Governing Board members, parents/guardians, and the media

(cf. 1112 - Media Relations)

(cf. 9010 - Public Statements)

- f. Development of a method for the reporting of violent incidents
- g. Development of follow-up procedures that may be required after a crisis has occurred, such as counseling

- 15. Staff development in violence prevention and intervention techniques, including preparation to implement the elements of the safety plan

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

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| Note: Pursuant to Education Code 32284, the comprehensive safety plan may, at the discretion of the Board, include procedures for responding to the release of a pesticide or other toxic substance on from properties located within one-quarter mile of a school. No state funds may be used for this purpose. |
|--|

- 16. Environmental safety strategies, including, but not limited to, procedures for preventing and mitigating exposure to toxic pesticides, lead, asbestos, vehicle emissions, and other hazardous substances and contaminants

(cf. 3510 - Green School Operations)

(cf. 3513.3 - Tobacco-Free Schools)

(cf. 3514 - Environmental Safety)

(cf. 3514.1 - Hazardous Substances)
(cf. 3514.2 - Integrated Pest Management)

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CSBA Sample Board Policy

Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0460(a)

LOCAL CONTROL AND ACCOUNTABILITY PLAN

Note: **The following policy is optional.** Education Code 52060-52077 require the Governing Board to adopt and annually update, on or before July 1, a local control and accountability plan (LCAP). Pursuant to Education Code 52060, **as amended by AB 2878 (Ch. 826, Statutes of 2018)**, the LCAP must include goals and actions aligned with eight state priorities related to (1) the degree to which teachers are appropriately assigned and fully credentialed, students have sufficient access to standards-based instructional materials, and facilities are maintained in good repair; (2) implementation of and student access to state academic content and performance standards; (3) parent/guardian involvement **and family engagement**; (4) student achievement; (5) student engagement; (6) school climate; (7) student access to and enrollment in a broad course of study, including programs and services provided to benefit low-income students, English learners, and/or foster youth (i.e., "unduplicated students" for purposes of supplemental and concentration grants under the local control funding formula **(LCFF)**); and (8) student outcomes in the specified course of study. Education Code 52060 provides that, in addition to addressing the state priorities in the LCAP, the district may establish and address local priorities **and goals**. Examples include priorities for student wellness and other conditions of children, professional development, community involvement, and effective governance and leadership. See the accompanying administrative regulation for further information about the required content of the LCAP.

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

(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)
(cf. 0415 - Equity)

Note: Pursuant to Education Code 52064, the State Board of Education (SBE) has adopted a template that districts must use to complete the LCAP. An electronic version of the template is available on the California Department of Education's (CDE) web site.

As amended by AB 1840 (Ch. 426, Statutes of 2018), Education Code 52064 requires the SBE, by January 31, 2020, to expand the template to include more specific information about the goals, actions, expenditures, and services for all students and subgroups of students, as well as information about the district, highlights of the LCAP, and annual performance as indicated by the California School Dashboard.

The Board shall adopt a districtwide local control and accountability plan (LCAP), based on the template adopted by the State Board of Education, that addresses the state priorities in Education Code 52060 and any local priorities adopted by the Board. The LCAP shall be updated on or before July 1 of each year and, like the district budget, shall cover the next fiscal year and **two** subsequent ~~two~~ fiscal years. (Education Code 52060, 52064; 5 CCR 15494-15497)

(cf. 3100 - Budget)

BP 0460(b)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

Note: Education Code 52060 requires that the LCAP include annual goals to be achieved for all students and for each numerically significant student subgroup as defined in Education Code 52052. ~~For schools with 11-99 students, numerically significant student subgroups are defined by the Superintendent of Public Instruction (SPI) with approval by the SBE.~~ In addition, several state priorities address programs and services for "unduplicated students," as defined in Education Code 42238.01-42238.02.

The LCAP shall focus on improving outcomes for all students, particularly those who are "unduplicated students" or are part of any numerically significant student subgroup that is at risk of or is underperforming.

Note: Pursuant to Education Code 42238.01, as amended by AB 1962 (Ch. 748, Statutes of 2018), no later than the 2020-21 fiscal year, the definition of "foster youth" for the purpose of identifying unduplicated students will include a dependent child of the court of an Indian tribe, consortium of tribes, or tribal organization who is the subject of a petition filed in the tribal court in accordance with the tribe's law, provided the child would also meet one of the descriptions in Welfare and Institutions Code 300 describing when a child may be adjudged a dependent child of the juvenile court.

Unduplicated students include students who are eligible for free or reduced-price meals, English learners, and foster youth, as defined in Education Code 42238.01 for purposes of the local control funding formula (**LCFF**). (Education Code 42238.02)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6174 - Education for English Learners)

Numerically significant student subgroups include ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, when there are at least 30 students in the subgroup or at least 15 foster youth or homeless students, ~~or as otherwise defined by the Superintendent of Public Instruction (SPI).~~ (Education Code 52052)

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

(cf. 6173 - Education for Homeless Children)

The Superintendent or designee shall review the **single school** plan for student achievement (SPSA) submitted by each district school pursuant to Education Code 64001 to ensure that

the specific actions included in the LCAP are consistent with strategies included in the SPSA. (Education Code 52062)

(cf. 0420 - School Plans/Site Councils)

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

(cf. 0400 - Comprehensive Plans)

BP 0460(c)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

(cf. 0440 - District Technology Plan)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5030 - Student Wellness)

(cf. 6171 - Title I Programs)

(cf. 7110 - Facilities Master Plan)

Note: Pursuant to Education Code 52064.1, as added by AB 1808 (Ch. 32, Statutes of 2018), districts are required, by July 1, 2019, to develop an LCFF budget overview for parents/guardians with specified information. The budget overview must be developed in conjunction with, and attached as a cover to, the LCAP and annual update to the LCAP. The budget overview is subject to the requirements of Education Code 52062 and 52070 pertaining to the adoption, review, and approval of the LCAP. The Superintendent of Public Instruction (SPI) is required to develop, before December 31, 2018, a template for the budget overview.

As part of the LCAP adoption and annual update to the LCAP, the Board shall separately adopt an LCFF budget overview for parents/guardians, based on the template developed by the SBE, which includes specified information relating to the district's budget. The budget overview shall be adopted, reviewed, and approved in the same manner as the LCAP and the annual update. (Education Code 52064.1)

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

(cf. 1312.3 - Uniform Complaint Procedures)

Plan Development

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

Note: Education Code 52060 requires consultation on plan development with all of the groups listed below. The Board may delegate responsibility for arranging meetings and other input opportunities to the Superintendent or designee.

5 CCR 15495 defines what it means to consult with students, including unduplicated students and other numerically significant student subgroups, and gives examples of methods that may be used for this consultation. State regulations do not provide examples of consultation with groups other than students, but consultations might include surveys, the establishment of an advisory committee consisting of representatives of all the specified groups, solicitation of feedback from the groups after a draft plan is available, discussion of the LCAP at staff meetings, and communication with parent organizations, student councils, school site councils, or other established committees or organizations. The district may expand the following paragraph to reflect district practice.

BP 0460(d)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

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

(cf. 1220 - Citizen Advisory Committees)

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

(cf. 6020 - Parent Involvement)

Public Review and Input

Note: Pursuant to Education Code 52063 and 5 CCR 15495, the Board is required to establish a parent advisory committee that is composed of a majority of parents/guardians and includes at least one parent/guardian of an unduplicated student. In addition, if district enrollment includes at least 15 percent English learners, with at least 50 students who are English learners, the Board is required to establish an English learner parent advisory committee which, pursuant to 5 CCR 15495, must include a majority of parents/guardians of English learners. Pursuant to Education Code 52063 and 5 CCR 15495, the Board is required to establish a parent advisory committee and, if district enrollment includes at least 15 percent English learners, an English learner parent advisory committee to review and comment on the LCAP. The district may use existing parent advisory committees for these purposes if the committee composition complies with Education Code 52063 and 5 CCR 15495. However, the district should consider whether such opportunities need to be expanded to achieve significant levels of stakeholder involvement in the planning process as intended by the law.

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

Whenever district enrollment includes at least 15 percent English learners, with at least 50 students who are English learners, the Board shall establish an English learner parent

advisory committee composed of a majority of parents/guardians of English learners **to review and comment on the LCAP.** (Education Code 52063; 5 CCR 15495)

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

Note: Education Code 52062 requires notification to the public of the opportunity to submit written comments on the proposed LCAP, including notification in the primary language of parents/guardians when required by Education Code 48985. Pursuant to Education Code 48985, whenever 15 percent or more of the students in a school speak a single primary language other than English, notifications sent to parents/guardians of such students must be written in the primary language as well as in English; see BP 5145.6 - Parental Notifications.

BP 0460(e)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

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

(cf. 5145.6 - Parental Notifications)

Note: Pursuant to Education Code 305, the LCAP parent/**guardian** and community engagement process must include solicitation of input **as described in the following paragraph on language acquisition programs. Also s**See BP/AR 6174 - Education for English Learners for further information regarding the types of language acquisition programs that may be offered **to students.**

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

Note: Education Code 52062, as amended by AB 1808, requires the district to consult with its special education local plan area administrator(s) to ensure that specific actions for individuals with disabilities are included in the LCAP.

The Superintendent or designee shall consult with the administrator(s) of the special education local plan area of which the district is a member to ensure that specific actions for students with disabilities are included in the LCAP and are consistent with strategies included in the annual assurances support plan for the education of students with disabilities. (Education Code 52062)

(cf. 0430 - Comprehensive Local Plan for Special Education)

Note: Pursuant to Education Code 42127, the Board must not adopt a district budget until the LCAP is in place for the budget year; see BP 3100 - Budget. The budget must include the expenditures necessary to implement the plan that will be effective during the subsequent fiscal year. If it does not, the County Superintendent of Schools will disapprove the district's budget.

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

(cf. 9320 - Meetings and Notices)

BP 0460(f)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

Adoption of the Plan

The Board shall adopt the LCAP prior to adopting the district budget, but at the same public meeting. This meeting shall be held after the public hearing described above, but not on the same day as the hearing. **(Education Code 52062)**

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

Submission of Plan to County Superintendent of Schools

Note: Education Code 52070 requires the district to submit the LCAP to the County Superintendent, **who** ~~The County Superintendent~~ may seek written clarification of the contents of the plan and may submit recommendations for amendments as provided below. ~~He/she~~ **The County Superintendent** is required to approve the LCAP on or before October 8 if ~~he/she determines~~ **it is determined** that (1) the LCAP adheres to the template adopted by the SBE **and follows any SBE instructions or directions for completing the template**; (2) the district budget includes expenditures sufficient to implement the specific actions **and strategies** in the LCAP; and (3) the LCAP adheres to supplemental and concentration grant expenditure requirements specified in Education Code 42238.07 for unduplicated students. In determining whether the district has fully demonstrated that it will use supplemental and concentration funds to increase or improve services for unduplicated students, 5 CCR 15497 requires the County Superintendent to review any descriptions of districtwide or schoolwide services provided.

Education Code 52064.1, as added by AB 1808, requires the district to file the LCFF budget overview for parents/guardians with the County Superintendent to be reviewed for adherence with the template adopted by the SPL. If the budget overview is not approved, the County Superintendent will withhold approval of the LCAP and will provide technical assistance pursuant to Education Code 52071.

Not later than five days after adoption of the LCAP, **the district budget, and the LCFF budget overview for parents/guardians**, the Board shall file the LCAP, **the budget, and**

the budget overview with the County Superintendent of Schools. (Education Code **42127, 52064.1, 52070**)

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

If the County Superintendent does not approve the district's LCAP, the Board shall accept technical assistance from the County Superintendent focused on revising the plan so that it can be approved. (Education Code 52071)

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LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

Monitoring Progress

Note: The following **optional** paragraph may be revised to reflect the district's timeline for reviewing the progress and effectiveness of strategies included in the LCAP. Reports should be provided to the Board in sufficient time to allow for any necessary changes in the annual update to the LCAP by July 1 of each year, as required by Education Code 52060-52061. The **California School** Dashboard provides a tool to assist in evaluation of district and school performance and includes all of the state priorities for the LCAP described in Education Code 52060.

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

(cf. 0500 - Accountability)

Technical Assistance/Intervention

Note: Pursuant to Education Code 52071, **as amended by AB 1808**, the Board may, at its discretion **and at the district's expense**, request technical assistance **from the County Superintendent** as described in items #1-3 **2** below. **The County Superintendent may charge a fee not to exceed the cost of the service, if the provision of the service requested would create an unreasonable or untenable cost burden for the County Superintendent.** In addition, the County Superintendent is required to provide such technical assistance whenever he/she does not approve the district's LCAP and/or the district fails to improve student achievement across more than one state priority described in Education Code 52060, as determined using the Dashboard.

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

1. Assistance in ~~the identification of~~ **identifying** district strengths and weaknesses in regard to state priorities, **which includes the review of performance data on the state and local indicators included in the Dashboard and other relevant local data**, and ~~review of~~ **in identifying** effective, evidence-based programs **or practices** that **address any areas of weakness apply to the district's goals**
2. Assistance from an academic, **programmatic, or fiscal** expert, **or** team of **academic** experts, **in identifying and implementing effective programs and practices that are designed to improve performance in any identified areas of weakness. The district may engage other service providers, including, but not limited to,** ~~or~~

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LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

~~another school districts, county offices of education, or charter schools, to provide such assistance. in the county in identifying and implementing effective programs to improve the outcomes for student subgroups.~~

3. ~~Advice and assistance from the California Collaborative for Educational Excellence established pursuant to Education Code 52074~~

Note: Pursuant to Education Code 52071, as amended by AB 1808, the district must be provided technical assistance whenever one or more numerically significant student subgroups meet the criteria for assistance and intervention established pursuant to Education Code 52064.5.

If the County Superintendent offers the district technical assistance in the event that one or more the district's numerically significant student subgroups are identified based on performance criteria established pursuant to Education Code 52064.5, the Board shall provide the County Superintendent timely documentation of the district's completion of activities listed in items #1-2 above, maintain regular communication with the County Superintendent, and take all necessary steps to ensure district compliance with other requirements specified in Education Code 52071.

Note: Pursuant to Education Code 52074, as amended by AB 1840, either the County Superintendent or the SPI may refer a district to the California Collaborative for Educational Excellence (CCEE) if it is determined to be necessary to help the district accomplish the goals set forth in the district's LCAP. Additionally, if a district receives an emergency apportionment pursuant to Education Code 41320-41322, the district shall be deemed to have been referred to the CCEE.

If referred to the California Collaborative for Educational Excellence by either the County Superintendent or the Superintendent of Public Instruction (SPI), the district

shall implement the recommendations of that agency in order to accomplish the goals set forth in the district's LCAP. (Education Code 52071, 52074)

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

Note: Education Code 52072 provides that the SPI, with approval of the SBE, may intervene when a district meets both of the following criteria: (1) the district did not improve the outcomes for three or more student subgroups identified pursuant to Education Code 52052, or all of the student subgroups if the district has fewer than three subgroups, in regard to more than one state or local priority in three out of four consecutive school years; and (2) the ~~California Collaborative for Educational Excellence (CCEE)~~ has provided advice and assistance to the district and submits a finding that the district failed or is unable to implement the CCEE's recommendations or that the district's inadequate performance is so persistent or acute as to require intervention. For any district identified as needing intervention, the SPI or an academic trustee appointed by the SPI may, with approval of the SBE, take one or more of the actions listed in items #1-3 below.

BP 0460(i)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

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

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

Legal Reference:

EDUCATION CODE

305-306 English language education

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

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

41020 Audits

41320-41322 Emergency apportionments

42127 Public hearing on budget adoption

42238.01-42238.07 Local control funding formula

44258.9 County superintendent review of teacher assignment

48985 Parental notices in languages other than English

51210 Course of study for grades 1-6

51220 Course of study for grades 7-12

52052 Numerically significant student subgroups

52059.5 Statewide system of support

52060-52077 *Local control and accountability plan*
52302 *Regional occupational centers and programs*
52372.5 *Linked learning ~~pilot~~ program*
54692 *Partnership academies*
60119 *Sufficiency of textbooks and instructional materials; hearing and resolution*
60605.8 *California Assessment of Academic Achievement; Academic Content Standards Commission*
60811.3 *Assessment of language development*
64001 *Single plan for student achievement*
99300-99301 *Early Assessment Program*
WELFARE AND INSTITUTIONS CODE
300 *Dependent child of the court*
CODE OF REGULATIONS, TITLE 5
15494-15497 *Local control and accountability plan and spending requirements*
UNITED STATES CODE, TITLE 20
6312 *Local educational agency plan*
6826 *Title III funds, local plans*

Management Resources: (see next page)

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LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

Management Resources:

CSBA PUBLICATIONS

The California School Dashboard and Small Districts, October 2018

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

LCFF Rubrics, Issue 1: What Boards Need to Know About the New Rubrics, Governance Brief, rev. October 2016

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

California School Dashboard

LCFF Frequently Asked Questions

Local Control and Accountability Plan and Annual Update (LCAP) Template

Family Engagement Framework: A Tool for California School Districts, 2014

California Career Technical Education Model Curriculum Standards, 2013

California Common Core State Standards: English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects, rev. 2013

California Common Core State Standards: Mathematics, rev. 2013

California English Language Development Standards, 2012

WEB SITES

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

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

California School Dashboard: <http://www.caschooldashboard.org>

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Policy Reference UPDATE Service

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CSBA Sample Administrative Regulation

Philosophy, Goals, Objectives, and Comprehensive Plans

AR 0460(a)

LOCAL CONTROL AND ACCOUNTABILITY PLAN

Note: Education Code 52060-52077 require the Governing Board to adopt and annually update, on or before July 1, a three-year local control and accountability plan (LCAP). See the accompanying Board policy for information about plan development and monitoring.

Goals and Actions Addressing State and Local Priorities

Note: Education Code 52060 requires that the LCAP include annual goals, aligned with specified state priorities, to be achieved for all students and for each numerically significant subgroup as defined in Education Code 52052. Pursuant to Education Code 52052, a numerically significant subgroup includes ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, when there are at least 30 students in the subgroup (or at least 15 foster youth or homeless students) in the school or district. ~~For schools or districts with 11-99 students, numerically significant student subgroups are defined by the Superintendent of Public Instruction (SPI) with approval by the State Board of Education (SBE).~~

In addition, several state priorities address programs and services for "unduplicated students." For purposes of supplemental and concentration grants allocated through the local control funding formula (LCFF), "unduplicated students" are defined by Education Code 42238.02 as students eligible for free or reduced-price meals, English learners, and foster youth; see the accompanying Board policy.

The district's local control and accountability plan (LCAP) **and annual updates** shall include, for the district and each district school: (Education Code 52060)

1. A description of the annual goals established for all students and for each numerically significant subgroup as defined in Education Code 52052, including ethnic

subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students. The LCAP shall identify goals for each of the following state priorities:

- a. The degree to which district teachers are appropriately assigned in accordance with Education Code 44258.9 and fully credentialed in the subject areas and for the students they are teaching; every district student has sufficient access to standards-aligned instructional materials as determined pursuant to Education Code 60119; and school facilities are maintained in good repair as specified in Education Code 17002

(cf. 1312.4 - Williams Uniform Complaint Procedures)
(cf. 3517 - Facilities Inspection)
(cf. 4112.2 - Certification)
(cf. 4113 - Assignment)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

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LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

- b. Implementation of the academic content and performance standards adopted by the State Board of Education (SBE), including how the programs and services will enable English learners to access the Common Core State Standards and the English language development standards for purposes of gaining academic content knowledge and English language proficiency

(cf. 6011 - Academic Standards)
(cf. 6174 - Education for English Learners)

Note: Education Code 52060, as amended by AB 2878 (Ch. 826, Statutes of 2018), expands the parent involvement state priority to include family engagement. Education Code 52060 provides that family engagement may include, but not be limited to, efforts by the district and schools to apply research-based practices, such as welcoming all families into the school community, engaging in effective two-way communication, supporting student success, and empowering families to advocate for equity and access. It may also include partnering with families to inform, influence, and create practices and programs that support student success and collaboration with families and the broader community, expand student learning opportunities, and promote civic participation.

- c. Parent/guardian involvement **and family engagement**, including efforts the district makes to seek parent/guardian input in district and school site decision making and how the district will promote parent/guardian participation in programs for unduplicated students, as defined in Education Code 42238.02 and Board policy, and students with disabilities

(cf. 3553 - Free and Reduced Price Meals)
(cf. 6020 - Parent Involvement)
(cf. 6173.1 - Education for Foster Youth)

Note: Pursuant to Education Code 52060, the LCAP must address student achievement as measured by specified indicators, including the Academic Performance Index (API), as applicable. However, the API has been replaced by the California School Dashboard, which examines the performance of schools, districts, and defined student groups on measures of academic performance, high school graduation rate, English learner progress, college/career preparation, suspension rate, and chronic absenteeism. Thus, item #1d below does not include the API. Districts may use data from the Dashboard, along with the other specified indicators, to develop goals related to student achievement.

- d. Student achievement, as measured by all of the following as applicable:
- (1) Statewide assessments of student achievement
 - (2) The percentage of students who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University, or career technical education sequences or programs of study that **satisfy specified requirements and** align with SBE-approved career technical education

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LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

standards and frameworks, including, but not limited to, those described in Education Code 52302, 52372.5, or 54692

- (3) The percentage of English learners who make progress toward English proficiency as measured by the SBE-certified assessment of English proficiency
- (4) The English learner reclassification rate
- (5) The percentage of students who have passed an Advanced Placement examination with a score of 3 or higher
- (6) The percentage of students who **participate in and** demonstrate college preparedness in the Early Assessment Program pursuant to Education Code 99300-99301

(cf. 0500 - Accountability)

(cf. 6141.5 - Advanced Placement)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6178 - Career Technical Education)

- e. Student engagement, as measured by school attendance rates, chronic absenteeism rates, middle school dropout rates, high school dropout rates, and high school graduation rates, as applicable

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5147 - Dropout Prevention)
(cf. 6146.1 - High School Graduation Requirements)

- f. School climate, as measured by student suspension and expulsion rates and other local measures, including surveys of students, parents/guardians, and teachers on the sense of safety and school connectedness, as applicable

(cf. 5137 - Positive School Climate)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

- g. The extent to which students have access to and are enrolled in a broad course of study that includes all of the subject areas described in Education Code 51210 and 51220, as applicable, including the programs and services developed and provided to unduplicated students and students with disabilities, and the programs and services that are provided to benefit these

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LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

students as a result of supplemental and concentration grant funding pursuant to Education Code 42238.02 and 42238.03

(cf. 6143 - Courses of Study)
(cf. 6159 - Individualized Education Program)

- h. Student outcomes, if available, in the subject areas described in Education Code 51210 and 51220, as applicable

Note: In addition to goals aligned with the state priorities described in item #1 above, Education Code 52060 provides that the LCAP may include goals for local priorities established by the Board; see the accompanying Board policy. **Optional** item #2 below may be revised to reflect local priorities.

- 2. Any goals identified for any local priorities established by the Board.

(cf. 0200 - Goals for the School District)

- 3. A description of the specific actions the district will take during each year of the LCAP to achieve the identified goals, including the enumeration of any specific actions necessary for that year to correct any deficiencies in regard to the state and local priorities specified in items #1-2 above. Such actions shall not supersede provisions of existing collective bargaining agreements within the district.

Note: Pursuant to Education Code 52060, in developing goals and actions for the LCAP, the Board may consider qualitative information, including, but not limited to, the results of school quality reviews conducted pursuant to Education Code 52052. Education Code 52052 authorizes the **Superintendent of Public Instruction (SPI)**, with approval of the **SBE State Board of Education** and conditional upon an

appropriation in the state budget, to develop and implement a program of school quality reviews that features locally convened panels to visit schools, observe teachers, interview students, and examine student work.

For purposes of the descriptions required by items #1-3 above, the Board 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. (Education Code 52060)

For any local priorities addressed in the LCAP, the Board and Superintendent or designee shall identify and include in the LCAP the method for measuring the district's progress toward achieving those goals. (Education Code 52060)

Note: AB 1840 (Ch. 426, Statutes of 2018) amended Education Code 52060 to require data to be reported in a manner consistent with the California School Dashboard rather than the school accountability report card.

AR 0460(e)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

To the extent practicable, data reported in the LCAP shall be reported in a manner consistent with how information is reported on ~~a school accountability report card~~ **the California School Dashboard**. (Education Code 52060)

~~(cf. 0510 - School Accountability Report Card)~~

Increase or Improvement in Services for Unduplicated Students

Note: The following section is for use by districts that receive LCFE supplemental and/or concentration grant funds. Such districts are required to increase or improve services for unduplicated students in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated students; see BP 3100 - Budget. 5 CCR 15494-15496 specify the method for determining the percentage by which services for unduplicated students must be increased or improved above services provided to all students in the fiscal year.

The LCAP shall demonstrate how the district will increase or improve services for unduplicated students at least in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated students. (5 CCR 15494-15496)

When the district expends supplemental and/or concentration grant funds on a districtwide or schoolwide basis during the year for which the LCAP is adopted, the district's LCAP shall: (5 CCR 15496)

1. Identify those services that are being funded and provided on a districtwide or schoolwide basis
2. Describe how **such** services are principally directed towards, and are effective in,

meeting the district's goals for unduplicated students in the state priority areas and any local priority areas

3. If the enrollment of unduplicated students is less than 55 percent of district enrollment or less than 40 percent of school enrollment, describe how these services are the most effective use of the funds to meet the district's goals for its unduplicated students in the state priority areas and any local priority areas. The description shall provide the basis for this determination, including, but not limited to, any alternatives considered and any supporting research, experiences, or educational theory.

Annual Updates

On or before July 1 of each year, the LCAP shall be updated using the template adopted by the SBE and shall include all of the following: (Education Code 52061)

1. A review of any changes in the applicability of the goals described in the existing LCAP pursuant to the section "Goals and Actions Addressing State and Local Priorities" above

AR 0460(f)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

2. A review of the progress toward the goals included in the existing LCAP, an assessment of the effectiveness of the specific actions described in the existing LCAP toward achieving the goals, and a description of changes to the specific actions the district will make as a result of the review and assessment

Note: Pursuant to Education Code 52061, the annual update to the LCAP must include expenditures for specific actions included in the LCAP and expenditures serving unduplicated students. Education Code 52061 requires that the expenditures specified in items #3-4 below be classified in accordance with the California School Accounting Manual.

3. A listing and description of the expenditures for the fiscal year implementing the specific actions included in the LCAP and the changes to the specific actions made as a result of the reviews and assessment required by items #1-2 above
4. A listing and description of expenditures for the fiscal year that will serve unduplicated students and students redesignated as fluent English proficient

Availability of the Plan

Note: Education Code 52065, as amended by AB 1840, requires the district to prominently post its LCAP and any annual update or revisions to the LCAP on the homepage of its district web site. In addition, the County Superintendent of Schools is required to post all district LCAPs, or links to those plans, on the county office of education web site and to transmit all such plans to the SPI, who will then post links to all plans on the California Department of Education web site.

Education Code 52064.1, as added by AB 1808 (Ch. 32, Statutes of 2018), provides that the LCFF budget overview for parents/guardians is also subject to the requirements of Education Code 52065.

The Superintendent or designee shall **prominently** post the LCAP, **and** any updates or revisions to the LCAP, **and the LCFF budget overview for parents/guardians** on the **homepage of the** district's web site. (Education Code **52064.1**, 52065)

(cf. 1113 - District and School Web Sites)

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Policy Reference UPDATE Service

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CSBA Sample Administrative Regulation

Community Relations

AR 1220(a)

CITIZEN ADVISORY COMMITTEES

Note: The following **optional** administrative regulation may be modified to reflect district practice.

Pursuant to Government Code 815.2 and 820.9, members of advisory committees are not liable for injuries caused by the act or omission of the district, a committee, or a committee member acting within the scope of his/her role as a member of the committee. However, a committee member may be liable for injury caused by his/her own wrongful conduct.

Committee Charge

Note: Items #1-9 may be modified to reflect district practice.

When committees are appointed, committee members shall receive written information **including which includes**, but **is** not limited to:

1. The committee members' names
2. The procedure to be used in the selection of the committee chairperson and other committee officers
3. The name(s) and contact information of staff member(s) assigned to support the work of the committee

4. The goals and specific charge(s) of the committee, including its topic(s) for study
5. The specific period of time that the committee is expected to serve
6. Legal requirements regarding meeting conduct and public notifications
7. Resources available to help the committee perform its tasks
8. Timelines for progress reports and/or final report
9. Relevant Board policies and administrative regulations

~~Members of advisory committees are not vicariously liable for injuries caused by the act or omission of the district or a committee and are not liable for injuries caused by an act or omission of a committee member acting within the scope of his/her role as a member of the committee. However, a member may be liable for injury caused by his/her own wrongful conduct. (Government Code 815.2, 820.9)~~

AR 1220(b)

CITIZEN ADVISORY COMMITTEES (continued)

~~(cf. 1240 Volunteer Assistance)~~

~~(cf. 3530 Risk Management/Insurance)~~

Committees Subject to Brown Act Requirements

Note: Pursuant to Government Code 54952, open meeting laws (the Brown Act) apply to Generally, any commission, committee, board, or other body created by formal action of the Governing Board, regardless of whether that body is permanent or temporary, decision-making or advisory, is a "legislative body," as defined in Government Code 54952, and is required to comply with the open meeting laws (Brown Act). However, some committees are by law exempted from the Brown Act. For example, committees specified in Education Code 35147 specifies exceptions for committees that are not subject to the Brown Act, are not subject to the Brown Act; see as listed in the section "Committees Not Subject to Brown Act Requirements" below. Committees composed solely of Board members who are less than a quorum of the Board may also be exempt from Brown Act requirements in limited circumstances; see BB 9130 - Board Committees.

Committees listed below in items #1-6 5 below are committees that are generally created by formal Board action and thus are subject to the Brown Act. This list should be modified to add any other specific committees in the district created by formal Board action or any committees that the Board has required to follow the Brown Act. This list should be modified to delete any of the committees that were not created by formal Board action (e.g., Superintendent committees) or do not exist within the district. In Frazer v. Dixon Unified School District, the court held that the adoption of a Board policy that required the appointment of a committee to advise the Superintendent, and in turn, the Board, was a committee created by "formal Board action" within the meaning of Government Code 54952. Therefore, the committee's meetings were subject to the Brown Act. Districts should consult legal counsel when questions arise regarding the applicability of Brown Act requirements to district or school committees.

Education Code 35147 specifies exceptions, as listed in the section "Committees Not Subject to Brown Act Requirements" below. Committees composed solely of Board members who are less than a quorum of the

~~Board may also be exempt from Brown Act requirements in limited circumstances; see BB 9130— Board Committees.~~

Brown Act requirements pertaining to open meetings, notices, and public participation pursuant to Government Code 54950-54963 shall be complied with by aAny committee created by formal action of the Governing Board **shall comply with Brown Act requirements pertaining to open meetings, notices, and public participation pursuant to Government Code 54950-54963,** including, but not ~~necessarily~~ limited to, the following:

1. Advisory committee established pursuant to Education Code 56190-56194 related to special education

(cf. 0430 - Comprehensive Local Plan for Special Education)

2. Advisory committee established pursuant to Education Code 8070 related to career technical education

(cf. 6178 - Career Technical Education)

AR 1220(c)

CITIZEN ADVISORY COMMITTEES (continued)

3. Committee established to assist in development of a student wellness policy pursuant to 42 USC 1758b

(cf. 5030 - Student Wellness)

4. Committee established pursuant to Education Code 17387-17391 related to the use or disposition of excess real property

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

5. Citizens' oversight committee established to examine the expenditure of general obligation bond or school facilities improvement bond revenues passed with a 55 percent majority of the voters pursuant to Education Code 15278 and 15359.3

(cf. 7213 - School Facilities Improvement Districts)

(cf. 7214 - General Obligation Bonds)

Note: Education Code 52063, as added by AB 97 (Ch. 47, Statutes of 2013), requires the Board to establish a parent advisory committee that includes parents/guardians of "unduplicated students" (i.e., students who are eligible for free or reduced price meals, English learners, foster youth) to review and comment on the local control and accountability plan (LCAP). If district enrollment includes at least 15 percent English learners and at least 50 students who are English learners, the Board is also required to establish an English learner parent advisory committee. See AR 0460— Local Control and Accountability Plan.

In addition, pursuant to Education Code 52060, as added by AB 97, districts are required to consult on LCAP development with teachers, principals, administrators, other school personnel, employee bargaining units, parents/guardians, and students. If the district chooses to satisfy this requirement by establishing a

~~committee consisting of representatives of all the specified groups, that committee would be subject to the Brown Act.~~

- ~~6. Parent advisory committee and English learner parent advisory committee established pursuant to Education Code 52063 to review and comment on the local control and accountability plan (LCAP) and, if applicable, any advisory committee established pursuant to Education Code 52060 to consult with the district on LCAP development~~

~~(cf. 0460 - Local Control and Accountability Plan)~~

~~(cf. 9130 - Board Committees)~~

~~(cf. 9320 - Meetings and Notices)~~

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

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

~~(cf. 9323 - Meeting Conduct)~~

Committees Not Subject to Brown Act Requirements

Note: Pursuant to Education Code 35147, school site councils and some advisory committees, as specified in items #1-6 below, are exempt from the Brown Act, but must comply with other, less complex procedural requirements (i.e., the "mini" Brown Act). In addition, the Board may require other specific district

AR 1220(d)

CITIZEN ADVISORY COMMITTEES (continued)

committees that are not subject to the Brown Act to follow the requirements of the "mini" Brown Act. Such committees should be added to the list below.

The following committees ~~are exempt from the Brown Act but must~~ **shall** conform with procedural meeting requirements established in Education Code 35147:

- ~~6. 1. Parent advisory committee and English learner parent advisory committee established pursuant to Education Code 52063 to review and comment on the local control and accountability plan (LCAP) and, if applicable, any advisory committee established pursuant to Education Code 52060 to consult with the district on LCAP development~~

~~(cf. 0460 - Local Control and Accountability Plan)~~

Note: ~~SB 971 (Ch. 923, Statutes of 2014) repealed the Pupil Retention Block Grant and School and Library Improvement Block Grant. In addition, economic impact aid funding was redirected into the local control funding formula (LCFF) pursuant to AB 97 (Ch. 47, Statutes of 2013). Thus, school site councils are no longer required for those purposes. Any use of school site councils to assist with the determination of LCFF funding distribution is at the district's discretion.~~ Pursuant to Education Code 35147, school site councils are exempt from the Brown Act and are subject to the procedural meeting requirements in Education Code 35147. However, Education Code 35147 has not yet been amended for consistency with AB 716 (Ch. 471, Statutes of 2018), which repealed Education Code 52852 and moved the requirements related to school site councils to Education Code 65000-65001.

- ~~1. 2. School site councils established pursuant to Education Code 52852 and 64001~~ **65000-65001** to develop and approve a **single school** plan for student achievement

(cf. 0420 - School Plans/Site Councils)

- 2. 3.** District or school advisory committees established pursuant to Education Code 52176 related to programs for English learners

(cf. 6174 - Education for English Learners)

- 3. 4.** School advisory committees established pursuant to Education Code 54425(b) related to compensatory education

(cf. 6171 - Title I Programs)

- 4. 5.** Any district advisory committee established pursuant to Education Code 54444.2 related to migrant education programs

(cf. 6175 - Migrant Education Program)

- 5. 6.** School committees established pursuant to Education Code 11503 related to parent involvement

AR 1220(e)

CITIZEN ADVISORY COMMITTEES (continued)

(cf. 6020 - Parent Involvement)

Meetings of the above councils or committees shall be open to the public, ~~Any~~ **and any** member of the public shall have the opportunity to address the council or committee during the meeting on any item within its jurisdiction. Notice of the meeting shall be posted at the school site or other appropriate accessible location at least 72 hours before the meeting, specifying the date, time, and location of the meeting and containing an agenda that describes each item of business to be discussed or acted upon. (Education Code 35147)

The above councils or committees shall not take action on any item not listed on the agenda unless all members present unanimously find that there is a need to take immediate action and that this need came to the council's or committee's attention after the agenda was posted. In addition to addressing items on the agenda, members of the council, committee, or public may ask questions or make brief statements that do not have a significant effect on district students or employees or that can be resolved solely by providing information. (Education Code 35147)

Any council or committee violating the above procedural requirements must, at the demand of any person, reconsider the item at the next meeting, first allowing for public input on the item. (Education Code 35147)

Any materials provided to a ~~school site~~ council **or committee** shall be made available to any member of the public upon request pursuant to the California Public Records Act, **Government Code 6250-6270**. (Education Code 35147; ~~Government Code 6250-6270~~)

(cf. 1340 - Access to District Records)

Committees Created by Superintendent

Note: Committees not specified in Education Code 35147, as listed above, which are created by the Superintendent and do not advise the Board, are not subject to any open meeting requirements.

Committees **that are** created by the Superintendent or designee to advise the administration, **and which** do not report to the Board, **and are not specified in Education Code 35147** are not subject to the requirements of the Brown Act or Education Code 35147.

(cf. 2230 - Representative and Deliberative Groups)

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CSBA Sample Administrative Regulation

Business and Noninstructional Operations

AR 3311.1(a)

UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING PROCEDURES

Note: The following administrative regulation is for use when the Governing Board has adopted a resolution to use the alternative procedures of the Uniform Public Construction Cost Accounting Act (UPCCAA) (Public Contract Code 22000-22045) for awarding public works projects; see the accompanying Board policy.

According to the California Uniform Construction Cost Accounting Commission's "Frequently Asked Questions," available on its web site, a district participating in the UPCCAA is subject to other requirements of the Public Contract Code in areas where the UPCCAA is silent. See BP/AR 3311 - Bids for traditional bidding procedures pursuant to Public Contract Code 20110-20118.4.

Public Contract Code 22032, **as amended by AB 2249 (Ch. 169, Statutes of 2018)**, establishes the following requirements based on the amount of the public project. Pursuant to Public Contract Code 22020, the Commission reviews these monetary limits every five years and recommends to the State Controller whether they need to be adjusted. The State Controller is required to notify all **participating** public agencies of any adjustment to these limits **prior to the effective date**.

Procedures for awarding contracts for public works projects shall be determined on the basis of the amount of the project, as follows:

1. Public projects of **\$45,000 \$60,000** or less may be performed by district employees by force account, negotiated contract, or purchase order. (Public Contract Code 22032)

Note: Public Contract Code 22034, **as amended by AB 2249**, requires any public agency participating in UPCCAA to adopt an informal bidding ordinance, with specified components, to govern the selection of contractors to perform public projects of **\$175,000 \$200,000** or less, as described in item #2 below. The Commission's "Frequently Asked Questions" clarify that, for school districts and other agencies that cannot legally adopt ordinances, a board policy, administrative regulation, or other legally applicable action of the board may be substituted.

The district may revise item #2a to reflect the method(s) of notification of contractors used by the district.

2. Contracts for public projects of **\$175,000 \$200,000** or less may be awarded through the following informal procedures: (Public Contract Code 22032, 22034, 22038)
 - a. **The Superintendent or designee shall prepare a notice inviting informal bids which describes the project in general terms, explains how to obtain further information about the project, and states the time and place for the submission of bids. This notice shall be disseminated by mail, fax, or email to either or both of the following:**

AR 3311.1(b)

UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING PROCEDURES (continued)

- ~~(1)~~ **The Superintendent or designee shall maintain a list of qualified contractors, identified according to categories of work.** ~~b. The Superintendent or designee shall prepare a notice inviting informal bids which describes the project in general terms, explains how to obtain more information about the project, and states the time and place for submission of bids. The notice shall be disseminated by mail, fax, or email to a~~ **All contractors on the district's a list of qualified contractors maintained by the district** ~~for the category of work being bid, unless the product or service is proprietary, at least 10 calendar days before bids are due.~~
 - ~~(2)~~ **In addition, the Superintendent or designee may mail, fax, or email a notice inviting informal bids to a** ~~All construction trade journals identified pursuant to Public Contract Code 22036.~~
- ~~e.~~ **b.** The district shall review the informal bids **that were submitted** and award the contract, except that:
- (1) If all bids received through the informal process are in excess of **\$175,000 \$200,000**, the contract may be awarded to the lowest responsible bidder, provided that the Governing Board adopts a resolution with a four-fifths vote to award the contract at **\$187,500**

\$212,500 or less and the Board determines the district's cost estimate is reasonable.

- (2) If no bids are received through the informal bid procedure, the project may be performed by district employees by force account or negotiated contract.
3. Public projects of more than **\$175,000 \$200,000** shall, except as otherwise provided by law, be subject to formal bidding procedures, as follows: (Public Contract Code 22032, 22037, 22038)

Note: Pursuant to Public Contract Code 22037, if there is no newspaper of general circulation published in the jurisdiction of the district, the district must post the bid notice in three locations as described below. Public Contract Code 22037 requires that these locations be identified in the agency's ordinance or regulation. Item #3a(1) may be revised to include such locations.

- a. Notice inviting formal bids shall state the time and place for receiving and opening sealed bids and distinctly describe the project. The notice shall be disseminated in both of the following ways:

AR 3311.1(c)

UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING PROCEDURES (continued)

- (1) Through publication in a newspaper of general circulation in the district's jurisdiction or, if there is no such newspaper, then by posting the notice in at least three places designated by the district as places for posting its notices. Such notice shall be published at least 14 calendar days before the date that bids will be opened.
- (2) By mail and electronically, if available, by either fax or email, to all construction trade journals identified pursuant to Public Contract Code 22036. Such notice shall be sent at least 15 calendar days before the date that bids will be opened.

In addition to the notice required above, the district may give such other notice as it deems proper.

- b. The district shall award the contract as follows:
 - (1) The contract shall be awarded to the lowest responsible bidder. If two or more bids are the same and the lowest, the district may accept the one it chooses.
 - (2) At its discretion, the district may reject all bids presented and declare that the project can be more economically performed by district

employees, provided that the district notifies an apparent low bidder, in writing, of the district's intention to reject the bid. Such notice shall be mailed at least two business days prior to the hearing at which the district intends to reject the bid.

- (3) If no bids are received through the formal bid procedure, the project may be performed by district employees by force account or negotiated contract.

(cf. 3311 - Bids)

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CSBA Sample Administrative Regulation

Business and Noninstructional Operations

AR 3543(a)

TRANSPORTATION SAFETY AND EMERGENCIES

Cautionary Notice: Government Code 17581.5 relieves districts from the obligation to perform specified mandated activities when the Budget Act does not provide reimbursement during that fiscal year. The Budget Act of 2018 (SB 840, Ch. 29, Statutes of 2018) extends the suspension of these requirements through the 2018-19 fiscal year. As a result, certain provisions of the following administrative regulation related to transportation safety plans and safety instruction for students may be suspended.

Note: The following regulation is for use by districts that provide school bus transportation **services and employ using** their own school bus drivers. Districts that contract out for all transportation services may revise this regulation as appropriate to ensure that the contracting firm meets all legal requirements regarding transportation safety.

Each day, prior to driving a school bus, each school bus driver shall inspect the bus to ensure that it is in safe operating condition and equipped as required by law and that all equipment is in good working order. At the completion of each day's work, the driver shall prepare and sign a written report of the condition of the equipment specified in 13 CCR 1215. The report shall indicate any defect or deficiency discovered by or reported to the driver which would affect safe operation or result in mechanical breakdown of the bus. **or, if** **If** no defect or deficiency **was is** discovered or reported, **the driver** shall so indicate **on the report**. Any defect or deficiency that would affect safe operation shall be repaired prior to operating the bus. (13 CCR 1215)

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

Passenger Restraint Systems

Note: Pursuant to Vehicle Code 27316 and 27316.5, any school bus or student activity bus purchased or leased for use in California must be equipped with a passenger restraint system if the bus was manufactured on or after the dates specified in law, as described below. **As amended by AB 1798 (Ch. 206, Statutes of 2018), Vehicle Code 27316 requires that all school buses in use in California must be equipped with a passenger restraint system on or before July 1, 2035.** Although it is the manufacturer's responsibility to ensure installation of appropriate passenger restraint systems, the district should be aware that buses manufactured or purchased from outside California may need to be modified to comply with the state's requirements.

In addition, according to the California Department of Education's (CDE) **Passenger Restraints Frequently Asked Questions**, **Toward this end**, districts may, but are not required to, retrofit older school buses with passenger restraint systems. In determining whether to retrofit buses, the **CDE California Department of Education's (CDE) "Passenger Restraints Frequently Asked Questions"** recommends that districts consider the age of the bus, the total cost of the retrofit, and the required reinspection of the bus by the California Highway Patrol.

AR 3543(b)

TRANSPORTATION SAFETY AND EMERGENCIES (continued)

The Superintendent or designee shall ensure that any school bus or student activity bus which is purchased or leased by the district is equipped with a combination pelvic and upper torso passenger restraint system at all designated seating positions if that bus: (Vehicle Code 27316, 27316.5; 13 CCR 1201)

1. Is a Type 1 school bus **designed for carrying more than 16 passengers and the driver, and was** manufactured on or after July 1, 2005 **which is designed for carrying more than 16 passengers and the driver**
2. Is a Type 2 school bus or student activity bus **designed for carrying 16 or fewer passengers and the driver, or for carrying 20 or fewer passengers and the driver if the bus has a manufacturer's vehicle weight rating of 10,000 pounds or less, and was** manufactured on or after July 1, 2004 **which meets one of the following criteria:**
 - a. **Is designed for carrying 16 or fewer passengers and the driver**
 - b. **Has a manufacturer's vehicle weight rating of 10,000 pounds or less and is designed for carrying not more than 20 passengers and the driver**

Note: The following **optional** paragraph reflects legislative intent of Vehicle Code 27316.

The Superintendent or designee shall prioritize the allocation of school buses purchased, leased, or contracted to ensure that elementary students receive first priority for new school buses equipped with passenger restraint systems whenever feasible.

When a school bus or student activity bus is equipped with a passenger restraint system, all passengers shall use the passenger restraint system. (5 CCR 14105)

Note: Pursuant to Vehicle Code 27316, no person, district, or organization may be held criminally liable if a passenger improperly uses or fails to use the passenger restraint system. However, the CDE's "Passenger Restraints Frequently Asked Questions" encourages districts to develop procedures to enforce disciplinary actions for nonuse or improper use of the passenger restraint system.

The following **optional** paragraph may be expanded to specify the steps that should be taken by the driver to reasonably ensure that all passengers are properly restrained (e.g., verbal instructions to students, visual inspection), which may vary depending on the age/grade levels of the students. Such steps **also** may **also** be incorporated in district regulations adopted pursuant to 5 CCR 14103 related to student conduct on buses, bus driver authority, and the suspension of riding privileges; see BP/AR 5131.1 - Bus Conduct.

Bus drivers shall be instructed regarding procedures to enforce the proper use of the passenger restraint system. Students who fail to follow instructions of the bus driver may be subject to discipline, including suspension of riding privileges, in accordance with Board policy and administrative regulations.

AR 3543(c)

TRANSPORTATION SAFETY AND EMERGENCIES (continued)

(cf. 5131.1 - Bus Conduct)

(cf. 5144 - Discipline)

Fire Extinguishers

Each school bus shall be equipped with at least one fire extinguisher, located in the driver's compartment, which meets the standards specified in law. In addition, a wheelchair school bus shall have another fire extinguisher placed at the wheelchair loading door or emergency exit. All fire extinguishers shall be regularly inspected and serviced in accordance with regulations adopted by the State Fire Marshal. (Education Code 39838; 13 CCR 1242; 19 CCR 574-575.3)

Child Safety Alert System

Note: Pursuant to Vehicle Code 28160, **as amended by AB 1840 (Ch. 426, Statutes of 2018)**, on or before the beginning of the ~~2018-19~~ school year **March 1, 2019**, each school bus, ~~school~~ **student** activity bus, youth bus, and child care motor vehicle (i.e., vehicle designed, used, or maintained for more than eight persons, including the driver, that is used by a child care provider to transport children) 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). **Districts with an average daily attendance of 4,000 or less that cannot meet this requirement by that date may submit specified documentation to the California Highway Patrol, on or before March 1, 2019, which demonstrates that they have ordered or purchased the child safety alert system(s) and made arrangements for the installation. Upon providing this documentation, such districts will have until September 1, 2019 to meet the requirement.**

Student activity buses may be exempt from this requirement if certain procedures are followed, as specified in Vehicle Code 28160.

In accordance with Vehicle Code 28160, each school bus or student activity bus shall be equipped with an operational child safety alert system at the interior rear of the bus that requires the driver to either manually contact or scan the device, thereby prompting the driver to inspect the entirety of the interior of the vehicle before exiting.

A student activity bus that does not have a child safety alert system may be used only if all of the following apply: (Vehicle Code 28160)

1. The student activity bus is not used exclusively to transport students.
2. When the student activity bus is used to transport students, the students are accompanied by at least one adult chaperone selected by a school official. If an adult chaperone is not a school employee, the chaperone shall meet the requirements for a school volunteer.

(cf. 1240 - Volunteer Assistance)

AR 3543(d)

TRANSPORTATION SAFETY AND EMERGENCIES (continued)

3. One adult chaperone has a list of every student and adult chaperone, including a school employee, who is on the student activity bus at the time of departure.
4. The driver has reviewed all safety and emergency procedures before the initial departure, and the driver and adult chaperone have signed a form, with the time and date, acknowledging that the safety plan and procedures were reviewed.
5. Immediately before departure from any location, the adult chaperone shall account for each student on the list of students, verify the number of students to the driver, and sign a form indicating that all students are present or accounted for.
6. After students have exited a student activity bus, and before driving away, the driver shall check all areas of the bus, including, but not limited to, overhead compartments and bathrooms, to ensure that the bus is vacant.
7. The driver shall sign a form with the time and date verifying that all required procedures have been followed.
8. The information required to be recorded pursuant to items #4, 5, and 7 may be recorded on a single form and shall be retained by the district for a minimum of two years.

Electronic Communications Devices

Note: Vehicle Code 23125 prohibits a person from driving a school bus while using a wireless telephone except for work-related or emergency purposes. Vehicle Code 23123.5, as amended by AB 1785 (Ch. 660, Statutes of 2016), prohibits the driver of a motor vehicle (including a school bus or school activity bus pursuant to Vehicle Code 415 and 545) from using an electronic wireless communications device for any purpose, including, but not limited to, text-based communication, but provides an exception for voice-operated and hands-free operation or for a function that requires only a single swipe or tap of the driver's finger as long as the device is mounted on the windshield, dashboard, or center console of the vehicle. The following paragraph limits the use of any electronic communications device to work-related or emergency purposes. The district should consult legal counsel if it is considering allowing broader use of such devices.

A bus driver is prohibited from driving a school bus or student activity bus while using a wireless telephone or other electronic wireless communications device except for work-related or emergency purposes, including, but not limited to, contacting a law enforcement agency, health care provider, fire department, or other emergency service agency or entity. In any such permitted situation, the driver shall only use a wireless telephone or device that is specifically designed and configured to allow voice-operated and hands-free operation or a function that requires only a single swipe or tap of the driver's finger provided the device is mounted on the windshield, dashboard, or center console of the bus. (Vehicle Code 23123.5, 23125)

AR 3543(e)

TRANSPORTATION SAFETY AND EMERGENCIES (continued)

Safe Bus Operations

Note: Pursuant to Education Code 39834, any Governing Board member, employee, or other person who knowingly operates or permits operation of a school bus in excess of its seating capacity is guilty of a misdemeanor. However, the Board is authorized to adopt policy that allows seating capacities to be exceeded in cases of emergency; see BP/AR 3516 - Emergencies and Disaster Preparedness Plan.

School buses and student activity buses shall not be operated whenever the number of passengers exceeds bus seating capacity, except when necessary in emergency situations which require that individuals be transported immediately to ensure their safety. (Education Code 39834)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

Note: Vehicle Code 34501.6 **mandates** any district that provides student transportation to adopt procedures that limit bus operation when atmospheric conditions reduce visibility, as described below, and that give drivers for school activity trips discretionary authority to discontinue operation when it is unsafe.

School bus operations shall be limited when atmospheric conditions reduce visibility on the roadway to 200 feet or less during regular home-to-school transportation service. Bus drivers for school activity trips may discontinue bus operation whenever they determine that it is unsafe to continue operation because of reduced visibility. (Vehicle Code 34501.6)

Unauthorized Entry

The Superintendent or designee may place a notice at bus entrances that warns against unauthorized entry. The driver or another school official may order any person to disembark if that person enters a bus without prior authorization. (Education Code 39842; 13 CCR 1256.5)

(cf. 3515.2 - Disruptions)

Transportation Safety Plan for Boarding and Exiting Buses

Note: The district should modify items #1-2 below to reflect grade levels offered by the district. A district that does not maintain any of grades prekindergarten through 8 should delete items #1-2.

The Superintendent or designee shall develop a transportation safety plan containing procedures for school personnel to follow to ensure the safe transport of students. The plan shall address all of the following: (Education Code 39831.3)

1. ~~Determining if~~ **Determination of whether** students in grades prekindergarten through 8 require an escort to cross a private road or highway at a bus stop pursuant to Vehicle Code 22112

AR 3543(f)

TRANSPORTATION SAFETY AND EMERGENCIES (continued)

2. Procedures for all students in grades prekindergarten through 8 to follow as they board and exit the bus at their bus stops
3. Boarding and exiting a school bus at a school or other trip destination

Note: ~~SB 1072 (Ch. 721, Statutes of 2016) amended Education Code 39831.3 to require that the transportation plan include the procedures specified in items #4-5 below. Education Code 39831.3 requires that the transportation plan include procedures to ensure that a student is not left unattended on a school bus or student activity bus. It is recommended that the plan reflect the requirement of Vehicle Code 28160 to install a child safety alert system on each bus. See the section "Child Safety Alert System" above.~~

4. Procedures to ensure that a student is not left unattended on a school bus, student activity bus, or, **if applicable**, youth bus

Note: The procedures included in the transportation safety plan to ensure that a student is not left unattended on a bus may include the requirements of Vehicle Code 28160, as added by SB 1072 (Ch. 721, Statutes of 2016). Pursuant to Vehicle Code 28160, on or before the beginning of the 2018-19 school year, each school bus, school activity bus, youth bus, and child care motor vehicle (i.e., vehicle designed, used, or maintained for more than eight persons, including the driver, that is used by a child care provider to transport children) 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). Student activity buses may be exempt from this requirement if certain procedures are followed, as specified in Vehicle Code 28160.

~~Such procedures shall include, on or before the beginning of the 2018-19 school year, the installation of a child safety alert system at the interior rear of each bus that requires the driver to either manually contact or scan the device, thereby prompting the driver to inspect the entirety of the interior of the vehicle before exiting. A student activity bus may be exempt from this requirement under the conditions specified in Vehicle Code 28160.~~

5. Procedures and standards for designating an adult chaperone, other than the driver, to accompany students on a school activity bus

A copy of the plan shall be kept at each school site and made available upon request to the California Highway Patrol (CHP). (Education Code 39831.3)

Parental Notifications

| |
|---|
| Note: The following section is for use by districts that offer any of grades prekindergarten through 6 and should be revised to reflect the grade levels offered by the district. |
|---|

AR 3543(g)

TRANSPORTATION SAFETY AND EMERGENCIES (continued)

The Superintendent or designee shall provide written safety information to the parents/guardians of all students in grades prekindergarten through 6 who have not previously been transported in a district school bus or student activity bus. This information shall be provided upon registration and shall contain: (Education Code 39831.5)

1. A list of school bus stops near each student's home
2. General rules of conduct at school bus loading zones
3. Red light crossing instructions
4. A description of the school bus danger zone
5. Instructions for safely walking to and from school bus stops

(cf. 5145.6 - Parental Notifications)

Student Instruction

Students who are transported in a school bus or student activity bus shall receive instruction in school bus emergency procedures and passenger safety as follows: (Education Code 39831.5; 5 CCR 14102)

1. Each year, all students who receive home-to-school transportation in a school bus shall be provided appropriate instruction in safe riding practices and emergency evacuation drills.

| |
|---|
| Note: Item #2 below is for use by districts that offer any of grades prekindergarten through 8 and should be revised to reflect the grade levels offered by the district. |
|---|

2. At least once each school year, all students in grades prekindergarten through 8 who receive home-to-school transportation shall receive safety instruction which includes, but is not limited to:
 - a. Proper loading and unloading procedures, including escorting by the driver
 - b. How to safely cross the street, highway, or private road
 - c. In school buses with passenger restraint systems, instruction in the use of such systems as specified in 5 CCR 14105, including, but not limited to, the proper fastening and release of the passenger restraint system, acceptable placement

AR 3543(h)

TRANSPORTATION SAFETY AND EMERGENCIES (continued)

of passenger restraint systems on students, times at which the passenger restraint systems should be fastened and released, and acceptable placement of the passenger restraint systems when not in use

- d. Proper passenger conduct
- e. Bus evacuation procedures
- f. Location of emergency equipment

As part of this instruction, students shall evacuate the school bus through emergency exit doors. Instruction also may include responsibilities of passengers seated next to an emergency exit.

Each time the above instruction is given, the following information shall be documented:

- a. District name
- b. School name and location
- c. Date of instruction

- d. Names of supervising adults
- e. Number of students participating
- f. Grade levels of students
- g. Subjects covered in instruction
- h. Amount of time taken for instruction
- i. Bus driver's name
- j. Bus number
- k. Additional remarks

This documentation shall be kept on file at the district office or the school for one year and shall be available for inspection by the CHP.

(cf. 3580 - District Records)

AR 3543(i)

TRANSPORTATION SAFETY AND EMERGENCIES (continued)

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|---|
| Note: Item #3 below applies to all students in grades prekindergarten through 12. |
|---|

- 3. Before departing on a school activity trip, all students riding on a school bus or student activity bus shall receive safety instruction which includes, but is not limited to, the location of emergency exits and the location and use of emergency equipment. This instruction also may include responsibilities of passengers seated next to an emergency exit.

Bus Accidents

In the event of a school bus accident, the driver shall immediately notify the CHP and the Superintendent or designee. The driver shall not leave the immediate vicinity of the bus to seek aid unless necessary. (13 CCR 1219)

The Superintendent or designee shall maintain a report of each accident that occurred on public or private property involving a school bus with students aboard. The report shall contain pertinent details of the accident and shall be retained for 12 months from the date of the accident. If the accident was not investigated by the CHP, the Superintendent or designee shall forward a copy of the report to the local CHP within five work days of the date of the accident. (13 CCR 1234)

The Superintendent or designee shall review all investigations of bus incidents and accidents to develop preventative measures.

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

Legal Reference: (see next page)

AR 3543(j)

TRANSPORTATION SAFETY AND EMERGENCIES (continued)

Legal Reference:

EDUCATION CODE

39830-39843 Transportation, school buses

39860 Contract for transportation; requirement that student not be left unattended

51202 Instruction in personal and public health and safety

PENAL CODE

241.3 Assault against school bus driver

243.3 Battery against school bus driver

VEHICLE CODE

415 Definition of motor vehicle

545-546 Definition of school bus and student activity bus

22112 Loading and unloading passengers

23123.5 Use of wireless telephone or communications device while driving; exceptions

23125 Use of wireless telephone prohibited while driving school bus

27316-27316.5 Passenger restraint systems

28160 Child safety alert system

34500 California Highway Patrol responsibility to regulate safe operation of school buses

34501.5 California Highway Patrol responsibility to adopt rules re: safe operation of school buses

34501.6 School buses; reduced visibility

34508 California Highway Patrol responsibility to adopt rules re: equipment and bus operations

CODE OF REGULATIONS, TITLE 5

14100-14105 School buses and student activity buses

CODE OF REGULATIONS, TITLE 13

1200-~~1293~~-1294 Motor carrier safety

2480 Airborne toxic control measure; limitation on bus idling

CODE OF REGULATIONS, TITLE 19

574-575.3 Inspection and maintenance of fire extinguishers

CODE OF FEDERAL REGULATIONS, TITLE 49
571.1-571.500 Motor vehicle standards, including school buses

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Passenger Restraints Frequently Asked Questions

WEB SITES

American School Bus Council: <http://www.americanschoolbuscouncil.org>

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

American School Bus Council: <http://www.americanschoolbuscouncil.org>

California Association of School Transportation Officials: <http://www.castoways.org>

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

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

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

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

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CSBA Sample Administrative Regulation

Classified Personnel

AR 4200(a)

CLASSIFIED PERSONNEL

Exemption from Classified Service

Note: Pursuant to Education Code 45106, persons hired solely for purposes which are exempted from the classified service are subject to the requirements of Education Code 455122 45125 and 49406 as described below. Education Code 45106 mandates the Governing Board, by rule or regulation, to provide for the implementation of this law. **Education Code 45106 mandates the Governing Board to adopt a rule or regulation that contains the following paragraph.**

Persons hired solely for purposes which are exempted from the classified service shall nevertheless fulfill the obligations of classified employees related to physical examinations pursuant to Education Code 45122, fingerprinting pursuant to Education Code 45125, and tuberculosis tests pursuant to Education Code 49406. (Education Code 45106)

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

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

(cf. 4212 - Appointment and Conditions of Employment)

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

Note: ~~Education Code provisions related to exemption~~ **Positions that are exempted** from the classified service vary depending on whether or not the district has incorporated the merit system pursuant to Education Code 45220-45320. The district should select the appropriate option below.

Districts Not Incorporating the Merit System

Note: Pursuant to Education Code 45103, all positions not requiring certification qualifications are part of the classified service, unless specifically exempted by law. AB 670 (Ch. 582, Statutes of 2017) amended Education Code 45103 to eliminate the exemption for part time playground positions, thereby making such positions a part of the classified service.

Individuals hired solely for the following purposes **are exempt from shall not be part of** the classified service: (Education Code 45103)

1. Substitute or short-term employees who are employed and paid for fewer than 195 work days per year, including holidays, sick leave, vacation, and other leaves of absences, irrespective of the number of hours worked per day
2. Apprentices and professional experts employed on a temporary basis for a specific project regardless of length of employment
3. Full-time students employed part time

AR 4200(b)

CLASSIFIED PERSONNEL (continued)

4. Part-time students employed part time in any college work study program, or in a work experience education program conducted by a community college district **pursuant to Education Code 51760-51769.5 that, and which** is financed by state or federal funds

CLASSIFIED PERSONNEL (continued)

6. ~~Positions established for the employment of community representatives in advisory or consulting capacities for not more than 90 work days or 720 hours in a fiscal year, provided the authorized duties are not those normally assigned to a class of positions in the classified service, are approved by the personnel commission in advance of employment, and a regular classified district employee does not receive a concurrent appointment to such a position~~

Restricted Positions

Note: The following section is for use by ~~either merit system or non merit system districts that have~~ **any district that has** established "restricted" positions, pursuant to Education Code 45105 or 45108, which are available only to persons in low-income groups or residing in specific areas of the community.

Persons employed in restricted positions **pursuant to Education Code 45105 or 45108** shall be classified employees for all purposes except that they shall not be subject to the provisions of Education Code 45272 and 45273 related to promotional examinations and the filling of vacancies, and shall not acquire permanent status or seniority credit. ~~They~~ **Such persons** shall be eligible for promotion into the regular classified service only after completing six months of satisfactory service, and ~~only upon the subsequent satisfactory completion of~~ **satisfactorily completing** the qualifying examinations required of all other persons serving in the same class in the regular classified service. (Education Code 45105, 45108)

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CSBA Sample Administrative Regulation

Students

AR 5113(a)

ABSENCES AND EXCUSES

Excused Absences

Note: Items #1-~~11~~ **14** below reflect absences that are authorized by law to be considered as excused absences for purposes of enforcing the compulsory state attendance laws. **Pursuant to Education Code 48205, absences specified in items #1-10 are considered absences in computing average daily attendance and do not generate state apportionment payments.**

Subject to any applicable limitation, condition, or other requirement specified in law, a
A student's absence shall be excused for any of the following reasons:

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

(cf. 5112.2 - Exclusions from Attendance)

3. Medical, dental, optometrical, or chiropractic appointment (Education Code 48205)

4. Attendance at funeral services for a member of the **student's** immediate family (Education Code 48205)

~~, which~~ **Such absence** shall be limited to one day if the service is conducted in California or three days if the service is conducted out of state. (Education Code 48205)

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

5. Jury duty in the manner provided by law (Education Code 48205)

Note: Pursuant to Education Code 48205, absence due to the illness or medical appointment of a student's child is counted as an excused absence. As amended by AB 2289 (Ch. 942, Statutes of 2018), Education Code 48205 prohibits the district from requiring a physician's note for such absences. See the section "Method of Verification" below.

6. ~~The ill~~ness or medical appointment of a child to whom the student is the custodial parent (Education Code 48205)

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

AR 5113(b)

ABSENCES AND EXCUSES (continued)

7. Upon advance written request by the parent/guardian and the approval of the principal or designee, justifiable personal reasons including, but not limited to: (Education Code 48205)
 - a. Appearance in court
 - b. Attendance at a funeral service
 - c. ~~Observation~~ **Observance** of a **religious** holiday or ceremony ~~of his/her religion~~
 - d. Attendance at religious retreats for no more than four hours per semester
 - e. Attendance at an employment conference
 - f. Attendance at an educational conference ~~offered by a nonprofit organization~~ on the legislative or judicial process **offered by a nonprofit organization**
8. Service as a member of a precinct board for an election pursuant to Elections Code 12302 (Education Code 48205)

(cf. 6142.3 - Civic Education)

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

Such absence shall be granted for a period of time to be determined at the discretion of the Superintendent or designee. (Education Code 48205)

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

Note: AB 1593 (Ch. 92, Statutes of 2016) amended Education Code 48205 to add attendance at the student's own naturalization ceremony as an excused absence.

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

Note: **Item #11 below should be listed included only if the Governing Board has chosen to allow adopted a resolution permitting absences for religious instruction or exercises.** See the accompanying Board policy. If these absences are allowed, Education Code 46014 mandates that the Board adopt regulations governing students' attendance at religious exercises or instruction and the reporting of such absences. These regulations should ~~be included here and should~~ include all of item #11 ~~a-e~~ below **and may be expanded to reflect district practice.**

AR 5113(c)

ABSENCES AND EXCUSES (continued)

11. Participation in religious exercises or to receive moral and religious instruction **at the student's place of worship or other suitable place away from school** ~~in accordance with district policy, subject to the following conditions:~~ (Education Code 46014)

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

- a. ~~The student's parent/guardian shall provide written consent for the absence.~~
- b. ~~The student shall attend at least the minimum school day~~
- e. ~~The student shall be excused from school for this purpose on no more than four days per school month.~~

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

Note: Education Code 46014 provides that absence for participation in religious instruction or exercises will not be considered an absence for state apportionment purposes if the student attends school for at least the minimum school day and is not absent for this purpose on more than four days per school month. Pursuant to Education Code 46112, 46113, 46117, and 46141, unless otherwise provided by law, the minimum school day is generally 180 minutes for kindergarten, 230 minutes for grades 1-3, and 240 minutes for grades 4-12. For further information, see AR 6112 - School Day.

Absence for student participation in religious exercises or instruction shall not be considered an absence for the purpose of computing average daily attendance if the student attends at least the minimum school day as specified in AR 6112 - School Day, and is not excused from school for this purpose on more than four days per school month. (Education Code 46014)

(cf. 6112 - School Day)

12. Work in the entertainment or allied industry (Education Code 48225.5)

Such absence shall be excused provided that the student holds a work permit authorizing such work and is absent for a period of not more than five consecutive days and up to five absences per school year. (Education Code 48225.5)

13. Participation with a nonprofit performing arts organization in a performance for a public school audience (Education Code 48225.5)

A student may be excused for up to five such absences per school year provided that the student's parent/guardian provides a written explanation of such absence to the school. (Education Code 48225.5)

AR 5113(d)

ABSENCES AND EXCUSES (continued)

Note: As amended by AB 2289, Education Code 48205 clarifies that, in addition to the excused absences described in Education Code 48205 and 48225.5, students may be excused for other reasons at the discretion of school administrators.

14. Other reasons authorized at the discretion of the principal or designee based on the student's specific circumstances (Education Code 48205, 48260)

Note: AB 2289 amended Education Code 48205 to revise the definition of "immediate family" as provided in the following paragraph.

For the purpose of the absences described above, *Immediate family* shall be defined as means the student's parent/guardian, mother, father, grandmother, grandfather, spouse, son/son-in-law, daughter/daughter-in-law, brother, or sister, grandparent, or any other relative living in the student's immediate household. (Education Code 45194, 48205)

Method of Verification

Note: Education Code 48205, as amended by AB 2289, prohibits the district from requiring a physician's note for absences due to the illness or medical appointment of the student's child. However, the district is authorized to require verification of other absences. The following section should be revised to reflect district-adopted methods of verification and to specify employee(s) assigned to verify absences. 5 CCR 420-421 provide guidelines for verifying absences due to illness; quarantine;

medical, dental, or eye appointments; or **attending attendance at** a funeral service of a member of a student's immediate family. 5 CCR 421 authorizes a student's absence to be verified by a school or public health nurse, attendance supervisor, physician, principal, teacher, or any other qualified district employee assigned to make such verification. ~~The following section should be revised to reflect district adopted methods of verification and to specify employee(s) assigned to verify absences.~~

Student absence to care for a child for whom the student is the custodial parent shall not require a physician's note. (Education Code 48205)

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

When an absence is planned, the principal or designee shall be notified prior to the date of the absence when possible.

The following methods may be used to verify student absences:

1. Written note, fax, email, or voice mail from parent/guardian or parent representative.

AR 5113(e)

ABSENCES AND EXCUSES (continued)

2. Conversation, in person or by telephone, between the verifying employee and the student's parent/guardian or parent representative. The employee shall subsequently record the following:
 - a. Name of student
 - b. Name of parent/guardian or parent representative
 - c. Name of verifying employee
 - d. Date(s) of absence
 - e. Reason for absence

(cf. 5113.11 - Attendance Supervision)

3. Visit to the student's home by the verifying employee, or any other reasonable method which establishes the fact that the student was absent for the reasons stated. The employee shall document the verification and include the information specified in item #2 above.

4. Physician's verification.

Note: The following **optional** paragraph provides a means of verifying an excuse for confidential medical services without inquiring into the nature of the medical services.

- a. When excusing students for confidential medical services or verifying such appointments, district staff shall not ask the purpose of such appointments but may request a note from the medical office to confirm the time of the appointment.

Note: The following **optional** paragraph provides that, after absences for illness on multiple occasions, the student may be required to bring a note from a physician to verify **his/her the** illness. If a student does not have access to medical services in order to obtain such verification, the district may assist the student in obtaining the medical consultation if it is required.

- b. If a student shows a pattern of chronic absenteeism due to illness, district staff may require physician verification of any further student absences.

(cf. 5113.1 - Chronic Absence and Truancy)

Parental Notifications

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

AR 5113(f)

ABSENCES AND EXCUSES (continued)

Note: The requirement in item #1 below is for use by districts **whose board has adopted that have chosen to allow absences for religious instruction or exercises. If the Board allows such absences to be excused, it must first adopt a resolution permitting an excused absence for this purpose religious instruction or exercises.** See the accompanying Board policy **and item #11 in the section "Excused Absences" above.**

1. Notify parents/guardians of the right to excuse a student from school in order to participate in religious exercises or to receive moral and religious instruction at their places of worship, or at other suitable places away from school property designated by a religious group, church, or denomination (Education Code 46014, 48980)

Note: The requirement in item #2 applies to all districts. Districts that maintain only elementary grades should delete the reference to students in grades 7-12.

2. Notify students in grades 7-12 and the parents/guardians of all students **enrolled in the district** that school authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parent/guardian (Education Code 46010.1)
3. Notify parents/guardians that a student shall not have **his/her a** grade reduced or lose academic credit for any excused absence if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of

time. **Such notice shall and** include the full text of Education Code 48205. **in the notice** (Education Code 48980)

(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 5145.6 - Parental Notifications)
(cf. 6154 - Homework/Makeup Work)

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CSBA Sample Administrative Regulation

Students

AR 5131.41(a)

USE OF SECLUSION AND RESTRAINT

Note: Pursuant to Education Code 49005-49006.4, as added by AB 2657 (Ch. 998, Statutes of 2018), seclusion and behavioral restraint, as defined below, are prohibited as a means of student discipline. Seclusion and restraint must be avoided whenever possible and may be used only to control behavior that poses a clear and present danger of serious physical harm to a student or others and that cannot be immediately prevented by a less restrictive response.

Pursuant to Education Code 49005.1 and 49006.4, these requirements apply to all students in grades preK-12 and students with disabilities. For additional procedures applicable to students with disabilities, see AR 6159.4 - Behavioral Interventions for Special Education Students.

District staff shall enforce standards of appropriate student conduct in order to provide a safe and secure environment for students and staff on campus, but are prohibited from using seclusion and behavioral restraint to control student behavior except to the limited extent authorized by law.

(cf. 5131 - Conduct)
(cf. 5131.1 - Bus Conduct)
(cf. 6159.4 - Behavioral Interventions for Special Education Students)

Definitions

***Behavioral restraint* includes mechanical restraint or physical restraint used as an intervention when a student presents an immediate danger to self or to others. Behavioral restraint does not include postural restraints or devices used to improve a student's mobility and independent functioning rather than to restrict movement. (Education Code 49005.1)**

***Mechanical restraint* means the use of a device or equipment to restrict a student's freedom of movement. Mechanical restraint does not include the use of devices as prescribed by an appropriate medical or related services professional, including, but not limited to, adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment; vehicle safety restraints during the transport of a student; restraints for medical immobilization; or orthopedically prescribed devices which permit a student to participate in activities without risk of harm. Mechanical restraint also does not include the use of devices by peace officers or security personnel for detention or for public safety purposes. (Education Code 49005.1)**

(cf. 3515.3 - District Police/Security Department)

***Physical restraint* means a personal restriction that immobilizes or reduces the ability of a student to move the torso, arms, legs, or head freely. Physical restraint does not**

AR 5131.41(b)

USE OF SECLUSION AND RESTRAINT (continued)

include a physical escort in which a staff member temporarily touches or holds the student's hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is acting out to walk to a safe location. Physical restraint also does not include the use of force by peace officers or security personnel for detention or for public safety purposes. (Education Code 49005.1)

***Prone restraint* means the application of a behavioral restraint on a student in a facedown position. (Education Code 49005.1)**

***Seclusion* means the involuntary confinement of a student alone in a room or an area from which the student is physically prevented from leaving. Seclusion does not include a timeout involving the monitored separation of the student in an unlocked setting, which is implemented for the purpose of calming the student. (Education Code 49005.1)**

Prohibitions

Seclusion and behavioral restraint of students shall not be used in any form as a means of coercion, discipline, convenience, or retaliation. (Education Code 49005.8)

(cf. 5144 - Discipline)

In addition, staff shall not take any of the following actions: (Education Code 49005.2, 49005.8)

- 1. Administer a drug that is not a standard treatment for a student's medical or psychiatric condition in order to control the student's behavior or restrict the student's freedom of movement**
- 2. Use locked seclusion, unless it is in a facility otherwise licensed or permitted by state law to use as a locked room**
- 3. Use a physical restraint technique that obstructs a student's respiratory airway or impairs a student's breathing or respiratory capacity, including a technique in which a staff member places pressure on the student's back or places his/her body weight against the student's torso or back**
- 4. Use a behavioral restraint technique that restricts breathing, including, but not limited to, the use of a pillow, blanket, carpet, mat, or other item to cover a student's face**
- 5. Place a student in a facedown position with the student's hands held or restrained behind the student's back**

AR 5131.41(c)

USE OF SECLUSION AND RESTRAINT (continued)

- 6. Use a behavioral restraint for longer than is necessary to contain the behavior that poses a clear and present danger of serious physical harm to the student or others**

Limited Use of Seclusion or Restraint

Staff shall avoid the use of seclusion and behavioral restraint of students whenever possible. Seclusion or behavioral restraint may be used only to control student behavior that poses a clear and present danger of serious physical harm to the student or others, which cannot be prevented by a response that is less restrictive. (Education Code 49005.4, 49005.6, 49005.8)

(cf. 5131.4 - Student Disturbances)

(cf. 5131.7 - Weapons and Dangerous Instruments)

If a student is put in seclusion, the student shall be under constant, direct observation of a staff member. Such observation may be through a window or another barrier through which the staff member is able to make direct eye contact with the student, but shall not be made through indirect means such as a security camera or closed-circuit television. (Education Code 49005.8)

If a student is restrained, staff shall afford the student the least restrictive alternative and the maximum freedom of movement, and shall use the least number of restraint points, while ensuring the physical safety of the student and others. (Education Code 49005.8)

If a prone restraint technique is used on a student, a staff member shall observe the student for any signs of physical distress throughout the use of the restraint. Whenever possible, the staff member monitoring the student shall not be involved in restraining the student. (Education Code 49005.8)

Reports

Note: Pursuant to Education Code 49006, as added by AB 2657, districts are required to collect data and report to the California Department of Education (CDE) annually in regard to the use of seclusion and behavioral restraints for district students, as specified below. CDE is required to post the data from the report on its web site within three months after the report is due to CDE.

The Superintendent or designee shall annually collect data on the number of times that seclusion, mechanical restraint, and physical restraint were used on students and the number of students subjected to such techniques. The data shall be disaggregated by race/ethnicity and gender, and reported for students with a Section 504 plan, students with an individualized education program, and all other students. This report shall be

AR 5131.41(d)

USE OF SECLUSION AND RESTRAINT (continued)

submitted to the California Department of Education no later than three months after the end of each school year, and shall be available as a public record pursuant to Government Code 6250-6270. (Education Code 49006)

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

(cf. 6159 - Individualized Education Program)

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

Legal Reference:

EDUCATION CODE

49001 Prohibition against corporal punishment

49005-49006.4 Seclusion and restraint

56520-56525 Behavioral interventions, students with disabilities, especially:

56521.1 Emergency interventions when behavior poses threat to student or others

56521.2 Prohibited interventions

GOVERNMENT CODE

6250-6270 California Public Records Act

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

Management Resources:

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Restraint and Seclusion: Resource Document, May 2012

WEB SITES

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

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

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Policy Reference UPDATE Service

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CSBA Sample Board Policy

Students

BP 5141.52(a)

SUICIDE PREVENTION

Note: Education Code 215, as added by AB 2246 (Ch. 642, Statutes of 2016) **mandates** that the Governing Board of any district serving students in grades 7-12 adopt a policy on student suicide prevention, intervention, and postvention (i.e., intervention conducted after a suicide) with specified components. Those components are addressed in the following policy and the accompanying administrative regulation. **Also see the California Department of Education's model policy required by Education Code 215. Although not required by law, districts serving students in grades K-6 may adapt this policy for use in elementary schools.**

The following policy and accompanying administrative regulation should be revised to reflect district practice. Pursuant to Education Code 215, the policy must be developed in consultation with school and community stakeholders, school-employed mental health professionals, and suicide prevention experts. It is recommended that districts also consult with legal counsel and the district's risk manager or insurance carrier, as appropriate.

Also see the California Department of Education's model policy required by Education Code 215.

The Governing Board recognizes that suicide is a leading cause of death among youth and that school personnel who regularly interact with students are often in a position to recognize the warning signs of suicide and to offer appropriate referral and/or assistance. **Fe In an**

~~attempt~~ **effort** to reduce suicidal behavior and its impact on students and families, the Superintendent or designee shall develop measures and strategies for suicide prevention, intervention, and postvention.

In developing measures and strategies for use by the district, the Superintendent or designee may consult with school health professionals, school counselors, school psychologists, school social workers, administrators, other staff, parents/guardians, students, **suicide prevention experts**, local health agencies, mental health professionals, and community organizations.

~~(cf. 1020 - Youth Services)~~

(cf. 1220 - Citizen Advisory Committees)

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

Such measures and strategies shall include, but are not limited to:

Note: Education Code 215, ~~as added by AB 2246 (Ch. 642, Statutes of 2016)~~, **mandates** that the district's policy address any training to be provided to teachers of students in grades 7-12 on suicide awareness and prevention. See the accompanying administrative regulation for additional language fulfilling this mandate. In addition, Education Code 49604 encourages each district to provide suicide prevention training at least once to each middle, junior high, and high school counselor. Item #1 may be revised to specify other categories of employees who will receive the training.

BP 5141.52(b)

SUICIDE PREVENTION (continued)

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

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Note: Items #2-7 below reflect **optional** strategies for suicide prevention, intervention, and postvention and may be revised to reflect district practice.

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

(cf. 6142.8 - Comprehensive Health Education)

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

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

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

BP 5141.52(c)

SUICIDE PREVENTION (continued)

Note: Education Code 215, ~~as added by AB 2246 (Ch. 642, Statutes of 2016)~~, mandates that the district's policy specifically address the needs of high-risk groups, including, but not limited to, those listed in the following paragraph. See the accompanying administrative regulation for additional language fulfilling this mandate.

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

Note: Pursuant to Education Code 215, as amended by AB 2639 (Ch. 437, Statutes of 2018), boards that serve students in grades 7-12 are required to review, and if necessary update, the district's student suicide prevention policy at least every five years.

The Board shall review, and update as necessary, this policy at least every five years. (Education Code 215)

Legal Reference:

EDUCATION CODE

215 *Student suicide prevention policies*

215.5 *Suicide prevention hotline contact information on student identification cards*

216 *Suicide prevention online training programs*

32280-32289 *Comprehensive safety plan*

49060-49079 *Student records*

49602 *Confidentiality of student information*

49604 *Suicide prevention training for school counselors*

GOVERNMENT CODE

810-996.6 *Government Claims Act*

PENAL CODE

11164-11174.3 *Child Abuse and Neglect Reporting Act*

WELFARE AND INSTITUTIONS CODE

5698 *Emotionally disturbed youth; legislative intent*

5850-5883 **Children's** *Mental Health Services Act*

COURT DECISIONS

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

Management Resources: (see next page)

BP 5141.52(d)

SUICIDE PREVENTION (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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

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

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

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

NATIONAL ASSOCIATION OF SCHOOL PSYCHOLOGISTS PUBLICATIONS

Preventing Suicide: Guidelines for Administrators and Crisis Teams, 2015

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS

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

Preventing Suicide: A Toolkit for High Schools, 2012

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

WEB SITES

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

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

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

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

California Department of Education, Mental Health: <http://www.cde.ca.gov/ls/cg/mh>

California Department of Health Care Services, Suicide Prevention Program: <http://www.dhcs.ca.gov/services/MH/Pages/SuicidePrevention.aspx>

Centers for Disease Control and Prevention, Mental Health: <http://www.cdc.gov/mentalhealth>

National Association of School Psychologists: <https://www.nasponline.org>

National Institute for Mental Health: <http://www.nimh.nih.gov>
Trevor Project: <http://thetrevorproject.org>
U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services
Administration: <http://www.samhsa.gov>

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Policy Reference UPDATE Service

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CSBA Sample Administrative Regulation

Students

AR 5141.52(a)

SUICIDE PREVENTION

Note: Pursuant to Education Code 215, as added by AB 2246 (Ch. 642, Statutes of 2016), districts serving students in grades 7-12 are **mandated** to adopt a policy on student suicide prevention, intervention, and postvention (i.e., intervention conducted after a suicide). See the accompanying Board policy. The following administrative regulation provides additional strategies that fulfill the mandate and may be revised to reflect district practice.

Examples of suicide prevention strategies are **also** available in the California Department of Education's (CDE) model policy ~~created in response to AB 2246~~, the U.S. Department of Health and Human Services publication Preventing Suicide: A Toolkit for High Schools, and resources issued by other state and federal agencies and organizations. For further information about strategies to protect students from bullying, cyberbullying, and other harassment, see BP 5131 - Conduct, BP 5131.2 - Bullying, BP 5145.3 - Nondiscrimination/Harassment, and BP 5145.9 - Hate-Motivated Behavior.

Effective July 1, 2019, Education Code 215.5, as added by SB 972 (Ch. 460, Statutes of 2018), requires districts that issue or reissue student identification cards to have printed on either side of the card the telephone number of the National Suicide Prevention Lifeline (1-800-273-8255), and allows to have printed on the card the Crisis Text Line (texting HOME to 741741) and/or a local suicide prevention hotline telephone number. If, as of July 1, 2019, the district has unissued student identification cards that do not comply with the above requirements, the cards should be issued until the supply is depleted.

Student identification cards shall include the National Suicide Prevention Lifeline telephone number and may also include the Crisis Text Line and/or a local suicide prevention hotline telephone number. (Education Code 215.5)

Staff Development

Note: Education Code 215, ~~as added by AB 2246 (Ch. 642, Statutes of 2016)~~, mandates that the district's policy and procedures address any training to be provided to teachers of students in grades 7-12 on suicide awareness and prevention. In addition, Education Code 49604 encourages each district to provide suicide prevention training at least once to each middle, junior high, and high school counselor. The following section may be revised to reflect district practice.

Education Code 216, as added by AB 1808 (Ch. 32, Statutes of 2018), requires CDE to identify evidence-based online training program(s), aligned with the requirements of Education Code 215, that districts can use to train students and staff. Additionally, dependent upon funds being appropriated in the annual Budget Act, CDE will provide grants, upon application, to county offices of education for the acquisition of such training programs to disseminate to districts at no cost.

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

AR 5141.52(b)

SUICIDE PREVENTION (continued)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

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

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

Note: Education Code 215, ~~as added by AB 2246 (Ch. 642, Statutes of 2016)~~, mandates that the district's policy specifically address the needs of high-risk groups; see the accompanying Board policy. One strategy to specifically address their needs is to increase staff awareness of the higher rates of suicide among these groups, as provided in item #1 below.

1. The higher risk of suicide among certain groups, including, but not limited to, students who are bereaved by suicide; students with disabilities, mental illness, or substance use disorders; students who are experiencing homelessness or who are in out-of-home settings such as foster care; and students who are lesbian, gay, bisexual, transgender, or questioning youth

Note: Staff development may include training about **individual** risk factors associated with suicide, as provided in item #2 below. Information about risk factors is available from ~~the~~ CDE, Centers for Disease Control and Prevention, American Association of Suicidology, American Foundation for Suicide Prevention, Trevor Project, and other agencies and organizations.

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

(cf. 5131.6 - Alcohol and Other Drugs)

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

AR 5141.52(c)

SUICIDE PREVENTION (continued)

6. School and community resources and services, including resources and services that meet the specific needs of high-risk groups

(cf. 5141.6 - School Health Services)

(cf. 6164.2 - Guidance/Counseling Services)

7. **Appropriate ways to interact with a student who is demonstrating emotional distress or is suicidal and District** procedures for intervening when a student attempts, threatens, or discloses the desire to die by suicide, **including, but not limited to, appropriate protocols for monitoring the student while the immediate referral of the student to medical or mental health services is being processed**

8. District procedures for responding after a suicide has occurred

Instruction

Note: The state's content standards for health education include voluntary standards pertaining to mental, emotional, and social health at selected elementary and secondary grades and suicide prevention instruction at grade 7 or 8 and in high school. **The district may revise the following paragraph to reflect grade levels offered by the district.**

The district's comprehensive health education program shall promote the healthy mental, emotional, and social development of students and shall be aligned with the state content standards and curriculum framework. Suicide prevention instruction shall be incorporated into the health education curriculum at appropriate secondary grades and shall be designed to help students:

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

~~(cf. 1020 - Youth Services)~~

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5141.6 - School Health Services)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6164.2 - Guidance/Counseling Services)

AR 5141.52(d)

SUICIDE PREVENTION (continued)

Intervention

Note: Education Code 215, ~~as added by AB 2246 (Ch. 642, Statutes of 2016)~~, **mandates** that the district's policy and procedures address suicide intervention. The following section should be revised to reflect district practice.

In addition, the district may choose to incorporate crisis intervention strategies in its comprehensive school safety plan adopted pursuant to Education Code 32280-32289; see BP/AR 0450 - Comprehensive Safety Plan.

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

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

Note: Education Code 49602 generally protects the confidentiality of information of a personal nature disclosed to a school counselor by a student age 12 years or older or by a parent/guardian. However, in certain circumstances, the counselor may disclose such information to avert a clear and present danger to the health, safety, or welfare of the student **or others within in the school community**. Also see BP 6164.2 - Guidance/Counseling Services.

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

(cf. 5141 - Health Care and Emergencies)

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

Whenever schools establish a peer counseling system to provide support for students, peer counselors shall receive training that includes identification of the warning signs of suicidal behavior and referral of a suicidal student to appropriate adults.

AR 5141.52(e)

SUICIDE PREVENTION (continued)

(cf. 5138 - Conflict Resolution/Peer Mediation)

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

1. Immediately securing medical treatment and/or mental health services as necessary
2. Notifying law enforcement and/or other emergency assistance if a suicidal act is being actively threatened
3. Keeping the student under continuous adult supervision until the parent/guardian and/or appropriate support agent or agency can be contacted and has the opportunity to intervene
4. Removing other students from the immediate area as soon as possible

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5141 - Health Care and Emergencies)

The principal or designee shall document the incident in writing, including the steps that the school took in response to the suicide attempt or threat.

(cf. 5125 - Student Records)

Note: The following paragraph is **optional**. If a student's parents/guardians refuse or neglect to access treatment for a student who has been identified to be at risk for suicide, the Superintendent or designee shall consider whether a referral to child protective services for child neglect is needed. Pursuant to Penal Code 11164-11174.3, the Child Abuse and Neglect Reporting Act, school employees who are mandated reporters are required to report child abuse or neglect, as defined in law, when they have knowledge of or reasonably suspect that a child is a victim of child abuse or neglect. See BP/AR 5141.4 - Child Abuse Prevention and Reporting.

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

(cf. 5141.4 - Child Abuse Prevention and Reporting)

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

AR 5141.52(f)

SUICIDE PREVENTION (continued)

Postvention

Note: Education Code 215, **as added by AB 2246 (Ch. 642, Statutes of 2016)**, **mandates** that the district's policy and procedures address suicide postvention. The following section should be revised to reflect district practice.

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

Note: Research has identified an increased risk of suicide among youth who are grieving the suicide of another (so-called "suicide contagion"). The National Association of School Psychologists, in its Preventing Suicide: Guidelines for Administrators and Crisis Teams, recommends that memorials should be implemented with care so as not to sensationalize or glamorize suicide and thereby increase the suicide risk to other students. If a memorial is conducted for a student who dies by suicide, the association suggests a living memorial, such as making donations to a local crisis center, participating in an event that raises

awareness about suicide prevention, or providing other opportunities for service activities in the school **that emphasize the importance of students taking care of each other.**

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

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

(cf. 1112- Media Relations)

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

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Policy Reference UPDATE Service

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CSBA Sample Board Policy

Students

BP 5144(a)

DISCIPLINE

Note: The following policy is **optional**. Pursuant to Education Code 52060-52077, the Governing Board is required to adopt a local control and accountability plan (LCAP) that includes a description of the specific actions that the district intends to take in order to achieve its annual goals in specific priority areas, including student engagement and school climate. See BP/AR 0460 - Local Control and Accountability Plan.

Since a district's ability to meet its goals around these priorities is impacted by its student discipline policies and practices, the Board must be careful to enact rules that are effective in maintaining safety and order on campus and in correcting student misbehavior without unnecessarily excluding students from school or participation in instruction. State law specifies behaviors for which a student may be suspended and/or recommended for expulsion (see BP/AR 5144.1 - Suspension and Expulsion/Due Process) and authorizes the use of age-appropriate alternatives designed to address a student's specific misbehavior, including those listed in Education Code 48900.5 and 48900.6.

In addition, the U.S. Department of Justice's Civil Rights Division and the U.S. Department of Education's Office for Civil Rights (OCR), in their joint January 2014 Dear Colleague Letter on the Nondiscriminatory

Administration of School Discipline, state that studies have suggested a correlation between exclusionary discipline policies and practices (such as suspension and expulsion) and an array of serious educational, economic, and social problems, including school avoidance, diminished educational engagement, decreased academic achievement, increased behavior problems, and increased likelihood of dropping out, substance abuse, and involvement with the juvenile justice system. Consequently, they recommend that districts adopt alternative disciplinary measures that provide students with appropriate interventions and supports as a means for preventing and addressing student misbehavior.

The Governing Board is committed to providing a safe, supportive, and positive school environment which is conducive to student learning **and achievement** and **to preparing desires to prepare** students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, use of effective school and classroom management strategies, provision of appropriate intervention and support, and parent/**guardian** involvement can minimize the need for disciplinary measures that exclude students from instruction as a means for correcting student misbehavior.

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.9 - Hate-Motivated Behavior)

(cf. 6020 - Parent Involvement)

The Superintendent or designee shall develop effective, age-appropriate strategies for maintaining a positive school climate and correcting student misbehavior at district schools.

BP 5144(b)

DISCIPLINE (continued)

The strategies shall focus on providing students with needed supports; communicating clear, appropriate, and consistent expectations and consequences for student conduct; and ensuring equity and continuous improvement in the implementation of district discipline policies and practices.

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6164.2 - Guidance/Counseling Services)

In addition, the Superintendent or designee's strategies for correcting student misconduct shall reflect the Board's preference for the use of positive interventions and alternative disciplinary measures over exclusionary discipline measures.

Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as detention, suspension, and expulsion, shall be imposed only when required or permitted by law or when other means of correction have been documented to have failed. (Education Code 48900.5)

(cf. 5020 - Parent Rights and Responsibilities)

(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)
(cf. 6164.5 - Student Success Teams)

Note: Pursuant to Education Code 49557.5, as added by SB 250 (Ch. 726, Statutes of 2017), districts must ensure that any discipline imposed on a student does not result in the denial or delay of a nutritionally adequate meal. The following paragraph is for use by districts participating in the National School Lunch and/or Breakfast Program (42 USC 1751-1769j, 1773), or any district in which there is a school required to serve a free or reduced price meal during the school day pursuant to Education Code 49550.

School personnel and volunteers shall not allow any disciplinary action taken against a student to result in the denial or delay of a school meal. (Education Code 49557.5)

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3551 - Food Service Operations/Cafeteria Fund)
(cf. 3553 - Free and Reduced Price Meals)

Note: Pursuant to Education Code 49005.2, as added by AB 2657 (Ch. 998, Statutes of 2018), use of seclusion and behavioral restraint as a means of discipline is prohibited. Education Code 49005.4, as added by AB 2657, provides that seclusion or behavioral constraint may only be used to control behavior that poses a clear and present danger of serious physical harm to a student or others that cannot be immediately prevented by a less restrictive response. See AR 5131.41 - Use of Seclusion and Restraint.

Seclusion and behavioral restraint are prohibited as a means of discipline and shall not be used to correct student behavior except as permitted pursuant to Education Code 49005.4 and in accordance with district regulations. (Education Code 49005.2)

(cf. 5131.41 - Use of Seclusion and Restraint)

BP 5144(c)

DISCIPLINE (continued)

Note: The following **optional** paragraph may be revised to reflect district practice. According to Public Counsel's model policy issued as part of the Fix School Discipline Project, a discipline matrix that lists violations and consequences could be a useful guide to school site administrators with regard to when suspension or expulsion referrals should be utilized.

The Superintendent or designee shall create a model discipline matrix that lists violations and the consequences for each as allowed by law.

Note: Education Code 35291.5 authorizes, but does not require, school sites to adopt rules and procedures for student discipline. Pursuant to Education Code 32282, any adopted site-level discipline rules must be included in the comprehensive safety plan; see BP/AR 0450 - Comprehensive Safety Plan. The following paragraph is **optional**.

The administrative staff at each school may develop disciplinary rules to meet the school's particular needs consistent with law, Board policy, and district regulations. The Board, at an open meeting, shall review the approved school discipline rules for consistency with Board policy and state law. Site-level disciplinary rules shall be included in the district's comprehensive safety plan. (Education Code 32282, 35291.5)

(cf. 0450 - Comprehensive Safety Plan)
(cf. 9320 - Meetings and Notices)

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior and implement appropriate discipline. When choosing between different disciplinary strategies, staff shall consider the effect of each option on the student's health, well-being, and opportunity to learn.

Staff shall enforce disciplinary rules fairly, consistently, and in accordance with the district's nondiscrimination policies.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 0415 - Equity)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)

The Superintendent or designee shall provide professional development as necessary to assist staff in developing the skills needed to effectively **and equitably** implement the disciplinary strategies adopted for district schools, including, but not limited to, **knowledge of consistent** school and classroom management skills **and their consistent application**, effective accountability and positive intervention techniques, and ~~development of~~ **the tools to form** strong, cooperative relationships with parents/guardians.

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

BP 5144(d)

DISCIPLINE (continued)

(cf. 4331 - Staff Development)

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| Note: Pursuant to Education Code 52060, the district must annually adopt an LCAP that includes a description of district goals for improving school climate, as provided in the following paragraph. |
|--|

District goals for improving school climate, based on suspension and expulsion rates, surveys of students, staff, and parents/guardians regarding their sense of school **safety and connectedness to the school community**, and other local measures, shall be included in the district's local control and accountability plan, as required by law.

(cf. 0460 - Local Control and Accountability Plan)
(cf. 3100 - Budget)

At the beginning of each school year, the Superintendent or designee shall report to the Board regarding disciplinary strategies used in district schools in the immediately preceding school year and their effect on student learning.

Legal Reference:

EDUCATION CODE

32280-~~32288~~ **32289** *School safety plans*
35146 *Closed sessions*
35291 *Rules*
35291.5-35291.7 *School-adopted discipline rules*
37223 *Weekend classes*
44807.5 *Restriction from recess*
48900-48926 *Suspension and expulsion*
48980-48985 *Notification of parent/guardian*
49005-49006.4 *Seclusion and restraint*
49330-49335 *Injurious objects*
49550-~~49562~~ **49564.5** *Meals for needy students*
52060-52077 *Local control and accountability plan*

CIVIL CODE

1714.1 *Parental liability for child's misconduct*

CODE OF REGULATIONS, TITLE 5

307 *Participation in school activities until departure of bus*

353 *Detention after school*

UNITED STATES CODE, TITLE 20

1400-1482 *Individuals with Disabilities Education Act*

UNITED STATES CODE, TITLE 29

794 *Section 504 of the Rehabilitation Act of 1973*

UNITED STATES CODE, TITLE 42

1751-1769j *School Lunch Program*

1773 *School Breakfast Program*

Management Resources: (see next page)

BP 5144(e)

DISCIPLINE (continued)

Management Resources:

CSBA PUBLICATIONS

Recent Legislation on Discipline: AB 240, Fact Sheet, March 2015

The Case for Reducing Out-of-School Suspensions and Expulsions, Fact Sheet, April 2014

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

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

Maximizing Opportunities for Physical Activity during the School Day, Fact Sheet, 2009

CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES

Classroom Management: A California Resource Guide for Teachers and Administrators of Elementary and Secondary Schools, 2000

STATE BOARD OF EDUCATION POLICIES

01-02 School Safety, Discipline, and Attendance, March 2001

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

Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014

WEB SITES

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

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

Public Counsel: <http://www.fixschooldiscipline.org>

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Policy Reference UPDATE Service

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CSBA Sample Administrative Regulation

Students

AR 5144(a)

DISCIPLINE

Site-Level Rules

Note: The following section is **optional**. Pursuant to Education Code 35291.5, schools are authorized, but not required, to adopt site-level student discipline rules and procedures. Schools that choose to adopt student discipline rules, or that are directed by the Governing Board to do so, must solicit input from groups specified in items #1-5 below. Such site-level rules must be consistent with law, Board policy, and district regulations. If the school develops student discipline rules, Education Code 32282 requires that they be included in the comprehensive safety plan; see BP/AR 0450 - Comprehensive Safety Plan.

In addition, pursuant to Education Code 52060, the district is required to adopt a local control and accountability plan (LCAP) that includes a description of the specific actions that it intends to take to achieve its annual goals in specified priority areas, including student engagement and school climate. In the development of the LCAP, the district is required to involve and/or consult with parents/guardians, employees, employee organizations, and students in accordance with law. See BP/AR 0460 - Local Control and Accountability Plan.

Site-level rules shall be consistent with **district state law and Board** policies and administrative regulations. In developing site-level disciplinary rules, the principal or designee shall solicit the participation, views, and advice of one representative selected by each of the following groups: (Education Code 35291.5)

1. Parents/guardians
2. Teachers
3. School administrators
4. School security personnel, if any

(cf. 3515.3 - District Police/Security Department)

| |
|---|
| Note: Item #5 below may be deleted by elementary districts. |
|---|

5. For junior high and high schools, students enrolled in the school

| |
|---|
| Note: The following optional paragraph may be revised to reflect district practice. Education Code 35291.5 authorizes, but does not require, each school site to adopt school rules every four years. However, it is recommended that the timelines for the review of school rules be aligned with those for the review and updating of the comprehensive safety plan, since the school rules must, by law, be included in the plan. Pursuant to Education Code 32286, the comprehensive safety plan must be reviewed and updated every year by March 1; see BP/AR 0450 - Comprehensive Safety Plan. |
|---|

AR 5144(b)

DISCIPLINE (continued)

Annually, site-level discipline rules shall be reviewed and, if necessary, updated to align with any changes in **state law**, district discipline policies **and regulations, and**/or goals for school safety and climate as specified in the district's local control and accountability plan. A copy of the rules shall be filed with the Superintendent or designee for inclusion in the comprehensive safety plan.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 0460 - Local Control and Accountability Plan)

School rules shall be communicated to students clearly and in an age-appropriate manner.

It shall be the duty of each employee of the school to enforce the school rules on student discipline. (Education Code 35291.5)

Disciplinary Strategies

Note: Education Code 48900.5 lists means of correction of student behavior that a district may use as an alternative to suspension. The district should select those strategies that are appropriate for its student population. The following strategies may be modified or expanded to reflect district practice.

To the extent possible, staff shall use disciplinary strategies that keep students in school and participating in the instructional program. Except when ~~a student's~~ **students'** presence causes a danger to ~~himself/herself~~ **themselves** or others or ~~he/she~~ **they** commits a single act of a grave nature or an offense for which suspension or expulsion is required by law, suspension or expulsion shall be used only when other means of correction have failed to bring about proper conduct. Disciplinary strategies may include, but are not limited to:

1. Discussion or conference between school staff and the student and ~~his/her~~ parents/guardians

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

2. Referral of the student to the school counselor or other school support service personnel for case management and counseling

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6164.2 - Guidance/Counseling Services)

3. Convening of a study team, guidance team, resource panel, or other intervention-related team to assess the behavior and develop and implement an individual plan to address the behavior in partnership with the student and ~~his/her~~ parents/guardians

(cf. 6164.5 - Student Success Teams)

AR 5144(c)

DISCIPLINE (continued)

4. When applicable, referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program or a Section 504 plan

(cf. 6159 - Individualized Education Program)

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

5. Enrollment in a program for teaching prosocial behavior or anger management
6. Participation in a restorative justice program
7. A positive behavior support approach with tiered interventions that occur during the school day on campus
8. Participation in a social and emotional learning program that teaches students the ability to understand and manage emotions, develop caring and concern for others,

make responsible decisions, establish positive relationships, and handle challenging situations capably

Note: The Public Counsel's Fix School Discipline Project recognizes that exposure to chronic violence and other family or community traumas, such as serious accidents and life-threatening illnesses involving loved ones, and to conditions such as homelessness, may affect students' ability to learn and function well in school, and urges schools to adopt policies that recognize those factors and provide appropriate support to students.

9. Participation in a program that is sensitive to the traumas experienced by students, focuses on students' behavioral health needs, and addresses those needs in a proactive manner
10. After-school programs that address specific behavioral issues or expose students to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups

(cf. 5148.2 - Before/After School Programs)

11. Recess restriction as provided in the section below entitled "Recess Restriction"
12. Detention after school hours as provided in the section below entitled "Detention After School"
13. Community service as provided in the section below entitled "Community Service"
14. In accordance with Board policy and administrative regulation, restriction or disqualification from participation in extracurricular activities

AR 5144(d)

DISCIPLINE (continued)

(cf. 6145 - Extracurricular/Cocurricular Activities)

15. Reassignment to an alternative educational environment

(cf. 6158 - Independent Study)

(cf. 6181 - Alternative Schools/Programs of Choice)

(cf. 6184 - Continuation Education)

(cf. 6185 - Community Day School)

16. Suspension and expulsion in accordance with law, Board policy, and administrative regulation

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

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

Note: Pursuant to Education Code 48900.5, when a student's misbehavior may result in a referral for suspension or expulsion after other means of correction have failed, the district may document and place in

the student's record any other means of correction used to address the behavior. The following **optional** paragraph may be revised to reflect district practice.

When, by law or district policy, other means of correction are required to be implemented before a student could be suspended or expelled, any other means of correction implemented shall be documented and retained in the student's records. (Education Code 48900.5)

(cf. 5125 - Student Records)

Recess Restriction

Note: The following **optional** section should be revised to reflect district practice. Although Education Code 44807.5 authorizes the district to adopt reasonable regulations allowing a teacher to restrict recess time for disciplinary purposes, it is recommended that districts discourage its use since it could limit students' opportunity to engage in physical activity which is inconsistent with district goals for student wellness. Studies have shown that, apart from its multiple health benefits, physical activity can help students improve their academic performance, attention, and behavior. ~~Useful resources, including policy briefs and fact sheets that provide more information about the links between physical activity and student health and learning, are available on the CSBA web site.~~

~~A teacher~~ **Teachers** may restrict a student's recess time only when ~~he/she~~ **they** believes that this action is the most effective way to bring about improved behavior. When recess restriction ~~may~~ involves the withholding of physical activity from a student, ~~the~~ **teachers** shall try other disciplinary measures before imposing the restriction. Recess restriction shall be subject to the following conditions:

1. The student shall be given adequate time to use the restroom and get a drink or eat lunch, as appropriate.

AR 5144(e)

DISCIPLINE (continued)

2. The student shall remain under a certificated employee's supervision during the period of restriction.
3. ~~Teachers~~ **The student's teacher** shall inform the principal of any recess restrictions ~~they~~ **they** imposed.

(cf. 5030 - Student Wellness)

(cf. 6142.7 - Physical Education and Activity)

Detention After School

~~Note: 5 CCR 353 limits after school detention to one hour after the close of the maximum school day or until the departure of the school transportation to which the student has been assigned pursuant to 5 CCR 307. For safety purposes, when a student will miss his/her transportation due to detention, the school should notify the parent/guardian at least one day in advance so that alternative arrangements may be made.~~

Students may be detained for disciplinary reasons **for** up to one hour after the close of the maximum school day, **or until the departure of the school bus to which they have been assigned if applicable.** (5 CCR 307, 353)

Note: The following paragraph should be modified to reflect district practice.

~~If a student will miss his/her school bus on account of being detained after school, or if the student is not transported by school bus, the principal or designee shall notify parents/guardians of the detention at least one day in advance so that alternative transportation arrangements may be made.~~ The student shall not be detained unless the principal or designee notifies the parent/guardian.

~~In cases where the school bus departs more than one hour after the end of the school day, students may be detained until the bus departs. (5 CCR 307, 353)~~

Students shall remain under the supervision of a certificated employee during the period of detention.

Note: The following **optional** paragraph is offered for districts that use Saturday classes for purposes of detention. Education Code 37223 authorizes the use of Saturday classes; however, except in the case of truants, attendance at such classes must be at the election of the student, or parent/guardian **when the student is a minor.**

Students may be offered the choice of serving their detention on Saturday rather than after school.

(cf. 6176 - Weekend/Saturday Classes)

AR 5144(f)

DISCIPLINE (continued)

Community Service

As part of or instead of disciplinary action, the Board, Superintendent, principal, or principal's designee may, **at his/her discretion,** require a student to perform community service during nonschool hours on school grounds or, with written permission of the student's parent/guardian, off school grounds. Such service may include, but is not limited to, community or school outdoor beautification, **community or** campus betterment, and teacher, peer, or youth assistance programs. (Education Code 48900.6)

Note: Education Code 48900.6 provides that the community service option is not available for those students who have been suspended, pending expulsion, for acts qualifying for either "mandatory recommendation for expulsion" or "mandatory expulsion" pursuant to Education Code 48915. See **AR BP** 5144.1 - Suspension and Expulsion/Due Process.

This community service option is not available for a student who has been suspended, pending expulsion, pursuant to Education Code 48915. However, if the recommended

expulsion is not implemented or the expulsion itself is suspended, then the student may be required to perform community service for the resulting suspension. (Education Code 48900.6)

Notice to Parents/Guardians and Students

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians, in writing, about the availability of district rules related to discipline. (Education Code 35291, 48980)

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall also provide written notice of disciplinary rules to transfer students at the time of their enrollment in the district.

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Policy Reference UPDATE Service

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CSBA Sample Board Policy

Students

BP 5146(a)

MARRIED/PREGNANT/PARENTING STUDENTS

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

Pursuant to Education Code 48410, students may be exempted from compulsory attendance in continuing education classes if they must render personal services to a dependent. **See AR 5112.1 - Exemptions from Attendance.**

The Governing Board recognizes that **early responsibilities related to** marriage, pregnancy, or parenting and related responsibilities may disrupt a student's education and increase the chance of a student dropping out of school. The Board therefore desires to support married, pregnant, and parenting students to continue their education, attain strong academic and parenting skills, and promote the healthy development of their children.

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5147 - Dropout Prevention)

(cf. 6011 - Academic Standards)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.11 - Alternative Credits Toward Graduation)
(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)
(cf. 6164.5 - Student Success Teams)

Note: Pursuant to Education Code 230 and 34 CFR 106.40, practices specified in the following paragraph constitute prohibited discrimination. Any complaint alleging any such practice may be addressed through the district's uniform complaint procedures; see section "Complaints" below. Education Code 221.51, as added by AB 2289 (Ch. 942, Statutes of 2018), codifies federal and state regulations that prohibit districts from applying any rule concerning a student's actual or potential parental, family, or marital status that treats students differently on the basis of sex.

The district shall not **exclude or deny any student from any educational program or activity, including any class or extracurricular activity, solely discriminate against any student** on the basis of the student's **marital status**, pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery. **In addition, the district shall not adopt any rule concerning a student's actual or potential parental, family, or marital status that treats students differently on the basis of sex.** (Education Code **221.51**, 230; 5 CCR 4950; 34 CFR 106.40)

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

Note: Education Code 222.5, as added by AB 2289, requires the following annual notifications.

The Superintendent or designee shall annually notify parents/guardians at the beginning of the school year of the rights and options available to pregnant and parenting students under the law. In addition, pregnant and parenting students shall be notified of the rights and options available to them under the law through annual

BP 5146(b)

MARRIED/PREGNANT/PARENTING STUDENTS (continued)

school year welcome packets and through independent study packets. (Education Code 222.5, 48980)

(cf. 5145.6 - Parental Notifications)

Note: Pursuant to Family Code 7002, any person under the age of 18 years who enters into a valid marriage is an emancipated minor and therefore has the same rights as an adult. Such rights include, but are not limited to, those related to the verification of student absences (see AR 5113 - Absences and Excuses), **acceptance of employment without application for** a work permit (see AR 5113.2 - Work Permits), **and** access to student records (see AR 5125 - Student Records), **and acceptance of employment without a work permit (see AR 5113.2 - Work Permits).**

For school-related purposes, a student under the age of 18 years who enters into a valid marriage shall have all the rights and privileges of students who are 18 years old, even if the marriage has been dissolved. (Family Code 7002)

Education and Support Services for Pregnant and Parenting Students

Pregnant and parenting students shall retain the right to participate in **any comprehensive school or educational program**, **the regular education program or an alternative education program**. The classroom setting shall be the preferred instructional strategy unless an alternative is necessary to meet the needs of the student **and/or his/her and/or the student's** child.

(cf. 6158 - Independent Study)

(cf. 6181 - Alternative Schools/Programs of Choice)

(cf. 6184 - Continuation Education)

(cf. 6200 - Adult Education)

Note: **Both federal law (34 CFR 106.40) and state law (Education Code 221.51; 5 CCR 4950) prohibit districts from requiring** Under federal law (34 CFR 106.40), districts cannot require a student to take a course or participate in a separate program or school for pregnant and parenting students. **When students voluntarily participate in such alternative programs, federal law requires that the alternative program be "comparable" to the regular education program, and state law requires that the program be "equal" to the regular education program.** Student participation must be voluntary and such programs or schools must be "comparable" to programs and schools offered to other students. State law (5 CCR 4950) requires that any separate educational programs, activities, and courses be "equal" to those that the students would have been in if they were participating in the regular program. The following paragraph reflects the state standard which is more stringent and thus would prevail.

The California Women's Law Center, in Educational Rights of Pregnant and Parenting Teens: Title IX and California State Law Requirements, describes the difficulty in ensuring that alternative programs **meet this standard are comparable or equal to the regular education program**, and cites factors that districts should consider **in comparisons between the alternative and regular education program**. Such factors may include, but are not limited to, the educational benefits provided (i.e., quality, range, and content of curriculum and other services; quality and availability of instructional materials and technology); extracurricular offerings; staff qualifications; geographic accessibility; and the quality, accessibility, and availability of facilities and resources. Because of the difficulty in meeting this standard, the California

BP 5146(c)

MARRIED/PREGNANT/PARENTING STUDENTS (continued)

Women's Law Center cautions that districts must ensure that pregnant students are not pushed or lured into alternative programs through either overt or subtle practices.

Any **alternative education program, or activity, or course** that is offered separately to pregnant **or parenting** students, including any class or extracurricular activity, shall be equal to that offered to other district students. A student's participation in such programs shall be voluntary. (**Education Code 221.51; 5 CCR 4950**)

(cf. 6142.7 - Physical Education and Activity)

(cf. 6145 - Extracurricular and Cocurricular Activities)

Note: **The following paragraph is for use by districts that require any student with a physical or emotional condition requiring a physician's care to provide the physician's certification that the student is able to participate in an educational program or extracurricular activity. Pursuant to 34 CFR 106.40, a physician's certification cannot be required for participation of a student based on pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery unless the district imposes the same requirement on students with other medical conditions or "temporary disabilities." Education Code 221.51, as added by**

AB 2289, authorizes districts to require certification by a physician or nurse practitioner that a student is physically and emotionally able to participate in the regular education program or activity. However, Education Code 221.51 and 34 CFR 106.40 require that pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery be treated in the same manner as any other temporary disabling condition. Thus, the district cannot require a pregnant student to provide a physician's note to participate in physical education classes unless required of all students with temporary medical conditions, but a pregnant student who cannot accomplish the requirements of the regular physical education curriculum may be offered an alternative physical education curriculum. Education Code 48206.3 defines a "temporary disability" as a physical, mental, or emotional disability after which the student can reasonably be expected to return to regular day classes or an alternative education program; see AR 6183 - Home and Hospital Instruction.

As ~~If~~ required for ~~other~~ students with ~~physical or emotional conditions or temporary disabilities~~ any other temporary disabling condition, the Superintendent or designee may require a student, based on pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery, to obtain certification from a physician or nurse practitioner indicating that the student is physically and emotionally able to ~~participate~~ continue participation in an educational the regular education program or activity. (Education Code 221.51; 5 CCR 4950; 34 CFR 106.40)

(cf. 6142.7 - Physical Education and Activity)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6183 - Home and Hospital Instruction)

Note: Items #1-7 below are optional and may be revised to reflect district practice.

To the extent feasible, the district shall provide educational and related support services, shall be provided, either through the district directly or in collaboration with community agencies and organizations, to meet the needs of pregnant and parenting students and their children. Such services may include, but are not limited to:

BP 5146(d)

MARRIED/PREGNANT/PARENTING STUDENTS (continued)

Note: The district may choose to offer child care and development services as an incentive to encourage the school attendance of parenting students as provided in item #1 below. Child care and development services are subject to applicable sections of Education Code 8200-8498 and the health and safety requirements of 22 CCR 101151-101239.2 and 101351-101439.1; see BP/AR 5148 - Child Care and Development.

1. Child care and development services for the children of parenting students on or near school site(s) during the school day and during school-sponsored activities

(cf. 5148 - Child Care and Development)

2. Parenting education and life skills instruction

Note: The federal Women, Infants, and Children grant program (42 USC 1786; 7 CFR 246.1-246.28) provides funding that may be used for special school nutrition supplements for low-income pregnant and lactating students as provided in item #3 below; see the U.S. Department of Agriculture's web site. Education Code 49553 specifies nutritional standards for these special school nutrition supplements.

3. Special school nutrition supplements for pregnant and lactating students pursuant to Education Code 49553, 42 USC 1786, and 7 CFR 246.1-246.28

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 5030 - Student Wellness)

4. Health care services, including prenatal care

(cf. 5141.6 - School Health Services)

Note: Health and Safety Code 104460 requires districts receiving Tobacco-Use Prevention Education funds to provide access to tobacco-use prevention and intervention services to pregnant and parenting students; see AR 5131.62 - Tobacco.

5. Tobacco, alcohol, and/or drug prevention and intervention services

(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5131.62 - Tobacco)

6. Academic and personal counseling

(cf. 6164.2 - Guidance/Counseling Services)

7. Supplemental instruction to assist students in achieving grade-level academic standards and progressing toward graduation

(cf. 6179 - Supplemental Instruction)

BP 5146(e)

MARRIED/PREGNANT/PARENTING STUDENTS (continued)

As appropriate, teachers, administrators, and/or other personnel who work with pregnant and parenting students shall receive related professional development.

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

Absences

Note: The California Supreme Court (*American Academy of Pediatrics et al v. Lungren et al*) has clarified that students do not need parent/guardian consent before receiving confidential medical services. The Attorney General reached the same conclusion in *87 Ops.Cal.Atty.Gen. 168 (2004)*. See BP 5113 - Absences and Excuses.

Pregnant or parenting students may be excused for absences ~~related to confidential~~ **for medical appointments and other purposes specified** in ~~accordance with~~ BP/AR 5113 - Absences and Excuses.

Note: Education Code 48205, as amended by AB 2289, authorizes an excused absence without a note from a physician for a parenting student to care for a sick child. Also see AR 5113 - Absences and Excuses.

A student shall be excused for absences to care for a sick child for whom the student is the custodial parent. A note from a physician shall not be required for such an absence. (Education Code 48205)

(cf. 5113 - Absences and Excuses)

Parental Leave

~~The Superintendent or designee shall grant a student a leave of absence due to pregnancy, childbirth, false pregnancy, termination of pregnancy, and related recovery for as long as it is deemed medically necessary by a physician. At the conclusion of the leave, the student shall be reinstated to the status held when the leave began. (34 CFR 106.40)~~

~~*(cf. 5112.3 - Student Leave of Absence)*~~

Note: Education Code 46015, as added by AB 2289, provides that a pregnant or parenting student is entitled to eight weeks of parental leave, or longer if deemed medically necessary by the student's physician. Pursuant to Education Code 46015, the student's failure to notify the school as required below does not abridge the student's rights.

A pregnant or parenting student shall be entitled to eight weeks of parental leave in order to protect the health of the student who gives or expects to give birth and the

BP 5146(f)

MARRIED/PREGNANT/PARENTING STUDENTS (continued)

infant, and to allow the pregnant or parenting student to care for and bond with the infant. Such leave may be taken before the birth of the student's infant if there is a medical necessity and after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction. The Superintendent or designee may grant parental leave beyond eight weeks if deemed medically necessary by the student's physician. (Education Code 46015; 34 CFR 106.40)

The student, if age 18 years or older, or the student's parent/guardian shall notify the school of the student's intent to take parental leave. No student shall be required to take all or part of the parental leave. (Education Code 46015)

When a student takes parental leave, the attendance supervisor shall ensure that absences from the regular school program are excused until the student is able to

return to the regular school program or an alternative education program. A pregnant or parenting student shall not be required to complete academic work or other school requirements during the period of the parental leave. (Education Code 46015)

(cf. 5113.11 - Attendance Supervision)

Following the leave, a pregnant or parenting student may elect to return to the school and the course of study in which the student was enrolled before taking parental leave or to an alternative education option provided by the district. Upon return to school, a pregnant or parenting student shall have opportunities to make up work missed during the leave, including, but not limited to, makeup work plans and reenrollment in courses. (Education Code 46015)

When necessary to complete high school graduation requirements, the student may remain enrolled in school for a fifth year of instruction, unless the Superintendent or designee makes a finding that the student is reasonably able to complete district graduation requirements in time to graduate by the end of the fourth year of high school. (Education Code 46015)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.11 - Alternative Credits Toward Graduation)

(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)

Note: Education Code 48410 exempts from compulsory attendance in continuing education classes students who must render personal services to a dependent. The following paragraph allows parenting students in any district school to be absent for this reason and may be revised to reflect district practice.

~~A parenting student may request exemption from attendance because of personal services that must be rendered to a dependent.~~

~~*(cf. 5112.1 - Exemptions from Attendance)*~~

BP 5146(g)

MARRIED/PREGNANT/PARENTING STUDENTS (continued)

Reasonable Accommodations

Note: According to the U.S. Department of Education (USDOE) pamphlet Supporting the Academic Success of Pregnant and Parenting Students under Title IX of the Education Amendments of 1972, when necessary to ensure a pregnant student's access to the educational program, the district must make adjustments to the regular program that are reasonable and responsive to the student's pregnancy status. Examples in the USDOE pamphlet include providing a larger desk, allowing frequent trips to the restroom, or permitting temporary access to elevators as necessary. Pursuant to 34 CFR 106.40, the school also must provide any services to pregnant students that it provides to other students with temporary medical conditions, such as at-home instruction or tutoring for students who miss school because of such medical conditions. The USDOE publication lists additional programs and strategies that, although not required by federal law, may assist in addressing the needs of pregnant and parenting students.

When necessary, the district shall provide reasonable accommodations to enable a pregnant and or parenting students to enable them to access the educational program.

A pregnant student shall have access to any services available to other students with temporary disabilities or medical conditions. (34 CFR 106.40)

~~(cf. 6183—Home and Hospital Instruction)~~

Note: Education Code 222, as added by AB 302 (Ch. 690, Statutes of 2015), requires a school to offer reasonable accommodations to a lactating student, as specified below, whenever there is at least one lactating student on the campus. Any complaint regarding noncompliance with these provisions may be addressed through the district's uniform complaint procedures; see section "Complaints" below.

For information about accommodations required to be provided to employees, see BP 4033—Lactation Accommodations.

The school shall provide reasonable accommodations to any lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. A student shall not incur an academic penalty for using any of these reasonable accommodations, and shall be provided the opportunity to make up any work missed due to such use. Reasonable accommodations include, but are not limited to: (Education Code 222)

1. Access to a private and secure room, other than a restroom, to express breast milk or breastfeed an infant child
2. Permission to bring onto a school campus a breast pump and any other equipment used to express breast milk
3. Access to a power source for a breast pump or any other equipment used to express breast milk
4. Access to a place to store expressed breast milk safely

BP 5146(h)

MARRIED/PREGNANT/PARENTING STUDENTS (continued)

5. A reasonable amount of time to accommodate the student's need to express breast milk or breastfeed an infant child

Complaints

Note: Education Code 46015, as added by AB 2289, authorizes the use of the district's uniform complaint procedures established pursuant to 5 CCR 4600-4670 for complaints alleging the district's noncompliance with requirements related to the provision of parental leave or other requirements of Education Code 46015.

Any complaint of **alleging** discrimination on the basis of pregnancy or marital or parental status, **district noncompliance with the requirements of Education Code 46015**, or district noncompliance with the requirements to provide reasonable accommodations for lactating students shall be addressed through the district's uniform complaint procedures in

accordance with 5 CCR 4600-4687**4670** and BP/AR 1312.3 - Uniform Complaint Procedures. A complainant who is not satisfied with the district's decision may appeal the decision to the California Department of Education (CDE). If the district or the CDE finds merit in an appeal, the district shall provide a remedy to the affected student. (Education Code 222, **46015**; 5 CCR 4600-4687 **4670**)

(cf. 1312.3 - Uniform Complaint Procedures)

Note: Education Code 222, as added by AB 302 (Ch. 690, Statutes of 2015), authorizes the use of uniform complaint procedures for any complaint that the district has not complied with requirements to reasonably accommodate a lactating student's needs related to breastfeeding. See section "Reasonable Accommodations" above for related requirements.

Any complaint alleging district noncompliance with the requirements to provide reasonable accommodations for lactating students also may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures. A complainant who is not satisfied with the district's decision may appeal the decision to the California Department of Education (CDE). If the district or the CDE finds merit in an appeal, the district shall provide a remedy to the affected student. (Education Code 222; 5 CCR 4600-4687)

Program Evaluation

The Superintendent or designee shall periodically report to the Board regarding the effectiveness of district strategies to support married, pregnant, and parenting students, which may include data on **student** participation **rates** in district programs and services, academic achievement, school attendance, graduation rate, and/or student feedback on district programs and services.

(cf. 0500 - Accountability)

(cf. 6162.5 - Student Assessment)

(cf. 6190 - Evaluation of the Instructional Program)

BP 5146(i)

MARRIED/PREGNANT/PARENTING STUDENTS (continued)

Legal Reference:

EDUCATION CODE

221.51 Nondiscrimination; married, pregnant, and parenting students

222 Reasonable accommodations; lactating students

222.5 Pregnant and parenting students, notification of rights

230 Sex discrimination

8200-8498 Child Care and Development Services Act

46015 Parental leave

48205 Excused absences

48206.3 Temporary disability, definition

48220 Compulsory education requirement

48410 Persons exempted from continuation classes

48980 Parental notifications

49553 Nutrition supplements for pregnant/lactating students

51220.5 Parenting skills and education

51745 Independent study

52610.5 Enrollment of pregnant and parenting students in adult education
CIVIL CODE
51 Unruh Civil Rights Act
FAMILY CODE
7002 Description of emancipated minor
HEALTH AND SAFETY CODE
104460 Tobacco prevention services for pregnant and parenting students
CODE OF REGULATIONS, TITLE 5
4600-~~4687~~ 4670 Uniform complaint procedures
4950 Nondiscrimination, marital and parental status
CODE OF REGULATIONS, TITLE 22
101151-101239.2 General licensing requirements for child care centers
101351-101439.1 Infant care centers
UNITED STATES CODE, TITLE 20
1681-1688 Title IX, Education Act Amendments
UNITED STATES CODE, TITLE 42
1786 Special supplemental nutrition program for women, infants, and children
CODE OF FEDERAL REGULATIONS, TITLE 7
246.1-246.28 Special supplemental nutrition program for women, infants, and children
CODE OF FEDERAL REGULATIONS, TITLE 34
106.40 Marital or parental status
ATTORNEY GENERAL OPINIONS
87 Ops. Cal. Atty. Gen. 168 (2004)
COURT DECISIONS
American Academy of Pediatrics et al v. Lungren et al (1997) 16 Cal.4th 307

Management Resources: (see next page)

BP 5146(j)

MARRIED/PREGNANT/PARENTING STUDENTS (continued)

Management Resources:

CALIFORNIA WOMEN'S LAW CENTER PUBLICATIONS
Pregnant Students and Confidential Medical Services, 2013
Educational Rights of Pregnant and Parenting Teens: Title IX and California State Law Requirements, 2012
Pregnant Students and Confidential Medical Services
The Civil Rights of Pregnant and Parenting Teens in California Schools, 2002
U.S. DEPARTMENT OF EDUCATION PUBLICATIONS
Supporting the Academic Success of Pregnant and Parenting Students under Title IX of the Education Amendments of 1972, rev. June 2013
WEB SITES
California Department of Education: <http://www.cde.ca.gov>
California Women's Law Center: <http://www.cwlc.org/resources>
U.S. Department of Agriculture, Women, Infants, and Children Program: <http://www.fns.usda.gov/wic>
U.S. Department of Education: <http://www.ed.gov>

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Policy Reference UPDATE Service

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CSBA Sample Board Policy

Instruction

BP 6146.1(a)

HIGH SCHOOL GRADUATION REQUIREMENTS

Note: The following policy is for use by districts that maintain grades 9-12.

~~AB 830 (Ch. 641, Statutes of 2017) repealed Education Code 60850-60859, thereby eliminating the California High School Exit Examination as a requirement for high school graduation.~~

The Governing Board desires to prepare all students to obtain a high school diploma so that they can take advantage of opportunities for postsecondary education and employment.

(cf. 5127 - Graduation Ceremonies and Activities)

(cf. 5147 - Dropout Prevention)

(cf. 6011 - Academic Standards)

(cf. 6143 - Courses of Study)
(cf. 6146.3 - Reciprocity of Academic Credit)

Course Requirements

Note: Education Code 51225.3 specifies the courses that a student is required to complete in order to graduate from high school as listed in items #1-6 below.

Pursuant to Education Code 66204, each district that maintains a high school also is required to develop a process for submitting courses to the University of California to ensure that they align with the "a-g" course requirements for college admission.

To obtain a high school diploma, students shall complete at least the following courses in grades 9-12, with each course being one year unless otherwise specified:

1. Four courses in English (Education Code 51225.3) (40 credits)

(cf. 6142.91 - Reading/Language Arts Instruction)

2. Three courses in mathematics (Education Code 51225.3) (30 credits)

At least one mathematics course, or a combination of the two mathematics courses, shall meet or exceed state academic content standards for Algebra I or Mathematics I. Completion of such coursework prior to grade 9 shall satisfy the Algebra I or Mathematics I requirement, but shall not exempt a student from the requirement to complete three mathematics courses in grades 9-12. (Education Code 51224.5)

Note: **The following optional paragraph is for use only by districts that require more than two courses in mathematics for graduation and should be deleted by other districts.** Pursuant to Education Code 51225.3 and 51225.35, a district that requires more than two courses in mathematics may award up to one

BP 6146.1(b)

HIGH SCHOOL GRADUATION REQUIREMENTS (continued)

mathematics course credit for an approved computer science course, as defined. Any such course must have been approved by the University of California as a "category c" (mathematics) course in the university's "a-g" course admission criteria; see BP 6143 - Courses of Study.

Students may be awarded up to one mathematics course credit for successful completion of an approved computer science course that is classified as a "category c" course based on the "a-g" course requirements for college admission. (Education Code 51225.3, 51225.35)

(cf. 6142.92 - Mathematics Instruction)
(cf. 6152.1 - Placement in Mathematics Courses)

3. Three courses in science, including biological and physical sciences (Education Code 51225.3) (30 credits) (10 credits in Life Science and 10 credits in Physical Science). Additional 10 credits of Life and/or Physical Science elective.

(cf. 6142.93 - Science Instruction)

4. Three and one half (3 ½) courses in Social Studies, including World Geography (5 credits); World History and Cultures (10 credits); United States History and Geography (10 credits); American Government and Civics (5 credits); and Economics (5 credits) (Education Code 51225.3)

(cf. 6142.3 - Civic Education)

(cf. 6142.94 - History-Social Science Instruction)

Note: Education Code 51225.3 authorizes the Board to include a course in career technical education (CTE) as an alternative to the visual or performing arts or foreign language course requirement for high school graduation. If the Board chooses to do so, it must, at a regular Board meeting prior to allowing a CTE course as an alternative, notify parents/guardians, students, teachers, and the public of information specified in Education Code 51225.3. In addition, the information must be included in the district's annual notification to parents/guardians pursuant to Education Code 48980; see the accompanying administrative regulation. Districts that do not allow this alternative course requirement should delete references to CTE in item #5 below.

The CTE course may be offered through different means, including a district-operated program, regional occupational center or program, or county office of education program pursuant to a joint powers agreement. See BP/AR 6178 - Career Technical Education and BP 6178.2 - Regional Occupational Center/Program for program details pertaining to CTE.

5. One course in visual or performing arts; foreign language, including American Sign Language; or career technical education (CTE) (Education Code 51225.3) (10 credits: 2 semesters of the same language and/or visual performing arts)

To be counted towards meeting graduation requirements, a CTE course shall be aligned to the CTE model curriculum standards and framework adopted by the State Board of Education.

(cf. 6142.2 - World/Foreign Language Instruction)

(cf. 6142.6 - Visual and Performing Arts Education)

BP 6146.1(c)

HIGH SCHOOL GRADUATION REQUIREMENTS (continued)

(cf. 6178 - Career Technical Education)

(cf. 6178.2 - Regional Occupational Center/Program)

6. Two courses in physical education, unless the student has been otherwise exempted pursuant to other sections of the Education Code (Education Code 51225.3) (20 credits)

(cf. 6142.7 - Physical Education and Activity)

Note: Pursuant to Education Code 51225.3, the Board may prescribe additional coursework (e.g., health education, service learning) or other requirements (e.g., portfolios or senior projects) that district students

must complete in order to obtain a diploma. If the Board does so, such courses or projects should be listed below.

If the district requires a course in health education for graduation, Education Code 51225.36 requires that the district include instruction in sexual harassment and violence, including, but not limited to, information on the affirmative consent standard pursuant to Education Code 67386. See AR 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction. In addition, pursuant to Education Code 51225.6, a district that requires a course in health education for graduation is required to include instruction in compression-only cardiopulmonary resuscitation **beginning in the 2018-19 school year**. See AR 6143 - Courses of Study.

In addition, pursuant to Education Code 51225.6, as added by AB 1719 (Ch. 556, Statutes of 2016), a district that requires a course in health education for graduation is required to include instruction in compression-only cardiopulmonary resuscitation beginning in the 2018-19 school year. See AR 6143 - Courses of Study.

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

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

(cf. 6142.8 - Comprehensive Health Education)

7. One semester of "Technology"
8. The equivalent of 75 credits of elective credits.
9. 15 hours of prior approved Community Service (this is in addition to the 245 credit graduation requirement and successfully passed the CAHSEE).

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

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

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

(cf. 6142.8 - Comprehensive Health Education)

Note: Education Code 51225.3 requires the Board to adopt alternative means for students to complete the prescribed course of study; see BP/AR 6146.11 - Alternative Credits Toward Graduation.

Because the prescribed course of study may not accommodate the needs of some students, the Board shall provide alternative means for the completion of prescribed courses in accordance with law.

(cf. 6146.11 - Alternative Credits Toward Graduation)

(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)

(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)

Exemptions and Waivers

Note: Education Code 51225.1 requires the district to exempt from any district-adopted graduation requirements a foster youth, homeless student, former juvenile court school student, **or, as amended by AB 365 (Ch. 739, Statutes of 2017)**, child of a military family, **or, as amended by AB 2121 (Ch. 581, Statutes**

HIGH SCHOOL GRADUATION REQUIREMENTS (continued)

of 2018), a migrant student or a newly arrived immigrant student participating in a newcomer program who transfers into the district or between district high schools any time after completing his/her the second year of high school. This exemption does not apply if the Superintendent or designee makes a finding that the student is reasonably able to complete the requirements in time to graduate by the end of his/her the fourth year of high school. Also see AR 6173 - Education for Homeless Children, AR 6173.1 - Education for Foster Youth, AR 6173.2 - Education of Children of Military Families, and AR 6173.3 - Education for Juvenile Court School Students, and AR 6175 - Migrant Education Program.

Pursuant to Education Code 51225.1, within 30 calendar days of the transfer of a foster youth, homeless student, former juvenile court school student, or child of a military family, migrant student, or student participating in a newcomer program, the district is required to provide notice to the student of the availability of the exemption and whether the student qualifies for it. If the district fails to provide that notification, the student will be eligible for the exemption once notified, even if the notification is received after the termination of the court's jurisdiction over the foster youth or former juvenile court school student, after the homeless student ceases to be homeless, or after the student no longer meets the definition of a child of a military family, a migrant student, or a student participating in a newcomer program, as applicable.

Education Code 51225.1 also provides that, if an exempted student completes the statewide coursework requirements before the end of his/her the fourth year of high school, the district or a district school must not require or request that he/she the student graduate before the end of his/her the fourth year of high school.

Any complaint alleging the district's failure to comply with the requirements of Education Code 51225.1 may be filed using the district's uniform complaint procedures pursuant to 5 CCR 4600-4687; see BP/AR 1312.3 - Uniform Complaint Procedures.

A foster youth, homeless student, former juvenile court school student, or child of a military family, migrant student, or newly arrived immigrant student participating in a newcomer program who transfers into the district any time after completing his/her the second year of high school shall be required to complete all graduation requirements specified in Education Code 51225.3 but shall be exempt from any additional district-adopted graduation requirements, unless the Superintendent or designee makes a finding that the student is reasonably able to complete the requirements in time to graduate by the end of his/her the fourth year of high school. Within 30 days of the transfer, any such student shall be notified of the availability of the exemption and whether he/she the student qualifies for it. (Education Code 51225.1)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5145.6 - Parental Notifications)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

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

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

(cf. 6175 - Migrant Education Program)

Retroactive Diplomas

Note: Education Code 51413, as added by AB 830 (Ch. 641, Statutes of 2017), retains and renumbers the

HIGH SCHOOL GRADUATION REQUIREMENTS (continued)

requirement to grant a diploma to students who previously met all applicable graduation requirements other than the requirement to pass the high school exit examination.

Any student who completed grade 12 in the 2003-04 through 2014-15 school year and met all applicable graduation requirements other than the passage of the high school exit examination shall be granted a high school diploma. (Education Code 51413)

Note: The remainder of this section is optional. Items #1-3 below are optional and may be revised to reflect district practice.

AB 3022 (Ch. 772, Statutes of 2018) amended Education Code 51430 to authorize the granting of a diploma to persons who departed California in grade 12 against their will, as defined in Education Code 48204.4, as provided in item #1 below.

In addition, the district may retroactively grant high school diplomas to: (Education Code 48204.4, 51430, 51440)

1. Persons who departed California against their will while in grade 12 and did not receive a diploma because the departure interrupted their education, provided that they were in good academic standing at the time of the departure

Persons may be considered to have departed California against their will if they were in custody of a government agency and were transferred to another state, were subject to a lawful order from a court or government agency that authorized their removal from California, were subject to a lawful order and were permitted to depart California before being removed from California pursuant to the lawful order, were removed or were permitted to depart voluntarily pursuant to the federal Immigration and Nationality Act, or departed due to other circumstances determined by the district that are consistent with the purposes of Education Code 48204.4.

In determining whether to award a diploma under these circumstances, the Superintendent or designee shall consider any coursework that may have been completed outside of the United States or through online or virtual courses.

2. a former students who were interned by order of the federal government during World War II or who are honorably discharged veterans of World War II, the Korean War, or the Vietnam War, provided that they were enrolled in a district school immediately preceding the internment or military service and he/she did not receive a diploma because their education was interrupted due to the internment or military service in those wars

HIGH SCHOOL GRADUATION REQUIREMENTS (continued)

- ~~A d~~Deceased former students who ~~satisfies~~ **satisfy** these conditions may be granted a retroactive diploma to be received by ~~his/her~~ **their** next of kin. ~~(Education Code 51430)~~
- 3.** ~~In addition, the district may grant a diploma to a veteran~~ **Veterans** who entered the military service of the United States while ~~he/she was a district student~~ in grade 12 and who had **satisfactorily** completed the first half of the work required for grade 12 ~~in a district school.~~ ~~(Education Code 51440)~~

Honorary Diplomas

Note: The following optional section reflects the Board's authority to confer honorary high school diplomas pursuant to Education Code 51225.5 and may be revised to reflect district practice. As amended by AB 2109 (Ch. 167, Statutes of 2018), Education Code 51225.5 authorizes the Board to grant an honorary diploma to a terminally ill student, as provided in item #2 below.

The Board may grant honorary high school diplomas to: (Education Code 51225.5)

- 1.** An international exchange student who has not completed the course of study ordinarily required for graduation, and who is returning to the home country following the completion of one academic school year in the district

(cf. 6145.6 - International Exchange)

- 2.** A student who is terminally ill

The honorary diploma shall be clearly distinguishable from the regular diploma of graduation awarded by the district. (Education Code 51225.5)

Legal Reference: (see next page)

HIGH SCHOOL GRADUATION REQUIREMENTS (continued)

Legal Reference:

EDUCATION CODE

47612 Enrollment in charter school

48200 Compulsory attendance

48204.4 Parents/guardians departing California against their will

48412 Certificate of proficiency

48430 Continuation education schools and classes

48645.5 Acceptance of coursework

48980 Required notification at beginning of term

49701 Interstate Compact on Educational Opportunity for Military Children

51224 Skills and knowledge required for adult life

51224.5 Algebra instruction

51225.1 Exemption from district graduation requirements

51225.2 Pupil in foster care defined; acceptance of coursework, credits, retaking of course

51225.3 High school graduation

51225.35 Mathematics course requirements; computer science

51225.36 Instruction in sexual harassment and violence; districts that require health education for graduation

51225.5 Honorary diplomas; ~~foreign exchange students~~
51225.6 Compression-only cardiopulmonary resuscitation
51228 Graduation requirements
51240-51246 Exemptions from requirements
51250-51251 Assistance to military dependents
51410-51413 Diplomas
51420-51427 High school equivalency certificates
51430 Retroactive high school diplomas
51440 Retroactive high school diplomas
51450-51455 Golden State Seal Merit Diploma
51745 Independent study restrictions
56390-56392 Recognition for educational achievement, special education
66204 Certification of high school courses as meeting university admissions criteria
67386 Student safety; affirmative consent standard
CODE OF REGULATIONS, TITLE 5
1600-1651 Graduation of students from grade 12 and credit toward graduation
4600-4687 Uniform complaint procedures
COURT DECISIONS
O'Connell v. Superior Court (Valenzuela), (2006) 141 Cal.App.4th 1452

Management Resources:

WEB SITES

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

California Department of Education, High School: <http://www.cde.ca.gov/ci/gs/hs>

University of California, List of Approved a-g Courses:

<http://www.universityofcalifornia.edu/admissions/freshman/requirements>

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Policy Reference UPDATE Service

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CSBA Sample Administrative Regulation

Instruction

AR 6173.2(a)

EDUCATION OF CHILDREN OF MILITARY FAMILIES

Note: The following administrative regulation is **optional**. Pursuant to Education Code 49701, districts are required to be flexible in applying their local rules to children of military families in order to facilitate their enrollment, placement, advancement, eligibility for extracurricular activities, and on-time graduation.

In addition, Education Code 51251 authorizes the Governing Board to establish a course credit transfer policy, **provided that, under the policy, students would still be substantially meeting district graduation requirements. Pursuant to Education Code 51251, the district may** ~~and to~~ provide early entry transfer, pretranscript evaluation, student support services, and other similar assistance to any school-aged child of a military service member who is on active duty, or within one year of ~~his/her~~ discharge, or when the ~~child's~~ **student's** transfer to a new school is a direct result of the military transfer or discharge of ~~his/her~~ **a** parent/guardian.

Definitions

Children of military families are school-aged children in the household of: (Education Code 49701)

1. Members who are in full-time duty status in the active uniformed service of the United States, including any member of the National Guard and Reserve on active duty order pursuant to 10 USC 1209 or 1211
2. Members or veterans of the uniformed services who are severely injured and medically discharged or retired, for one year after their medical discharge or retirement
3. Members of the uniformed services who have died while on active duty or as a result of injuries sustained on active duty, for one year after their death

Enrollment and Residency

The Superintendent or designee shall facilitate the enrollment of children of military families and ensure that they are not placed at a disadvantage due to difficulty in the transfer of their records from previous school districts and/or variations in entrance or age requirements. (Education Code 49701)

Note: Pursuant to Education Code 48204.3, as amended by SB 455 (Ch. 239, Statutes of 2017), a student will be deemed to meet district residency requirements if his/her parent/guardian is transferred or is pending transfer to a military installation, as defined, within the state. See AR 5111.1 – District Residency.

AR 6173.2(b)

EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

A child of a military family shall be deemed to meet district residency requirements if **the his/her** parent/guardian, while on active military duty pursuant to an official military order, is transferred or is pending transfer to a military installation within the state. The Superintendent or designee shall accept electronic submission of such a student's application for enrollment, including enrollment in a specific school or program within the district, and for course registration. (Education Code 48204.3)

(cf. 5111.1 - District Residency)

When a child of a military family is transferring into the district, the Superintendent or designee ~~may shall~~ enroll the ~~child student~~ based **on unofficial education records, if official records are not yet available.** ~~on the child's placement in the previous district, pending receipt of the child's records.~~ Upon enrollment, the Superintendent or designee shall immediately request the student's **official** records from the student's previous district. The Superintendent or designee shall allow the student 30 days from the date of enrollment to obtain all required immunizations. (Education Code 49701)

(cf. 5111 - Admission)
(cf. 5125 - Student Records)
(cf. 5141- Health Care and Emergencies)
(cf. 5141.31- Immunizations)

Note: Education Code 48204.6, as added by AB 2949 (Ch. 327, Statutes of 2018), requires districts to allow a child of a military family to continue attending the school of origin (i.e., the school in which the student is enrolled at the time that a change in residence occurs), as specified below.

A child of a military family shall be allowed to continue attending the school of origin, regardless of any change of residence of the family during that school year, for the duration of the student's status as a child of a military family. (Education Code 48204.6)

Note: The following paragraph may be revised to reflect the grade levels offered by the district and feeder patterns with other districts. Unified school districts and high school districts may delete item #2 below.

To provide a child of a military family the benefit of matriculating with peers in accordance with the established feeder patterns of the district, the following shall apply: (Education Code 48204.6)

- 1. If the student is transitioning between grade levels, the student shall be allowed to continue in the school district of origin in the same school attendance areas.**

AR 6173.2(c)

EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

- 2. If the student is transitioning to a middle or high school and the school designated for matriculation is in another district, the student shall be allowed to continue to the school designated for matriculation in that school district.**

The principal or designee of the new school shall ensure that the student is immediately enrolled even if the student has outstanding fees, fines, textbooks, or other items or moneys due to the school last attended or is unable to produce clothing or records normally required for enrollment, such as previous academic records, medical records, including, but not limited to, records or other proof of immunization history pursuant to Health and Safety Code 120325-120480, proof of residency, other documentation, or school uniforms. (Education Code 48204.6)

Note: Items #1-2 may be revised to reflect the grade levels offered by the district.

If the student's status changes during a school year due to the end of military service of the student's parent/guardian, the following shall apply: (Education Code 48204.6)

1. If the student is in grades K-8, the student shall be allowed to continue attending the school of origin through the duration of that academic school year.

2. If the student is in high school, the student shall be allowed to continue attending the school of origin through graduation.

Note: Pursuant to Education Code 48307, **as amended by AB 99 (Ch. 15, Statutes of 2017)**, a district must not deny a student whose parent/guardian is on active military duty from transferring out of the district to any other district. In addition, Education Code 46600, **as amended by AB 2659 (Ch. 186, Statutes of 2016)**, provides that **a districts** must not prohibit the transfer of such a student out of the district to any other district that approves the transfer, regardless of whether or not an interdistrict transfer agreement exists or a permit is issued. Also see BP 5117 - Interdistrict Attendance.

A child of an active military duty parent/guardian shall not be prohibited from transferring out of the district, if the school district of proposed enrollment approves the application for transfer. (Education Code 46600, 48307)

(cf. 5117 - Interdistrict Attendance)

When a child of a military family is transferring out of the district, the Superintendent or designee shall provide the student's parents/guardians with a complete set of the student's records or, if the official student record cannot be released, an unofficial or "hand-carried" record. Upon request from the new district, the Superintendent or designee shall provide a copy of the student's record to the new district within 10 days. (Education Code 49701)

AR 6173.2(d)

EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

Transportation

Note: Education Code 48204.6, as added by AB 2949, does not require the district to provide transportation to allow a child of a military family to attend the school of origin, as specified above, unless otherwise required by federal law.

The Superintendent or designee may, but is not required to, provide transportation to enable a child of a military family to attend the school of origin or to matriculate to a feeder school as described above, except when indicated in the individualized education program (IEP) of a student with a disability or otherwise required by federal law. (Education Code 48204.6)

Placement

Note: The following **optional** paragraph may be revised to reflect district practice. Pursuant to Education Code 51251, the district may provide pretranscript evaluations, as described below, in order to address the needs of children of military families.

Whenever a student's parent/guardian is serving on active duty or has been discharged from military service within the last year and the student transfers to a new school as the direct result of the military transfer or discharge, the Superintendent or designee may, prior to the receipt of official transcript(s) or the arrival of the student, review the student's coursework to date, including any unofficial transcript(s), to determine the appropriate placement of the student in classes. The evaluation shall also include communication with school counselors and teachers at the former school by videoconferencing, email, and/or telephone calls. (Education Code 51251)

The Superintendent or designee shall initially honor the placement of any child of a military family in educational courses and programs based on the **child's student's** enrollment and/or assessment in **his/her the** previous school. The Superintendent or designee may, to the extent permitted by Board policy, waive course or program prerequisites, preconditions, and/or application deadlines when making decisions regarding placement of children of military families and their eligibility for extracurricular academic, athletic, and social activities. (Education Code 49701)

(cf. 6141.5 - Advanced Placement)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6172 - Gifted and Talented Student Program)

(cf. 6174 - Education for English Learners)

Note: Pursuant to Education Code 49701, the district is required to provide a child of a military family who has been identified as a student with a disability eligible for services under the Individuals with Disabilities Education Act (20 USC 1400-1482) or Section 504 of the federal Rehabilitation Act (29 USC 794) with services based on **his/her the student's** current individualized education program or Section 504 plan, as appropriate. See BP/AR 6159 - Individualized Education Program and BP/AR 6164.6 - Identification and Education Under Section 504.

AR 6173.2(e)

EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

When a child of a military family transferring into the district has been identified as an individual with a disability pursuant to 20 USC 1400-1482, the Superintendent or designee shall provide comparable services **to the student** based on **his/her the student's** current **individualized education program IEP**. In addition, when the child of a military family transferring into the district is eligible for services under Section 504 of the federal Rehabilitation Act, the Superintendent or designee shall make reasonable accommodations and modifications to address the needs of the student subject to the student's existing Section 504 plan. The district may authorize subsequent evaluations of the student to ensure appropriate placement. (Education Code 49701)

(cf. 6159 - Individualized Education Program)

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

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

Transfer of Coursework and Credits

Note: The following section is for use by districts maintaining high schools. Education Code 51225.2, as amended by AB 365 (Ch. 739, Statutes of 2017), requires districts to issue credit for coursework satisfactorily completed at another school, as provided below.

When a child of a military family transfers into a district school, the district shall accept and issue full credit for any coursework that the student has satisfactorily completed while attending another public school, a nonpublic, nonsectarian school or agency, or a juvenile court school and shall not require the student to retake the course. (Education Code 51225.2)

(cf. 6146.3 - Reciprocity of Academic Credit)

(cf. 6159.2 - Nonpublic, Nonsectarian School ~~and or~~ Agency Services for Special Education)

If the student did not complete the entire course, **he/she the student** shall be issued partial credit for the coursework completed and shall be required to take only the portion of the course ~~that he/she did not completed~~ at ~~his/her~~ **the** previous school. However, the district may require the student to retake the portion of the course completed if, in consultation with the student's parent/guardian, the district finds that the student is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued, the student shall be enrolled in the same or equivalent course, if applicable, so that **he/she the student** may continue and complete the entire course. (Education Code 51225.2)

Note: Although Education Code 51225.2 requires districts to award partial credits to children of military families who transfer ~~from school to school~~ **between schools**, there is no uniform system for calculating and awarding partial credits. **The following optional paragraph reflects a** ~~A~~ recommendation for how to award partial credit ~~is available in~~ **by** the California Child Welfare Council's Partial Credit Model Policy and Practice Recommendations and should be revised to reflect district practice.

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EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

Partial credits shall be awarded on the basis of 0.5 credits for every seven class periods attended per subject. If the school is on a block schedule, each block schedule class period attended shall be equal to two regular class periods per subject.

In no event shall the district prevent a child of a military family from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California. (Education Code 51225.2)

(cf. 6143 - Courses of Study)

Absences

Note: The California Department of Education's (CDE) Final Report to the Legislature on the Interstate Compact on Educational Opportunity for Military Children, available on its web site, contains a sample letter that may be provided to parents/guardians to report deployment-related absences.

When a student's parent/guardian is an active duty member and is called to duty for, is on leave from, or is immediately returned from deployment to a combat zone or to combat support posting, the Superintendent or designee may grant additional excused absences to the student to visit with **his/her the** parent/guardian. (Education Code 49701)

(cf. 5113 - Absences and Excuses)

Graduation Requirements

Note: The following section is for use by districts maintaining high schools. Education Code 51225.1, as amended by AB 365 (Ch. 739, Statutes of 2017), exempts children of military families from district-established graduation requirements, under certain conditions, when they transfer after completing two years of high school. Also see BP 6146.1 – High School Graduation Requirements.

To obtain a high school diploma, a child of a military family shall complete all courses required by Education Code 51225.3 and **shall generally** fulfill any additional graduation requirements prescribed by the Governing Board.

(cf. 6146.1 - High School Graduation Requirements)

However, when a child of a military family who has completed **his/her the** second year of high school transfers into the district from another school district or transfers between high schools within the district, **he/she the student** shall be exempted from all district-adopted coursework and other district-established graduation requirements **that are in addition to the statewide coursework requirements specified in Education Code 51225.2**, unless the district makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of **his/her the** fourth year of

AR 6173.2(g)

EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

high school. Within 30 calendar days of the student's transfer, the Superintendent or designee shall notify the student and **his/her** parent/guardian of the availability of the exemption and whether the student qualifies for it. If the Superintendent or designee fails to provide this notification, the student shall be eligible for the exemption once notified, even if the notification occurs after the student no longer meets the definition of a child of a military family pursuant to Education Code 49701. (Education Code 51225.1)

To determine whether a child of a military family is in **his/her the** third or fourth year of high school, the district shall use either the number of credits **he/she has** earned as of the date of the transfer or the length of **his/her** school enrollment, whichever qualifies **him/her the student** for the exemption. (Education Code 51225.1)

The Superintendent or designee shall notify any child of a military family who is granted an exemption and **his/her the student's** parent/guardian how any requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution

and shall provide information about transfer opportunities available through the California Community Colleges. (Education Code 51225.1)

The district shall not require or request a child of a military family to transfer schools in order to qualify for an exemption, and no child of a military family or ~~his/her~~ parent/guardian shall be permitted to request a transfer solely to qualify for an exemption. (Education Code 51225.1)

If a child of a military family is exempted from local graduation requirements, the exemption shall continue to apply after the student no longer meets the definition of a child of a military family **while enrolled in school** or ~~if he/she~~ **upon** transfers to another school or school district. (Education Code 51225.1)

If the Superintendent or designee determines that a child of a military family is reasonably able to complete district graduation requirements within ~~his/her~~ a fifth year of high school, ~~he/she~~ **the Superintendent or designee** shall: (Education Code 51225.1)

1. Inform the student and, if under 18 years of age, ~~his/her~~ **the student's** parent/guardian of the option available to the student to remain in school for a fifth year to complete the district's graduation requirements and how that will affect ~~his/her~~ **the student's** ability to gain admission to a postsecondary educational institution
2. Provide information to the student about transfer opportunities available through the California Community Colleges
3. Upon agreement with the student, or with the parent/guardian if the student is under 18 years of age, permit the student to stay in school for a fifth year to complete the district's graduation requirements

AR 6173.2(h)

EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

Notification and Complaints

Note: Education Code 51225.1 and 51225.2, ~~as amended by AB 365 (Ch. 739, Statutes of 2017)~~, provide that complaints of noncompliance with specified requirements related to the educational rights of children of military families may be filed in accordance with the uniform complaint procedures specified in 5 CCR 4600-~~4687~~ **4670**. As with other complaints covered under the uniform complaint procedures, a complainant may appeal the district's decision to ~~the~~ CDE and, if the district or CDE finds any merit in the complaint, the district must provide a remedy to the affected student. See BP/AR 1312.3 - Uniform Complaint Procedures.

Information regarding the educational rights of children of military families, as specified in Education Code 51225.1 and 51225.2, shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 51225.1, 51225.2)

Any complaint alleging that the district has not complied with requirements regarding the education of children of military families, as specified in Education Code 51225.1 or

51225.2, may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

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Policy Reference UPDATE Service

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CSBA Sample Board Policy

Instruction

BP 6175(a)

MIGRANT EDUCATION PROGRAM

Note: The following **optional** policy is for use by districts that have established migrant education programs pursuant to federal Title I, Part C (20 USC 6391-6399) and Education Code 54440-54445. In California, most districts that provide migrant education services operate pursuant to service agreements with regional service centers pursuant to Education Code 54444.1. The district submits a service application to the regional center, which then submits a regional application to the California Department of Education (CDE). The following policy and accompanying administrative regulation should be revised as necessary to reflect the district's agreement with its regional service center.

During the Federal Program Monitoring process, **the** CDE will review whether the district is fulfilling the major legal requirements for implementation of the program.

The Governing Board desires to provide a comprehensive program for migrant students that attempts to mitigate the impact of educational disruption, cultural and language barriers,

social isolation, health-related problems, and other factors that may inhibit **the their** ability of **migrant students** to succeed in school. The district shall make use of available funds to provide supplementary services for migrant students.

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

(cf. 0415 - Equity)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

Note: Education Code 54444.2 requires the establishment of a parent advisory council as provided below. See the accompanying administrative regulation for further information about the membership and duties of this council.

~~The Superintendent or designee shall convene a parent advisory council to actively involve parents/guardians in planning, operating, and evaluating the district's migrant education program. (Education Code 54444.2)~~

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

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

The Superintendent or designee shall cooperate with the regional migrant service center in outreach and identification of eligible migrant students and in the provision of migrant education services. **He/she The Superintendent or designee** shall also coordinate migrant education services with other programs within the district and with other public agencies that serve migrant workers and their families.

~~*(cf. 1020 - Youth Services)*~~

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

~~*(cf. 5141.6 - School Health Services)*~~

~~*(cf. 5147 - Dropout Prevention)*~~

BP 6175(b)

MIGRANT EDUCATION PROGRAM (continued)

~~*(cf. 5148 - Child Care and Development)*~~

~~*(cf. 5148.2 - Before/After School Programs)*~~

~~*(cf. 5148.3 - Preschool/Early Childhood Education)*~~

~~*(cf. 6164.2 - Guidance/Counseling Services)*~~

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

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

Note: 20 USC 6394, as amended by the Every Student Succeeds Act (P.L. 114-95), establishes priority for services for students who are failing or at risk of failing to meet state standards and whose education has been interrupted during the school year or have dropped out of school. According to the CDE's **2017 State Service Delivery Plan**, web site, for purposes of establishing priority for services, a student is students are considered to be failing or at risk of failing to achieve state standards if he/she they (1) scores at basic or below on either the mathematics or English language arts California Standards Tests, (2) has not passed the mathematics or English language arts section of the California High School Exit Examination, or (3) scores at intermediate or below on the California English Language Development Test (1) score at Level 1-2 (standard not met or standard nearly met) on the English language or mathematics summative assessments of the California Assessment of Student Performance and Progress, or (2) score at Levels 1-3 (beginning to moderately developed English skills) on the English Language Proficiency

Assessments for California. According to the CDE, an "interruption of the regular school year" occurs when a student makes a qualifying move or withdraws from school at any time between August 15 of the current year to June 30 of the subsequent year. The CDE has not established a minimum number of school days missed that would constitute a significant interruption, but U.S. Department of Education (USDOE) non-regulatory guidance, **Title I, Part C Education of Migratory Children**, provides an example of missing 10 or more days.

The district shall give first priority for services to migrant students who are failing, or are most at risk of failing, to meet state content standards and challenging state performance state academic standards, and whose education has been interrupted during the regular school year or have dropped out of school. (20 USC 6394)

(cf. 6011 - Academic Standards)

Note: 20 USC 7881 requires that eligible private school students residing within the district be provided an opportunity to receive services on an equitable basis with public school students, as provided below. See AR 6171 - Title I Programs for further information about requirements pertaining to such participation.

The district shall provide services to eligible private school students residing within the district on an equitable basis with participating public school students. (20 USC 7881; 34 CFR 200.87)

Note: Education Code 54443.1 requires that local migrant education programs conduct an individual assessment of the educational and health needs of each migrant student, and prepare a brief individual learning plan listing the services to be provided to each student; see the accompanying administrative regulation. These duties may be performed by either the district or the regional service center depending on their agreement.

BP 6175(c)

MIGRANT EDUCATION PROGRAM (continued)

The Superintendent or designee shall plan for late enrollments of migrant students. He/she shall ensure that each migrant student is placed at the appropriate grade level upon enrollment and is provided services in accordance with his/her an individual needs assessment and learning plan.

Note: The following optional paragraph may be revised to reflect district practice, including specific indicators that the Governing Board and Superintendent or designee agree to use to evaluate in evaluating program effectiveness.

The Board shall monitor the results of The Superintendent or designee shall annually report to the Board regarding student performance on statewide assessments of core academic subjects and English language development, as appropriate, for students enrolled in the district's migrant education services program. In addition, the Superintendent or designee shall periodically report to the Board regarding the alignment of district services with the needs of students as identified in student needs assessments conducted pursuant to

Education Code 54443.1. As necessary, the Board shall seek technical assistance from the migrant education regional service center and/or make changes in the services provided by the district in order to improve student achievement.

(cf. 0500 - Accountability)

(cf. 6162.51 - State Academic Achievement Tests)

Legal Reference: (see next page)

BP 6175(d)

MIGRANT EDUCATION PROGRAM (continued)

Legal Reference:

EDUCATION CODE

200 Educational equity

220 Prohibition against discrimination

234.7 Student protections relating to immigration and citizenship status

51225.1 Exemption from district graduation requirements

51225.3 High school graduation, course requirements

54440-54445 Migrant education program

CODE OF REGULATIONS, TITLE 5

3080 Application of uniform complaint procedures

4600-~~4687~~ **4670** Uniform complaint procedures

UNITED STATES CODE, TITLE 20

6311 Title I state plan

6381-6381k Even Start family literacy program

6391-6399 ~~Migrant education program~~ **Education of migrant students**

7881 Services for private school students

CODE OF FEDERAL REGULATIONS, TITLE 34
200.81-200.89 Migrant education program

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

2017 State Service Delivery Plan

Identification and Recruitment Manual: Policies and Procedures for Migrant Education Recruiters in the State of California, 2008

California Migrant Education Program: Comprehensive Needs Assessment, Initial Report of Findings, 2007

U.S. DEPARTMENT OF EDUCATION NON-REGULATORY GUIDANCE PUBLICATIONS

Title I, Part C Education of Migratory Children, October 2003

Education of Migratory Children Under Title I, Part C of the Elementary and Secondary Education Act of 1965, Non-Regulatory Guidance, rev. March 2017

WEB SITES

California Department of Education, Migrant Education Office: <http://www.cde.ca.gov/sp/me>

U.S. Department of Education, Office of Migrant Education: <http://www.ed.gov/about/offices/list/oes/ome>

West Ed, Migrant Student Information Network: <http://www.wested.org/es/we/view/pj/61>
<https://www.wested.org/project/migrant-student-information-network-msin>

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Policy Reference UPDATE Service

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CSBA Sample Administrative Regulation

Instruction

AR 6175(a)

MIGRANT EDUCATION PROGRAM

Note: The following **optional** administrative regulation reflects requirements of the migrant education program established pursuant to federal Title I, Part C (20 USC 6391-6399) and Education Code 54440-54445 and should be revised to reflect the district's agreement with the regional service center.

Eligibility

Note: Student eligibility for migrant education services is based on criteria delineated in 20 USC 6399, **as amended by the Every Student Succeeds Act (P.L. 114-95)**, and 34 CFR 200.81, **as amended by 73 Fed. Reg. 146**. Eligibility is established through an interview conducted by a migrant education recruiter, **who is employed by either the regional service center or district, and has received specialized training and authorization to identify and recruit families for the migrant education program**. Recruitment and **identification** procedures are detailed in the California Department of Education's (CDE) Identification and

Recruitment Manual: Policies and Procedures for Migrant Education Recruiters in the State of California
2017 State Service Delivery Plan.

Pursuant to 34 CFR 200.89, as added by 73 Fed. Reg. 146, regional service centers are required to annually validate eligibility through the re-interview of parents/guardians of a randomly selected sample of students previously identified as migrant.

~~A student~~ **Students** age 3 to 21 years shall be eligible for the district's migrant education program if ~~he/she meets the criteria, specified in 20 USC 6399 and 34 CFR 200.81 as verified by a migrant education recruiter.~~ **they, their parents/guardians, or their spouses are migratory agricultural workers or fishers who, in the preceding 36 months, moved into the district due to economic necessity and engaged in new temporary or seasonal employment or personal subsistence in agriculture or fishing. If such employment was not secured soon after the move, students may be considered migrant students if they, their parents/guardians, or their spouses actively sought such new employment and have a recent history of moves for temporary or seasonal agricultural or fishing employment. (20 USC 6399; 34 CFR 200.81)**

Note: 20 USC 6394 establishes priority for services for students who are failing or at risk of failing to meet state standards and whose education has been interrupted during the school year. According to the CDE's web site, for purposes of establishing priority for services, a student is considered to be failing or at risk of failing to achieve state standards if he/she (1) scores at basic or below on either the mathematics or English language arts California Standards Tests, (2) has not passed the mathematics or English language arts section of the California High School Exit Examination, or (3) scores at intermediate or below on the California English Language Development Test. According to the CDE, an "interruption of the regular school year" occurs when a student makes a qualifying move or withdraws from school at any time between August 15 of the current year to June 30 of the subsequent year. The CDE has not established a minimum number of school days missed that would constitute a significant interruption, but U.S. Department of Education (USDOE) non regulatory guidance, Title I, Part C Education of Migratory Children, provides an example of missing 10 or more days.

AR 6175(b)

MIGRANT EDUCATION PROGRAM (continued)

~~The district shall give first priority for services to migrant students who are failing, or most at risk of failing, to meet state content standards and challenging state performance standards, and whose education has been interrupted during the regular school year. (20 USC 6394)~~

~~(cf. 6011 Academic Standards)~~

Note: The last sentence of the following paragraph should be deleted by districts that do not offer classes at the secondary level.

A student who ceases to be a migrant student during a school term shall be eligible for services until the end of the term. If comparable services are not available through other programs, a student who is no longer migratory may continue to receive services for one additional school year. Students who were eligible for services in secondary school may continue to be served through credit accrual programs until graduation. (20 USC 6394)

Note: 20 USC 7881 requires that eligible private school students residing within the district be provided an opportunity to receive services on an equitable basis with public school students, as provided below. See AR 6171 - Title I Programs for further information about requirements pertaining to such participation.

The district shall provide services to eligible private school students residing within the district on an equitable basis with participating public school students. (20 USC 7881; 34 CFR 200.87)

Student Records

Note: Pursuant to 34 CFR 200.89, as added by 73 Fed. Reg. 146, the CDE and agencies operating migrant education programs must maintain a Certificate of Eligibility form and any additional documentation needed to confirm each student's eligibility.

Education Code 234.7 prohibits the collection of information or documents regarding the citizenship or immigration status of students or their family members, except as required by law or to administer a state or federally supported educational program. If the district becomes aware of the citizenship or immigration status of any student, it is prohibited from disclosing that information to U.S. Immigration and Customs Enforcement. See BP/AR 5145.13 - Response to Immigration Enforcement.

The Superintendent or designee shall maintain records documenting the eligibility of students enrolled in the district's migrant education program. **However, the district shall not collect information or documents regarding the citizenship or immigration status of students or their family members for the purpose of determining eligibility for migrant education services.**

(cf. 5125 - Student Records)

(cf. 5145.13 - Response to Immigration Enforcement)

AR 6175(c)

MIGRANT EDUCATION PROGRAM (continued)

Note: 20 USC 6398 requires districts receiving migrant education funds to make student records available at no cost to the requesting another district that requests the records, if the request is made to meet the needs of a migratory child migrant student. State law requiring the transfer of records for all students is reflected in BP/AR 5125 - Student Records. In California, the Migrant Student Information Network, developed and maintained by WestEd, assists the CDE and each regional center with migrant student data collection and reporting.

The Superintendent or designee shall acquire education and health records from migrant students' previous school districts, as appropriate.

When a migrant student transfers to another district, his/her the student's records shall be provided to the receiving district upon request at no cost in order to assist that district in meeting the needs of the student. (20 USC 6398)

Program Components

Note: The following section may be revised to reflect the district's service agreement with the regional service center.

The migrant education program shall ~~provide~~ **include all of the following components:** (Education Code 54443.1)

1. A general needs assessment summarizing the needs of the population to be served
- ~~2. Individual assessment of the educational and relevant health needs of each participating student, within 30 days of enrollment~~
- 3. 2.** A comprehensive program to meet the educational, health, and related needs of participating students which supplements the district program and **which provides includes, but is not limited to:**
 - a. Instructional services, including academic, remedial and compensatory, bilingual-**crosscultural**, ~~and multicultural, and vocational~~ **and career technical** instruction

(cf. 6174 - Education for English Learners)
(cf. 6177 - Summer Learning Programs)
(cf. 6178 - Career Technical Education)

- b. Counseling and career education services

(cf. 6164.2 - Guidance/Counseling Services)

- c. Preschool services in accordance with Education Code 54443

AR 6175(d)

MIGRANT EDUCATION PROGRAM (continued)

~~*(cf. 5148 - Child Care and Development)*~~
~~*(cf. 5148.3 - Preschool/Early Childhood Education)*~~

- d. Other educational services that are not otherwise available in sufficient quantity or quality to eligible migrant students
- e. **The acquisition of instructional materials and equipment necessary for to adequately provide the** appropriate services
- f. Other related services **needed to meet the special needs of eligible migrant students to** enable ~~migrant students~~ **them** to participate effectively in instructional services

Note: ~~20 USC 6312 requires that the local educational agency plan for Title I programs include a description of how the district will coordinate and integrate services provided under Title I with other educational~~

services, such as services for migrant students, at the district or individual school level; see BP 6171—Title I Programs.

- g. The coordination and teaming of existing resources serving migrant students, such as bilingual-crosscultural education, health screening, and compensatory education

(cf. 5141.6 - School Health Services)

(cf. 5147 - Dropout Prevention)

(cf. 6171 - Title I Programs)

2.3. Individual assessment of the educational and relevant health needs of each participating student, within 30 days of enrollment, including assessments concurrently provided pursuant to compensatory education, bilingual-crosscultural education, school improvement programs, and other programs serving the student

4. A brief individual learning plan listing the services to be provided to each student, which shall be given to the parent/guardian in writing or at a parent/guardian conference, annually and **each time when** the student moves to a new district

5. Staffing and staff development plans and practices to meet the needs of students and implement the program

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

AR 6175(e)

MIGRANT EDUCATION PROGRAM (continued)

6. Parent/guardian and community involvement as specified in Education Code 54444.2, including, but not necessarily limited to, the establishment of a parent/guardian advisory council **to actively involve parents/guardians in planning, operating, and evaluating the district's migrant education program**

(cf. 1220 - Citizen Advisory Committees)

(cf. 6020 - Parent Involvement)

Note: 20 USC 6394 requires "the same" parent involvement in migrant education programs as is required for Title I programs for disadvantaged students (see BP/AR 6020 - Parent Involvement), unless extraordinary circumstances make such provision impractical.

The migrant education program shall provide for the same opportunities for parent/**guardian** involvement that are provided to parents/guardians for federal Title I programs. (20 USC 6394)

7. Evaluations which include annual student progress and overall program effectiveness and quality control reports

Summer School

Note: Pursuant to Education Code 54444.3, each district receiving federal migrant education funding is required to conduct summer school programs for eligible migrant students. Before establishing the program, the district must submit an application for approval to the Superintendent of Public Instruction. The following section may be revised to reflect the grade levels offered by the district.

The district shall conduct summer school program(s) for eligible migrant students. The summer school program shall respond to the individual needs of participating students and shall build on and be consistent with the instructional programs offered to these students during the regular school year. Coursework shall be of the same level of difficulty in each subject as that provided to students enrolled in regular classes of instruction within the district in the preceding year. (Education Code 54444.3)

Teachers in the summer school program shall have cultural training or background and understanding of the special needs of migrant students and possess the proper

AR 6175(f)

MIGRANT EDUCATION PROGRAM (continued)

credential for the subjects and grade levels to which they are assigned. (Education Code 54444.3)

The program shall comply with the following requirements for instructional time: (Education Code 54444.3)

1. **For kindergarten class, a minimum of 180 minutes per day, including recesses, for not less than 20 instructional days**
2. **For grades 1-8, a minimum of 200 minutes per day, including recesses and passing time but excluding noon intermissions, for not less than 20 instructional days**
3. **For grades 7-12, a minimum of 240 minutes per day, including passing time but excluding noon intermissions, for not less than 30 instructional days**

When district facilities that are suitable for the summer climate are available, the district shall make facilities available at cost to other agencies that request facilities for the operation of migrant summer school programs. When approved by the Superintendent of Public Instruction, the district may jointly offer facilities with a neighboring district to meet the needs of the migrant summer school program for the entire area. (Education Code 54444.3)

Applicability of Graduation Requirements

Note: The following section is for use by districts maintaining high schools.

To obtain a high school diploma, migrant students shall complete all courses required by Education Code 51225.3 and shall generally fulfill any additional graduation requirements prescribed by the Board.

(cf. 6146.1 - High School Graduation Requirements)

Note: Whenever a migrant student transfers between districts or schools in grades 11-12, Education Code 51225.1, as amended by AB 2121 (Ch. 581, Statutes of 2018), exempts such students from the requirement to complete district-established graduation requirements that are in addition to the state requirements, under the conditions described below. Also see BP 6146.1 - High School Graduation Requirements.

However, when a migrant student who has completed the second year of high school transfers into the district or transfers between high schools within the district, the student shall be exempted from all district-adopted coursework and other district-established graduation requirements, unless the district makes a finding that the

AR 6175(g)

MIGRANT EDUCATION PROGRAM (continued)

student is reasonably able to complete the additional requirements in time to graduate from high school by the end of the fourth year of high school. Within 30 calendar days of the transfer, the Superintendent or designee shall notify the student and the student's parent/guardian of the availability of the exemption and whether the student qualifies for it. If the Superintendent or designee fails to provide this notification, the student shall be eligible for the exemption once notified, even if the notification occurs after the student no longer meets the definition of a migrant student. (Education Code 51225.1)

(cf. 5145.6 - Parental Notifications)

To determine whether a migrant student is in the third or fourth year of high school, the district shall use either the number of credits the student has earned as of the date of the transfer or the length of school enrollment, whichever qualifies the student for the exemption. (Education Code 51225.1)

The Superintendent or designee shall notify any migrant student who is granted an exemption and the student's parent/guardian how any requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges. (Education Code 51225.1)

The district shall not require or request a migrant student to transfer schools in order to qualify for an exemption, and no request for a transfer solely to qualify for an exemption shall be made by a migrant student or parent/guardian. (Education Code 51225.1)

If a migrant student is exempted from local graduation requirements, the exemption shall continue to apply after the student no longer meets the definition of a migrant student if the student is still enrolled in school or transfers to another school or district. (Education Code 51225.1)

Upon making a finding that a migrant student is reasonably able to complete district graduation requirements within a fifth year of high school, the Superintendent or designee shall: (Education Code 51225.1)

- 1. Inform the student and parent/guardian of the student's option to remain in school for a fifth year to complete the district's graduation requirements and how that will affect the student's ability to gain admission to a postsecondary educational institution**
- 2. Provide information to the student about transfer opportunities available through the California Community Colleges**

AR 6175(h)

MIGRANT EDUCATION PROGRAM (continued)

- 3. Upon agreement with the student or parent/guardian, permit the student to stay in school for a fifth year to complete the district's graduation requirements**

Parent Advisory Council

The parent advisory council shall be comprised of members who are knowledgeable of the needs of migrant students and shall be elected by the parents/guardians of students enrolled in the district's migrant education program. The composition of the council shall be determined by the parents/guardians at a general meeting to which all parents/guardians of participating students shall be invited. The parents/guardians shall be informed, in a language they understand, that they have the sole authority to decide on the composition of the council. (Education Code 54444.2)

At least two-thirds of the advisory council shall consist of parents/guardians of migrant students. (Education Code 54444.2)

All parent/guardian candidates for the council shall be nominated by parents/guardians. Nonparent candidates, such as teachers, administrators, other school personnel, or students, shall be nominated by the groups they represent. All other community candidates shall be nominated by the parents/guardians. (Education Code 54444.2)

The parent/guardian advisory council shall meet at least six times during the year and shall: (Education Code 54444.4)

1. Establish program goals, objectives, and priorities
2. Review annual needs assessments, program activities for each school, and individual learning plans
3. Advise on the selection, development, and reassignment of migrant education program staff
4. Participate actively in planning and negotiating program applications and service agreements
5. Perform all other responsibilities required under state and federal laws or regulations

The Superintendent or designee shall establish and implement a training program for advisory council members to enable them to carry out their responsibilities. The training program shall be developed in consultation with the council and shall include appropriate training materials in a language understandable to each member. (Education Code 54444.2)

AR 6175(i)

MIGRANT EDUCATION PROGRAM (continued)

The Superintendent or designee shall provide the council, without charge, a copy of all applicable state and federal migrant education statutes, rules, regulations, guidelines, audits, monitoring reports, and evaluations. Upon request, these materials also shall be provided without charge to each member of the council. (Education Code 54444.2)

Notification and Complaints

Note: Education Code 51225.1 and 51225.2, as amended by AB 2121, provide that complaints of noncompliance with specified requirements related to the educational rights of migrant students may be filed in accordance with the uniform complaint procedures specified in 5 CCR 4600-4670. As with other complaints covered under the uniform complaint procedures, a complainant may appeal the district's decision to CDE and, if the district or CDE finds any merit in the complaint, the district must provide a remedy to the affected student. See BP/AR 1312.3 - Uniform Complaint Procedures.

Information regarding the educational rights of migrant students, as specified in Education Code 51225.1 and 51225.2, shall be included in the annual uniform

complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 51225.1, 51225.2)

Any complaint that the district has not complied with requirements regarding the education of migrant students, as specified in Education Code 51225.1 or 51225.2, may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

(7/03 7/09) 12/18

Policy Reference UPDATE Service

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CSBA Sample Administrative Regulation

Instruction

AR 6183(a)

HOME AND HOSPITAL INSTRUCTION

Note: Pursuant to Education Code 48206.5, any district which, prior to January 1, 1986, maintained a program to provide individual instruction to students who have a temporary disability may continue to operate the program as it existed prior to that time.

A student with a temporary disability which makes school attendance impossible or inadvisable shall **be entitled to** receive individual instruction **in the student's home at home** or in a hospital or other residential health facility, excluding state hospitals. **(Education Code 48206.3)**

(cf. 5112.2 - Exclusions from Attendance)

~~This instruction applies to students incurring~~ **Temporary disability means** a physical, mental, or emotional disability **incurred while a student is enrolled in regular day classes or an alternative education program, and** after which ~~they the student~~ can reasonably be expected to return to regular day classes or ~~an the~~ alternative education program ~~without special intervention.~~ It does not apply to students identified as individuals with exceptional needs ~~in which the student is enrolled.~~ **Temporary disability does not include a disability that would qualify a student for special education** pursuant to Education Code 56026. (Education Code 48206.3)

(cf. 5141.22 - Infectious Diseases)

(cf. 6158 - Independent Study)

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

Note: Education Code 48206.3, as amended by AB 2109 (Ch. 167, Statutes of 2018), requires the district to notify parents/guardians of the availability of individual instruction for students with a temporary disability and to include in that notification information regarding student eligibility for, and the duration of, individual instruction.

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians ~~that of district students regarding:~~ (Education Code **48206.3, 48208, 48980**)

1. ~~Individual instruction is available for temporarily disabled students as prescribed by Education Code 48206.3.~~ **The availability of individual instruction for any student with a temporary disability, including information regarding student eligibility for, and the duration of, individual instruction**
2. ~~If a student becomes temporarily disabled, it is the parent/guardian's responsibility to notify the receiving district of the student's presence in a qualifying hospital.~~ **The**

AR 6183(b)

HOME AND HOSPITAL INSTRUCTION (continued)

rights and responsibilities of parents/guardians of any student with a temporary disability pursuant to Education Code 48207 and 48208

(cf. 5145.6 - Parental Notifications)

Note: Pursuant to Education Code 48208, it is the primary responsibility of parents/guardians to notify the district when their child is in a qualifying hospital. The following paragraph expands this requirement to include notification when a temporarily disabled student needs instruction at home.

Parents/guardians shall notify the principal or designee when their child is temporarily disabled and needs individual instruction at home or in a hospital or other residential health facility.

Determination of Student Eligibility

Note: Education Code 48208 specifies that the district must make a determination regarding a student's eligibility for individual instruction within five working days of receiving notification of the student's presence in a qualifying hospital. Although the law does not establish a time period for determining a student's eligibility for individual instruction at home, the following paragraph uses the five-day time period for determining eligibility for home instruction and may be revised to reflect district practice.

Not later than five working days after receiving notification from a parent/guardian that a student has a temporary disability, the Superintendent or designee shall determine whether the student will be able to receive individual instruction at home or in a hospital or residential health facility. (Education Code 48208)

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

The Superintendent or designee may require verification through any reasonable means **that the student is temporarily disabled and needs individual instruction.** ~~that the student requires home instruction. In addition, this verification shall also state that the disabling condition will not expose the teacher to a contagious disease that can be transmitted through casual contact. Home or hospital instruction shall not be denied to students with Hepatitis B, herpes or HIV/AIDS, as long as the home or hospital practices current preventive protocol as determined by the U.S. Centers for Disease Control.~~

(cf. 4119.42/4219.42/4319.42 Exposure Control Plan for Bloodborne Pathogens)

(cf. 4119.43/4219.43/4319.43 Universal Precautions)

Provision of Individual Instruction

Note: Education Code 48208 requires that individual instruction in a hospital or residential health

AR 6183(c)

HOME AND HOSPITAL INSTRUCTION (continued)

facility begin no later than five working days after determining a student's eligibility. As added by AB 2109, Education Code 48207.5 establishes the same time limit for providing instruction in a student's home.

Individual instruction at a student's home or in a hospital or other residential health facility shall begin no later than five working days after the Superintendent or designee has determined makes the determination that the student is able eligible to receive individualized instruction. (Education Code 48207.5, 48208)

The district shall be responsible for providing individual instruction to any temporarily disabled student who is in a hospital or other residential health facility located within district boundaries, whether or not the student is enrolled in the district. If the student is enrolled in another district, the Superintendent or designee may enter into an agreement to have the student's district of residence provide the individual instruction.

The Superintendent or designee may also enter into an agreement to provide individual instruction to a district student who is in a hospital or other residential health facility located within the boundaries of another district. (Education Code 48208)

(cf. 5111.1 - District Residency)

Whenever the district provides individual instruction to a non-district student who is in a hospital or other residential health facility located within district boundaries, the Superintendent or designee shall, within five working days of the beginning of the individualized instruction, provide written notification to the student's district of residence in which the student was previously enrolled stating that, effective on the date on which individual instruction began, the student shall not be counted by district of residence may not count the student for purposes of computing that district's average daily attendance, effective the date on which individualized instruction began. (Education Code 48208)

Note: Pursuant to Education Code 48207.3, as added by AB 2109, students receiving individual instruction in a hospital or residential health facility for a partial week remain eligible to attend school on days when they are not at the hospital. Pursuant to Education Code 48207, as amended by AB 2109, for apportionment purposes each district may count the student's attendance for only those days it provides instruction to the student.

A student receiving individual instruction in a hospital or residential health facility for a partial week shall be entitled to attend school or receive individual instruction at home on days in which the student is not receiving individual instruction in the hospital or other residential health facility, if the student is well enough to do so. (Education Code 48207.3)

Home or hospital instruction shall be provided only by teachers with valid California teaching credentials who consent to the assignment. (Education Code 44865)

AR 6183(d)

HOME AND HOSPITAL INSTRUCTION(continued)

(cf. 4112.2 - Certification)

(cf. 4113 - Assignment)

Note: The following optional paragraph may be revised to reflect district practice. State law does not prescribe the content of home and hospital instruction, but the California Department of Education's web site states that the goal of the program is to maintain the student's former level of performance while recovering.

Insofar as possible, the teacher providing home or hospital instruction shall consult with the student's current classroom teacher(s) so as to provide a continuity of instruction that enables the student to stay abreast with the regular school program.

Note: Education Code 48240, as amended by AB 2109, adds the following responsibility of the district's supervisor of attendance.

The district's attendance supervisor shall ensure that the absences of any temporarily disabled student receiving individual instruction at home or in a hospital or other residential health facility are excused until the student is able to return to the regular school program. (Education Code 48240)

(cf. 5113 - Absences and Excuses)

(cf. 5113.11 - Attendance Supervision)

Return to School

A student receiving individual instruction who is well enough to return to school shall be allowed to return to the school that the student attended immediately before receiving individual instruction, if the return occurs during the school year in which the individual instruction was initiated. (Education Code 48207.3)

Legal Reference: (see next page)

AR 6183(e)

HOME AND HOSPITAL INSTRUCTION (continued)

Legal Reference:

EDUCATION CODE

44865 Qualifications for home teachers

45031 Home teachers

48200 Minimum school day

48206.3-48208 ~~Students Pupils~~ with temporary disabilities; individual instruction; definitions; computing average daily attendance

48206.5 Continuation of individual instruction programs for students with temp. disabilities

48207 ~~Pupils with temporary disabilities in hospitals out side of school district; compliance with residency requirements~~

48208 ~~Presence of pupils with temporary disabilities in qualifying hospitals; notice by parents or guardians; commencement of individualized instruction~~

48240 Supervisors of attendance

48980 ~~Required notification of rights and availability of nutrition and individualized instruction programs~~ Parental notifications

51800-51802 Employment of home teachers

56026 Individual with exceptional needs

CODE OF REGULATIONS, TITLE 5

421 Method of verification

423 Prolonged illness

(6/89 10/98) 12/18

Policy Reference UPDATE Service

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CSBA Sample Board Bylaw

Board Bylaws

BB 9322(a)

AGENDA/MEETING MATERIALS

Agenda Content

Each agenda Governing Board meeting agendas shall reflect the district's vision and goals and the Board's focus on student learning.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

Note: Government Code 54954.2 requires Governing Board meeting agendas to briefly describe each item to be discussed, including closed session items, and states that a brief general description of an item generally need not exceed 20 words. For information regarding the different types of meetings and meeting location requirements, see BB 9320 - Meetings and Notices. For agenda requirements regarding closed session agenda items, see BB 9321 - Closed Session Purposes and Agendas.

~~Governing Board meeting agendas~~ **Each agenda** shall state the meeting time and place and shall briefly describe each business item to be transacted or discussed, including items to be discussed in closed session. (Government Code 54954.2)

(cf. 9320 - Meetings and Notices)
(cf. 9321- Closed Session Purposes and Agendas)

The agenda shall provide members of the public the opportunity to address the Board on any agenda item before or during the Board's consideration of the item. ~~However, the agenda need not provide an opportunity for public comment when the consent agenda item has previously been considered at an open meeting of a committee comprised exclusively of all the Board members, provided that members of the public were afforded an opportunity to comment on the item at that meeting, unless and that the item has not been substantially changed since the committee considered it.~~ **However, the agenda need not provide an opportunity for public comment when the consent agenda item has previously been considered at an open meeting of a committee comprised exclusively of all the Board members, provided that members of the public were afforded an opportunity to comment on the item at that meeting, unless and that the item has not been substantially changed since the committee considered it.** (Government Code 54954.3)

The agenda **for a regular Board meeting** shall also provide members of the public an opportunity to ~~testify at regular meetings~~ **provide comment** on matters which are not on the agenda but which are within the subject matter jurisdiction of the Board. (Education Code 35145.5; Government Code 54954.3)

(cf. 9323 - Meeting Conduct)

Note: Pursuant to Government Code 54957.5, ~~when agenda materials are distributed to the Board less than 72 hours before a meeting,~~ the agenda **for a regular meeting** must include the address of the location where the public can inspect ~~any agenda materials that are related to an open session item and are distributed to the Board less than 72 hours before that meeting.~~ **any agenda materials that are related to an open session item and are distributed to the Board less than 72 hours before that meeting.** Also see section below entitled "Agenda Dissemination to Members of the Public."

BB 9322(b)

AGENDA/MEETING MATERIALS (continued)

Each ~~meeting~~ agenda **for a regular meeting** shall list the address designated by the Superintendent or designee for public inspection of ~~agenda~~ documents **related to an open session item** that have been distributed to the Board less than 72 hours before the meeting. (Government Code 54957.5)

Note: Government Code 54954.2 requires that the agenda include information regarding how, when, and to whom a request for a disability-related accommodation or modification may be made. See BB 9320 - Meetings and Notices. The following paragraph should be modified to reflect district practice as to when and to whom such a request should be made.

The agenda shall ~~specify that~~ **include information regarding how, when, and to whom a request should be made if** an individual ~~should contact the Superintendent or designee if he/she~~ requires disability-related accommodations or modifications, including auxiliary aids and services, in order to participate in the Board meeting. (Government Code 54954.2)

Agenda Preparation

The Board president and the Superintendent, as secretary to the Board, shall work together to develop the agenda for each regular and special meeting. Each agenda shall reflect the district's vision and goals and the Board's focus on student learning.

~~(cf. 0000 - Vision)~~

~~(cf. 0200 - Goals for the School District)~~

~~(cf. 9121 - President)~~

~~(cf. 9122 - Secretary)~~

Note: Education Code 35145.5 **mandates** that the Board adopt reasonable regulations to ensure that members of the public can place matters directly related to **school** district business on Board meeting agendas. In **Mooney v. Garcia**, a California appeals court reaffirmed boards' discretion in determining what agenda items are related to school district matters. The following **section paragraph**, including the timelines, should be revised to reflect district practice. Districts are free to establish their own timelines for placing an item on the agenda, taking into account staff time and resources, as long as the established timeline is a reasonable one. In **Caldwell v. Roseville Joint Union High School District**, a federal district court upheld a district bylaw requiring members of the public to submit a written request in order to place items on a meeting agenda. The plaintiff had alleged that his First Amendment rights were violated when the district did not place his item on the agenda in response to his oral request because the district disagreed with his religious beliefs. However, the court held that the district's bylaw requiring that requests first be made in writing was content-neutral and thus a reasonable restriction.

The Board president and the Superintendent, as secretary to the Board, shall work together to develop the agenda for each regular and special meeting. Each agenda shall reflect the district's vision and goals and the Board's focus on student learning.

~~(cf. 0000 - Vision)~~

~~(cf. 0200 - Goals for the School District)~~

BB 9322(c)

AGENDA/MEETING MATERIALS (continued)

~~(cf. 9121 - President)~~

~~(cf. 9122 - Secretary)~~

Any Board member or member of the public may request that a matter within the jurisdiction of the Board be placed on the agenda of a regular meeting. The request shall be submitted in writing to the Superintendent or designee with supporting documents and information, if any, at least one week before the scheduled meeting date. Items submitted less than a week before the scheduled meeting date may be postponed to a later meeting in order to allow sufficient time for consideration and research of the issue.

Note: In **Mooney v. Garcia**, a California appeals court reaffirmed boards' **the board's** discretion in determining **what whether an** agenda items **are-is** related to school district matters.

The Board president and Superintendent shall decide whether a request **from a member of the public** is within the subject matter jurisdiction of the Board. Items not within the subject matter jurisdiction of the Board may not be placed on the agenda. In addition, before placing

the item on the agenda, the Board president and Superintendent shall determine if the item is merely a request for information or whether the issue is covered by an existing policy or administrative regulation.

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

If the Board president and Superintendent deny a request from a Board member to place an item on the agenda, the Board member may request the Board to take action to determine whether the item shall be placed on the agenda.

The Board president and Superintendent shall **also** decide whether an agenda item is appropriate for discussion in open or closed session, and whether the item should be an action item subject to Board vote, **or** an information item that does not require immediate action, ~~or a consent item that is routine in nature and for which no discussion is anticipated.~~

Note: The following ~~optional section~~ **paragraph** is for boards that use the consent agenda or calendar to take action on matters of a routine nature for which discussion may not be necessary. It is important for such boards to limit the use of the consent agenda to noncontroversial matters and to establish rules that help ensure that any use of the consent agenda does not reduce transparency in the board's conduct of district business or result in violation of the open meeting laws. In addition, boards should be aware that, by law, certain items may not be placed on the consent agenda. For example, pursuant to Government Code 54960.2, as added by SB 1003 (Ch. 732, Statutes of 2012), a board's decision to approve or rescind its unconditional commitment to refrain from taking certain actions in violation of the Brown Act must be made as a separate item and not on the consent agenda. See BB 9323.2 - Actions by the Board.

In order to promote efficient meetings, the Board may bundle a number of items and act upon them together by a single vote through the use of a consent agenda. Consent agenda items shall be items of a routine nature and items for which Board discussion is not anticipated and

BB 9322(d)

AGENDA/MEETING MATERIALS (continued)

for which the Superintendent recommends approval. When any Board member requests the removal of an item from the consent agenda, the item shall be removed and given individual consideration for action as a regular agenda item.

The agenda shall provide an opportunity for members of the public to comment on any consent agenda item that has not been previously considered. ~~However, the agenda need not provide an opportunity for public comment when the consent agenda item has previously been considered at an open meeting of a committee comprised exclusively of all the Board members provided that members of the public were afforded an opportunity to comment on the item at that meeting, unless the item has been substantially changed since the committee considered it.~~ (Government Code 54954.3)

Any Board action that involves borrowing \$100,000 or more shall be discussed, considered, and deliberated upon as a separate item of business on the meeting agenda. (Government Code 53635.7)

(cf. 9323.2 - Actions by the Board)

All public communications with the Board are subject to requirements of relevant Board policies and administrative regulations.

(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. 5144.1 - Suspension and Expulsion/Due Process)

Consent Agenda/Calendar

Note: The following **optional** section is for boards that use the consent agenda or calendar to take action on matters of a routine nature for which discussion may not be necessary. It is important for such boards to limit the use of the consent agenda to noncontroversial matters and to establish rules that help ensure that any use of the consent agenda does not reduce transparency in the board's conduct of district business or result in violation of the open meeting laws. In addition, boards should be aware that, by law, certain items may not be placed on the consent agenda. For example, pursuant to Government Code 54960.2, as added by SB 1003 (Ch. 732, Statutes of 2012), a board's decision to approve or rescind its unconditional commitment to refrain from taking certain actions in violation of the Brown Act must be made as a separate item and not on the consent agenda. See BB 9323.2 - Actions by the Board.

In order to promote efficient meetings, the Board may bundle a number of items and act upon them together by a single vote through the use of a consent agenda. Consent items shall be items of a routine nature and items for which Board discussion is not anticipated and for which the Superintendent recommends approval.

BB 9322(e)

AGENDA/MEETING MATERIALS (continued)

When any Board member requests the removal of an item from the consent agenda, the item shall be removed and given individual consideration for action as a regular agenda item.

The agenda shall provide an opportunity for members of the public to comment on any consent agenda item that has not been previously considered. However, the agenda need not provide an opportunity for public comment when the consent agenda item has previously been considered at an open meeting of a committee comprised exclusively of all the Board members provided that members of the public were afforded an opportunity to comment on the item at that meeting, unless the item has been substantially changed since the committee considered it. (Government Code 54954.3)

Agenda Dissemination to Board Members

Note: The following section is **optional** and should be modified to reflect district practice. Pursuant to Government Code 6252.7, when the Board, in the conduct of its duties, is authorized by law to access any

writing of the district, including agenda and supporting documents, the district is prohibited from discriminating between or among Board members as to when and which records will be made available.

CSBA's Agenda Online, an electronic board meeting agenda service for use by districts, ~~and~~ county offices of education, **and the public** 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.

At least ~~three days~~ **72 hours** before each regular meeting, each Board member shall be provided a copy of the agenda and agenda packet.

When special meetings are called, ~~the Superintendent or designee shall make every effort to distribute the agenda and supporting materials to Board members as soon as possible before the meeting.~~ **Board members shall receive, at least 24 hours prior to the meeting, notice of the business to be transacted. (Government Code 54956)**

Board members shall review agenda materials before each meeting. Individual members may confer directly with the Superintendent or designee to ask questions and/or request additional information on agenda items. However, a majority of Board members shall not, **outside of a noticed meeting**, directly or through intermediaries or electronic means discuss, deliberate, or take action on any matter within the subject matter jurisdiction of the Board.

(cf. 9012 - Board Member Electronic Communications)

BB 9322(f)

AGENDA/MEETING MATERIALS (continued)

Agenda Dissemination to Members of the Public

~~The Superintendent or designee shall mail a copy of the agenda or a copy of all the documents constituting the agenda packet to any person who requests the items. The materials shall be mailed at the time the agenda is posted or upon distribution of the agenda to a majority of the Board, whichever occurs first. (Government Code 54954.1)~~

~~Note: Government Code 54957.5 requires that when agenda materials are distributed to the Board less than 72 hours before a regular meeting, the district must also make the documents available for public inspection, as specified below. However, only those documents that are "public records" under the Public Records Act and which relate to an agenda item scheduled for the open session portion of a regular meeting need to be made available for inspection.~~

Any agenda and related materials distributed to the Board shall be made available to the public upon request without delay. If a document which relates to an open session agenda item of a regular Board meeting is distributed to the Board less than 72 hours prior to

~~a meeting, the Superintendent or designee shall make the document available for public inspection at a designated location at the same time the document is distributed to all or a majority of the Board, provided the document is a~~ **Only those documents which are disclosable public records under the Public Records Act and which relate to an agenda item scheduled for the open session portion of a regular meeting shall be made available to the public.** ~~The Superintendent or designee may also post the document on the district's web site in a position and manner that makes it clear that the document relates to an agenda item for an upcoming meeting.~~ (Government Code 54957.5)

Note: Pursuant to Government Code 54954.2, the agenda for a regular meeting of the Board must be posted at least 72 hours prior to the meeting on the district's web site, if it has one, and at a location that is freely accessible to the public. The Attorney General has determined in 78 Ops.Cal.Atty.Gen. 327 (1995) that weekend hours may be counted as part of the 72-hour period for posting of the agenda prior to a regular meeting. In the same opinion, the Attorney General found that the term "freely accessible" requires that the agenda be posted in a location where it can be read by the public at any time, including evening hours, during the 72 hours immediately preceding the meeting. Also see BB 9320 - Meetings and Notices.

At least 72 hours prior to a regular meeting, the agenda shall be posted at one or more locations freely accessible to members of the public. (Government Code 54954.2)

Note: Government Code 54954.2 requires that the agenda for any meeting occurring on or after January 1, 2019, be posted on the homepage of the district web site, if it has one, in accordance with law. Districts that use an integrated agenda management platform, such as CSBA's Agenda Online, may provide a link to access agendas posted on the platform. Pursuant to Government Code 54954.2, the link must not be solely accessible through a contextual menu, and the agenda must be posted in a format which is retrievable, downloadable, indexable, electronically searchable by commonly used Internet search applications, and without any restriction that would impede the reuse or redistribution of the agenda.

BB 9322(g)

AGENDA/MEETING MATERIALS (continued)

The Attorney General has opined (99 Ops. Cal. Atty. Gen. 11 (2016)) that the Brown Act regular meeting online agenda posting provision contained within Government Code 54954.2 is not necessarily violated when a local agency's web site experiences technical difficulties that cause the agenda to become inaccessible to the public for a portion of the 72 hours that precede the scheduled meeting. If the local agency has otherwise substantially complied with the Brown Act agenda posting requirements, the legislative body may lawfully hold its regular meeting as scheduled.

In addition, the Superintendent or designee shall post the agenda on the homepage of the district web site. The posted agenda shall be accessible through a prominent direct link to the current agenda or to the district's agenda management platform in accordance with Government Code 54954.2. When the district utilizes an integrated agenda management platform, the link to that platform shall take the user directly to the web site with the district's agendas, and the current agenda shall be the first available. (Government Code 54954.2)

(cf. 1113 - District and School Web Sites)
(cf. 1340 - Access to District Records)

Any document prepared by the district or Board and distributed during a public meeting shall be made available for public inspection at the meeting. Any document prepared by another person shall be made available for public inspection after the meeting. These requirements shall not apply to a document that is exempt from public disclosure under the Public Records Act. (Government Code 54957.5)

Note: Pursuant to Government Code 54954.1, upon request, the agenda and supporting documentation must be made available in appropriate alternative formats to persons with a disability, as required under the Americans with Disabilities Act (42 USC 12132). Examples of alternative formats, also referred to as "auxiliary aids and services," are listed in 28 CFR 36.303 and include audio recordings or Braille materials.

Upon request, the Superintendent or designee shall make the agenda, agenda packet, and/or any writings distributed at the meeting available in appropriate alternative formats to persons with a disability, as required by the Americans with Disabilities Act. (Government Code 54954.1)

If a document which relates to an open session agenda item of a regular Board meeting is distributed to the Board less than 72 hours prior to a meeting, the Superintendent or designee shall make the document available for public inspection at a designated location at the same time the document is distributed to all or a majority of the Board. (Government Code 54957.5)

The Superintendent or designee shall mail a copy of the agenda or a copy of all the documents constituting the agenda packet to any person who requests the items. The materials shall be mailed at the time the agenda is posted or upon distribution of the agenda to a majority of the Board, whichever occurs first. (Government Code 54954.1)

BB 9322(h)

AGENDA/MEETING MATERIALS (continued)

Any request for mailed copies of agendas or agenda packets shall be in writing and shall be valid for the calendar year in which it is filed. Written requests must be renewed following January 1 of each year. (Government Code 54954.1)

Note: The following **optional** paragraph is for use by districts that charge a fee for mailing the agenda or agenda packet. Government Code 54954.1 authorizes districts to charge a fee for mailing the agenda or agenda packet as long as the fee does not exceed the cost of providing the service. Pursuant to Government Code 54957.5, a surcharge may not be imposed for providing the agenda and other public record documents in alternative formats to persons with disabilities.

Persons requesting mailing of the agenda or agenda packet shall pay an annual fee, as determined by the Superintendent or designee, not to exceed the cost of providing the service.

Any document prepared by the district or Board and distributed during a public meeting shall be made available for public inspection at the meeting. Any document prepared by another

person shall be made available for public inspection after the meeting. These requirements shall not apply to a document that is exempt from public disclosure under the Public Records Act. (Government Code 54957.5)

Note: Pursuant to Government Code 54954.1, upon request, the agenda and supporting documentation must be made available in appropriate alternative formats to persons with a disability, as required under the Americans with Disabilities Act (42 USC 12132). Examples of alternative formats, also referred to as "auxiliary aids and services," are listed in 28 CFR 36.303 and include **accessible electronic and information technology**, audio recordings, or Braille materials.

Upon request, the Superintendent or designee shall make the agenda, agenda packet, and/or any writings distributed at the meeting available in appropriate alternative formats to persons with a disability, as required by the Americans with Disabilities Act. (Government Code 54954.1)

Legal Reference: (see next page)

BB 9322(i)

AGENDA/MEETING MATERIALS (continued)

Legal Reference:

EDUCATION CODE

35144 *Special meetings*

35145 *Public meetings*

35145.5 *Right of public to place matters on agenda*

GOVERNMENT CODE

6250-6270 *Public Records Act*

53635.7 *Separate item of business*

54954.1 *Mailed agenda of meeting*

54954.2 *Agenda posting requirements; board actions*

54954.3 *Opportunity for public to address legislative body*

54954.5 *Closed session item descriptions*

54956.5 *Emergency meetings*

54957.5 **Availability of public records**

54960.2 *Challenging board actions; cease and desist*

UNITED STATES CODE, TITLE 42

12101-12213 *Americans with Disabilities Act*

CODE OF FEDERAL REGULATIONS, TITLE 28

35.160 *Effective communications*

36.303 *Auxiliary aids and services*

COURT DECISIONS

Mooney v. Garcia, (2012) 207 Cal.App.4th 229

Caldwell v. Roseville Joint Union High School District, 2007 U.S. Dist. LEXIS 66318

ATTORNEY GENERAL OPINIONS

99 Ops. Cal. Atty. Gen. 11 (2016)

78 Ops. Cal. Atty. Gen. 327 (1995)

Management Resources:

CSBA PUBLICATIONS

Call to Order: A Blueprint for Great Board Meetings, 2015

The Brown Act: School Boards and Open Meeting Laws, rev. 2014

ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Legislative Bodies, rev. 2003

WEB SITES

CSBA, Agenda Online: <http://www.csba.org>

California Attorney General's Office: <http://www.oag.ca.gov>

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Policy Reference UPDATE Service

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CSBA Sample Board Bylaw

Board Bylaws

BB 9324(a)

MINUTES AND RECORDINGS

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

The Governing Board recognizes that maintaining accurate minutes of Board meetings **helps foster public trust in Board governance and** provides a record of Board actions for use by district staff and the public **and helps foster public trust in Board governance.**

(cf. 9000 - Role of the Board)

(cf. 9005 - Governance Standards)

(cf. 9323 - Meeting Conduct)

The secretary of the Board shall keep minutes and record all official Board actions. The Board's minutes shall be public records and shall be made available to the public upon request. (Education Code 35145, 35163)

(cf. 1340 - Access to District Records)
(cf. 9122 - Secretary)
(cf. 9323.2 - Actions by the Board)

The minutes of Board meetings shall include, but not be limited to:

Note: Pursuant to Government Code 54952 a majority of the Governing Board must be present at a meeting in order to hear, discuss, or deliberate on any matter within the subject matter jurisdiction of the Board. and Education Code 35164, a "meeting" occurs when a majority of the Board is present and a Board action requires a majority vote of the Board. Thus, the minutes should reflect any occasion on which a member is not present for the entire meeting in order to document that a majority of the Board remained in attendance throughout the meeting.

1. ~~The minutes shall reflect which~~ **A notation of which Board** members are present, **in person or by teleconference**, and whether a member is not present for part of the meeting due to late arrival and/or early departure.

(cf. 9250 - Remuneration, Reimbursement and Other Benefits)
(cf. 9320 - Meetings and Notices)

2. ~~In order to ensure that the minutes are focused on Board action, the minutes shall include only a~~ **A** brief summary of the Board's discussion **on each agenda topic**, but shall not include **rather than** a verbatim record of the Board's discussion on each agenda topic or the names of **each** Board member's **who made** specific points **of view** during the discussion.

BB 9324(b)

MINUTES AND RECORDINGS (continued)

3. ~~The minutes shall reflect the names of those individuals who comment during the meeting's public comment period as well as the topics they address.~~ **A summary of the public comments made on agendized items and unagendized topics**
4. ~~The~~ **minutes shall include the** specific language of each motion and the names of the Board members who made and seconded the motion.

Note: Pursuant to Government Code 54953, as amended by SB 751 (Ch. 257, Statutes of 2013), in addition to publicly reporting any action taken, the minutes must note the vote or abstention of each member present for the action.

5. ~~The minutes shall also report any~~ **Any** action taken **by the Board** and the vote or abstention on that action of each **Board** member present. **(Education Code 35145; Government Code 54953)**

The minutes shall reflect the names of those individuals who comment during the meeting's public comment period as well as the topics they address.

Note: Pursuant to Education Code 49073.2, as added by SB 1036 (Ch. 788, Statutes of 2018), the district is prohibited from including in its minutes a student's directory information, as defined in Education Code 49061, or a parent/guardian's personal information, as defined in Education Code 49073.2, when the student or parent/guardian requests that such information be excluded. For further information about the types of information that are categorized as directory information, see AR 5125.1 - Release of Directory Information.

Upon request by a student's parent/guardian, or by the student if age 18 or older, the minutes shall not include the student's or parent/guardian's address, telephone number, date of birth, or email address, or the student's name or other directory information as defined in Education Code 49061. The request to exclude such information shall be made in writing to the secretary or clerk of the Board. (Education Code 49073.2)

(cf. 5125.1 - Release of Directory Information)

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

BB 9324(c)

MINUTES AND RECORDINGS (continued)

The Board agenda shall include a statement of the option and process for students and parents/guardians to request that such information be excluded from the minutes.

The Superintendent or designee shall distribute a copy of the "unapproved" minutes of the previous meeting(s) with the agenda for the next regular meeting. The Board shall approve the minutes as circulated or with necessary amendments.

Note: The following **optional** paragraph is for use by districts which have their approved minutes signed by a Board officer or designee and should be modified to reflect the appropriate position.

Upon approval by the Board, the minutes shall be signed by the Clerk, Board of Trustees.

Note: Pursuant to 5 CCR 16023, minutes and official actions of the Board must be classified and retained in accordance with 5 CCR 16022. See BP/AR 3580 - District Records.

CSBA's Agenda Online, an electronic board meeting agenda service, allows for the development, storage, and access to Board meeting agendas, supporting documents, and minutes from any computer with Internet access. Further information can be found on CSBA's web site.

Official Board minutes and recordings shall be stored in a secure location and shall be retained in accordance with law.

(cf. 3580 - District Records)

Note: Although Government Code 54957.2 permits keeping of minutes for closed sessions, districts should consult with legal counsel before making it a practice to do so. Should a court determine that a district has violated the Brown Act, Government Code 54960 allows the court to compel the Board to record its closed sessions. See BB 9323.2 - Actions by the Board.

Any minutes or recordings kept for Board meetings held in closed session shall be kept separately from the minutes or recordings of regular and special meetings. Minutes or recordings of closed sessions are not public records. (Government Code 54957.2)

(cf. 9321.1 - Closed Session Actions and Reports)

Recording or Broadcasting of Meetings

Note: The following **optional** section addresses the recording or broadcasting of meetings ~~made by or directed~~ by the district.

Pursuant to Government Code 54953.5 and 54953.6, any person attending an open meeting may record or broadcast the meeting, unless the Board makes a reasonable finding that the recording or broadcast cannot continue without noise, illumination, or obstruction of view which would persistently disrupt the meeting. See BB 9323 - Meeting Conduct for language regarding recording by the public.

BB 9324(d)

MINUTES AND RECORDINGS (continued)

The district may tape, film, **stream**, or broadcast any open Board meeting. **At the beginning of the meeting, the Board president shall announce that a recording or broadcasting is being made at the direction of the Board and that the recording or broadcast may capture images and sounds of those attending the meeting.** ~~at the beginning of the meeting and, as~~ **As** practicable, the recorder or camera shall be placed in plain view of meeting participants.

Any district recording may be erased or destroyed 30 days after the meeting. Recordings made at the direction of the Board during a meeting are public records and, upon request, shall be made available for inspection by members of the public on district equipment without charge. (Government Code 54953.5)

Legal Reference:

EDUCATION CODE

35012 Number of members; terms; student board members

35145 Public meetings

35163 Official actions, minutes and journals

35164 Vote requirements

49061 Student records; definitions

49073.2 Privacy of student and parent/guardian personal information

GOVERNMENT CODE

54952.2 Meeting defined

54953 Meetings

54953.5 Audio or video recording of proceedings

54953.6 *Broadcasting of proceedings*

54957.2 *Closed sessions; clerk; minute book*

54960 *Violations and remedies*

PENAL CODE

632 *Unlawful to intentionally record a confidential communication without consent*

CODE OF REGULATIONS, TITLE 5

16020-16027 *Classification and retention of records*

Management Resources:

CSBA PUBLICATIONS

Call to Order: A Blueprint for Great Board Meetings, 2015

The Brown Act: School Boards and Open Meeting Laws, rev. 2014

Guide to Effective Meetings, rev. 2007

WEB SITES

CSBA, Agenda Online: <http://www.esba.org> www.agendaonline.com

(7/08 4/14) 12/18

Policy Reference UPDATE Service

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**BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT**

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 19, 2019

Attachments: X_____

From: Don Beno, Superintendent

Item Number: 16_____

Type of item: (Action, Consent Action or Information Only): Action_____

SUBJECT:

Request discussion to review BP 3290 regarding Gifts, Grants and Bequests which was last updated and approved on December 13, 2011.

BACKGROUND:

This policy was revised based on information from CSBA which insures that our policies are updated regularly and compliant with the most recent changes in law and state policies.

Due to changes in the status of legalized marijuana dispensaries in California, there was a request to review this policy to discuss its application as it applies to donations from dispensaries.

STATUS:

Currently, the policy states that the Board shall ensure that the acceptance of the gift, grant or bequest does not promote the use of violence, drugs, tobacco or alcohol. The district currently accepts gifts, grants or bequest from institutions that sell alcohol. The district has entered into partnerships and accepts donations from businesses that sell and/or produce alcohol.

PRESENTER:

Don Beno, Superintendent

OTHER PEOPLE WHO MIGHT BE PRESENT:

COST AND FUNDING SOURCES:

No cost to the District

RECOMMENDATION:

That the Board provide direction to the Superintendent to either modify the current policy in regard to gifts, grants or bequests from legal marijuana dispensaries and growing facilities and present as a first reading at the March Board meeting; or the Board direct the Superintendent to leave our current policy as recommended by CSBA in 2011.

Time allocated: 5 minutes

Board Policy

Gifts, Grants And Bequests

BP 3290

Business and Noninstructional Operations

The Board of Trustees may accept any bequest of money, property, or service to the district from any individual, private agency or organization, or other public agency that desires to support the district's educational program. While greatly appreciating suitable donations, the Board shall reject any gift which may directly or indirectly impair its authority to make decisions in the best interest of district students or its ability or commitment to provide equitable educational opportunities.

(cf. 0100 - Philosophy)

(cf. 0200 - Goals for the School District)

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

(cf. 1260 - Educational Foundation)

Before accepting any gift, grant, or bequest, the Board shall carefully consider any conditions or restrictions imposed by the donor to ensure their consistency with the district's vision, philosophy, and operations.

If the Board believes the district will be unable to fully satisfy the donor's conditions, the gift shall not be accepted.

(cf. 0000 - Vision)

In addition, the Board shall ensure that acceptance of the gift, grant, or bequest does not:

1. Involve creation of a program which the Board would be unable to sustain when the donation is exhausted
2. Entail undesirable or excessive costs
3. Promote the use of violence, drugs, tobacco, or alcohol or the violation of any law or district policy

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.62 - Tobacco)

4. Imply endorsement of any business or product or unduly commercialize or politicize the school environment

(cf. 1325 - Advertising and Promotion)

Any gift of books and instructional materials shall be accepted only if they meet regular district

criteria for selection of instructional materials.

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

All gifts, grants, and bequests shall become district property. Donors are encouraged to donate all gifts to the district rather than to a particular school. At the Superintendent or designee's discretion, a gift may be used at a particular school.

When any gift of money received by the district is not immediately used, it shall be placed in the county treasury in accordance with law. (Education Code 41030-41031)

The Superintendent or designee shall annually provide a report to the Board indicating the gifts, grants, and/or bequests received on behalf of the district in the preceding fiscal year. The report shall include a statement of account and expenditure of all gifts of money and an inventory of all gifts of physical assets.

(cf. 3440 - Inventories)

(cf. 3460 - Financial Reports and Accountability)

Appreciation

The Board may show appreciation for any donation to the district in any manner it deems appropriate. Such appreciation may take the form of letters of recognition or Board resolutions; plaques, commendations, or awards; planting of commemorative trees or gardens; or naming or renaming of buildings, grounds, or facilities. Conferment of any such honor shall be in accordance with applicable Board policy.

(cf. 1150 - Commendations and Awards)

(cf. 7310 - Naming of Facility)

Corporate Sponsorship

The Board may enter into an agreement or arrangement with an outside entity for the sponsorship of an educational, athletic, or other program or activity. When appropriate, the agreement may allow the outside entity to advertise or promote its business, product, or service in district publications or on district property or web sites.

(cf. 1113 - District and School Web Sites)

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

(cf. 3312 - Contracts)

Every sponsorship agreement shall be in writing and shall be approved by the Board. The Board shall ensure that the district's relationship and arrangement with the sponsor are consistent with the district's mission, values, and goals. Any advertising or promotional message, image, or other depiction to be used by the sponsor shall meet the standards set for commercial advertising on district property and in district-sponsored publications. No message, image, or

other depiction that promotes the use of obscene language, pornography, alcohol, tobacco, or prohibited drugs or that advocates unlawful discrimination, use of violence, or the violation of law or district policy shall be allowed.

Each sponsorship agreement shall contain statements including, but not limited to:

1. The purpose of the relationship with the sponsor, details of the benefits to the district, and how the benefits will be distributed.
2. The duration of the agreement and the roles, expectations, rights, and responsibilities of the district and the sponsor, including whether and to what extent the sponsor is allowed to advertise or promote its products and/or services.
3. The authority of the Board to retain exclusive right over the use of the district's name, logo, and other proprietary information. The sponsor's use of such information shall require prior approval of the Board.
4. The authority of the Board to terminate the agreement without any penalty or sanction to the district if the sponsor's message, business, or product becomes inconsistent with district vision, mission, or goals or the sponsor engages in any prohibited activity.
5. The prohibition against the collection of students' personal information except as allowed by law.

(cf. 5022 - Student and Family Privacy Rights)
(cf. 5125 - Student Records)

Legal Reference:

EDUCATION CODE

1834 Acquisition of materials and apparatus

35160 Powers and duties

35162 Power to sue, be sued, hold and convey property

41030 School district may invest surplus monies from bequest or gifts

41031 Special fund or account in county treasury

41032 Authority of school board to accept gift or bequest; investments; gift of land requirements

41035 Advisory committee

41036 Function of advisory committee

41037 Rules and regulations

41038 Applicability of other provisions of chapter

Management Resources:

WEB SITES

California Consortium of Education Foundations: <http://www.cceflink.org>

Policy RIVER DELTA UNIFIED SCHOOL DISTRICT
adopted: December 13, 2011 Rio Vista, California

**BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT**

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 19, 2019

Attachments: X_____

From: Don Beno, Superintendent

Item Number: 17_____

Type of item: (Action, Consent Action or Information Only): Action_____

SUBJECT:

Request to approve the 2019 Bus Transportation and Districtwide Safety Plans

BACKGROUND:

Districts with under 2,500 enrollments can prepare a comprehensive districtwide safety plan. RDUSD's Safety Committee reviewed the current safety plan and made revisions to reflect the changes in procedures.

Each school site has inserted site specific information such as: Incident Commander flowchart, Staff job assignments, phone trees, group staff lists which are located in the confidential materials section. Site councils approved the Comprehensive District Safety Plan for 2019 prior to February 1, 2019.

The bus transportation safety plan has been added to the comprehensive districtwide safety plan as an appendix.

STATUS:

PRESENTER:

Don Beno, Superintendent

OTHER PEOPLE WHO MIGHT BE PRESENT:

Staff

COST AND FUNDING SOURCES:

No cost to the district to review and update the districtwide plan.

RECOMMENDATION:

That the Board approves the comprehensive districtwide safety plan as submitted.

Time allocated: 5 minutes

RIVER DELTA UNIFIED SCHOOL DISTRICT

**SCHOOL BUS
SAFETY PLAN
&
RULES**



“Proud to serve our community”

**RIVER DELTA UNIFIED SCHOOL DISTRICT
TRANSPORTATION DEPARTMENT**

TRANSPORTATION SAFETY PLAN

Ed. Code 398313.3 (a) The county superintendent of schools, the superintendent of a school district, or the owner or operator of a private school that provides transportation to or from a school or school activity, shall prepare a “**Transportation Safety Plan**” containing procedures for school personnel to follow to ensure the safe transport of pupils. The plan shall be revised as required. A copy of that plan is to be retained by each school subject to the plan and made available upon request to an officer of the California Highway Patrol. The plan shall address all of the following:

- (1) Determining if pupils require escort pursuant to paragraph (3) of subdivision (c) of Section 22112 of the Vehicle Code. See Paragraph (d) of subdivision (1) (2) (3) of Section 22112 of the Vehicle Code (attached).

River Delta Unified School District bus drivers shall determine daily, at each bus stop, who requires an escort. The driver escort-procedure will include Pre-K to 12 grade students (this is done by the driver verbally requesting/asking all bus riders, at each bus stop daily, who crosses the street at the specific bus stop).

- (2) Procedures for all pupils in prekindergarten, kindergarten, and grades 1 to 8, inclusive, to follow as they board and exit the appropriate school bus at each pupil’s school bus stop.
- (3) Boarding and exiting a school bus at a school or other trip destination.

River Delta Unified School District Transportation Department has prepared procedures for boarding and exiting of students at school bus stops. The procedures are in the “**School Bus Safety Rules**” (attached) and are available at all River Delta Unified School sites servicing Pre-K to 8 grades.

Ed. Code 39831.5 (a) All pupils in prekindergarten, kindergarten, and grades 1 to 12, inclusive, in public or private school who are transported in a school bus or school pupil activity bus shall receive instruction in school bus emergency procedures and passenger safety. The county superintendent of schools, superintendent of the school district, or owner/operator of a private school, as applicable, shall ensure that the instruction is provided as follows:

- (1) Upon registration, the parents or guardians of all pupils not previously transported in a school bus or school pupil activity bus and who are in prekindergarten, kindergarten, and grades 1 to 6, inclusive, shall be provided with written information on school bus safety. The information shall include, but not limited to all of the following:

- (A) A list of school bus stops near each pupil's home
- (B) General rules of conduct at school bus loading zones
- (C) Red light crossing instructions
- (D) School danger zones
- (E) Walking to and from school bus stops

River Delta Unified School District Transportation Department has prepared procedures, including instructions in school bus emergency procedures and passenger safety. These procedures are in the “**School Bus Safety Rules**” (attached) and are available at all River Delta School Sites servicing K to 8th grades.

- (2) At least once in each school year, all pupils in prekindergarten, kindergarten, and grades 1 to 8, inclusive, who receive home-to-school transportation shall receive safety instructions which includes, but not limited to, proper loading and unloading procedures, including escorting by the driver, how to safely cross the street, highway, or private road, instruction on the use of passenger restraint systems, as described in Paragraph (3), proper passenger conduct, bus evacuation, and location of emergency equipment. Instruction also may include responsibilities of passengers seated next to an emergency exit. As part of the instruction, pupils shall evacuate the school bus through emergency exit doors.

River Delta Unified School District Transportation Department provides safety instruction and physical bus evacuation drills once per school year for K to 8th grade students. Appropriate documentation is completed and kept on file at the transportation department for one year from the date of the instruction and is available for inspection of the California Highway Patrol

- (3) Prior to departure on a school activity trip, all pupils riding on a school bus or school pupil activity bus shall receive safety instruction which includes, but not limited to, location of emergency exits, location and use of emergency equipment. Instruction also may include responsibilities of passengers seated next to an emergency exit.

River Delta Unified School District bus drivers shall, prior to the departure of all activity trips, offer verbal safety instructions on the location of all emergency exits and location of all emergency equipment. This process is documented on the Trip Request Form by the bus driver giving the instructions and kept on file in the transportation department for one year from the date of the trip.

The information recorded pursuant to this subdivision shall remain on file at the district or county office, or at the school, for one year from the date of the instruction and shall be subject to inspection by the Department of the California Highway Patrol.

RIVER DELTA UNIFIED SCHOOL DISTRICT

“School Bus Safety Rules”

WALKING TO AND FROM BUS STOPS:

1. Go directly to and from bus stop.
2. Plan the safest route with the fewest streets to cross.
3. If possible cross streets and corners using crosswalks. Look in all directions before crossing and when safe walk across the street. Always obey traffic signals.
4. Watch for vehicles that might be making a turn.
5. **DO NOT** dart from between parked cars or shrubbery.
6. **NEVER** accept a ride from a stranger.
7. If possible, face traffic when walking on roads without sidewalks, and **ALWAYS** use caution.
8. Be extra careful during times of sunrise and sunset, bad weather, and during darkness (wear white or lighter clothing or something reflective).
9. Leave home early enough so you don't have to run.

CONDUCT AT SCHOOL BUS LOADING ZONES AND BUS STOPS:

1. Stand in lines or in a group facing traffic so you can see the bus approaching. Stand back 8 feet from where the bus will stop. **DO NOT** approach the bus until the driver opens the bus door.
2. When loading at a school, follow the directions of driver and/or teacher on bus duty. Stand back the required 8 feet until the bus driver opens the bus door. Remember there may be several buses to watch out for, not just your bus.
3. **NEVER** go under any bus to retrieve something you have dropped. Ask the driver or teacher to assist.
4. **NEVER** run to a bus, always walk.
5. Destroying property, playing in or running across the street or any type of horseplay at a bus stop or bus loading zone is **VERY** dangerous and prohibited.
6. **DO NOT** bring pets to a bus stop.
7. When the bus is stopped to load or unload, the students are the direct responsibility of the bus driver and the driver's directions must be followed.

8. School buses can only stop at designated bus stops. If you miss the bus, have a parent take you to another bus stop or directly to school. Remember **NEVER** run after your bus once it leaves.
9. When waiting for the bus in a car, be sure your car is not parked in the bus loading/unloading zone.

WHEN CROSSING THE STREETS:

1. River Delta Unified School District bus drivers cross all students, Prekindergarten through 12 grade students, who need to go across the street as they depart the bus. Be sure to tell your bus driver that you cross the street so he or she can safely prepare the bus for the crossing procedure.
2. Always let your driver be the first person off the bus. Once your driver is off the bus, you can walk down the bus steps and wait on sidewalk or next to bus for your bus driver to direct you to cross the street. **NEVER** go out into the street without the bus driver telling you to do so.
3. Always walk between the bus and the bus driver as you cross the street.
4. Once you are on the other side of the street, stay on that side of the street. **DO NOT** play in the street. **GO DIRECTLY HOME.**

RULES AND REGULATIONS:

Students are required to:

1. Arrive at the bus stop five (5) minutes before the bus is scheduled to arrive.
2. Use only your appropriate bus stop.
3. Arrange for transport of live animals, insects or reptiles to or from school by a means other than the bus.
4. Refrain from transporting hazardous or destructive objects of any kind, such as firearms, weapons, glass objects or containers, explosives, sharp or pointed objects, skateboards, and ball bats or anything that can be used to harm someone else on the bus.
5. Respect the rights and property of others on the bus and at the bus stop. Including the driver and the bus.
6. Avoid all fighting and rough play while at the bus stop, on the bus, or when loading and unloading the bus.
7. Always enter and leave the bus through the entrance door except in emergencies.

8. Remain quiet at railroad crossings.
9. Keep all parts of the body inside the bus.
10. **DO NOT** use profane languages, obscene gestures, create excessive or unnecessary noise. **DO NOT** yell to your friends who may be walking.
11. **DO NOT** damage or deface any part of the bus, tamper with the radio, bus controls, emergency exits or other equipment. **DO NOT** throw any object inside or outside of the bus windows. **DO NOT** in any way endanger the safety of others.
12. Help keep the bus safe and free from litter by throwing it in garbage bins as you enter or exit the bus. **DO NOT** throw garbage on the floor of the bus.
13. Be courteous and respectful to the bus operator, other students and passersby either inside or outside the bus.
14. Obey the request of all other bus operators. Give proper identification when requested.
15. Give the bus operator a written request when riding a different bus or leaving the bus at a stop that is **NOT** the appropriate bus stop. The request **MUST** be signed by the parent or guardian and approved by the site administrator and/or his/hers designee. Always cross in front of the bus when it is necessary to cross the street.
16. **ALWAYS** have a safe bus ride.

DISCIPLINE PROCESS:

1. Violations:

Students who violate any of the rules and regulations will receive a negative Bus Conduct Report and will be subject to a normal progression of penalties. In cases of severe misconduct, students may be assigned penalties more severe than provided for in the normal process.

All other school district rules and regulations, together with other penalties, shall apply to conduct on buses and shall be administered by the Principal or other appropriate school authorities.

The Principal or his/her designee is responsible for notifying the parent of all violations. The normal progression of penalties for violations of the rules and regulations on the bus are:

(A) First violation – warning by Principal, notification of parent.

(B) Second violation – One (1) day suspension from riding bus, notification of parent.

- (C) Third violation – Five (5) day suspension from riding bus, notification of parent.
- (D) Fourth violation – Ten (10) days suspension from riding bus, notification of parent.
- (E) Fifth violation – suspension from riding bus for the remainder of the school year, notification of parent.

2. Appeals:

If a parent requests an appeal on the bus suspension, the following people should be present:

- (A) The Principal or his/her designee.
- (B) Director of Maintenance, Operations & Transportation or his/her designee.
- (C) The school bus operator who issued Bus Conduct Reports.
- (D) The parent/guardian of the suspended student.
- (E) Student (if requested).

3. Appeal Levels:

Should the parent/guardian not be satisfied with a decision at any level, they may appeal as follows:

- (A) The Principal
- (B) Director of Maintenance, Operations & Transportation
- (C) Chief Business Officer

BUS SURVEILLANCE SYSTEMS:

The Board believes that the use of surveillance systems on school buses will help to deter misconduct and improve discipline, ensure the safety of students and bus drivers and prevent vandalism. Therefore, as available funding permits, surveillance systems may be installed and used on school buses to monitor student behavior while travelling to and from school and school activities.

(cf. 3515 – Campus Security)

When the District is able to install surveillance systems, the Superintendent or designee shall monitor the use and maintenance of the district's bus surveillance system. Students are prohibited from tampering with the bus surveillance system. Any student found tampering with the system shall be subject to discipline and shall be responsible for the costs of any necessary repairs or replacement.

(cf. 3515.4 – Recovery for property Loss or damage)

(cf. 5131.5 – Vandalism, Theft and Graffiti)

Camera supports may be installed in all buses. Cameras may be rotated among the buses and activated at the discretion of the Superintendent or designee.

The content of any recording is a student record and may only be accessed in accordance with the district's policy and administrative regulation concerning student records.

(cf. 5125 – Student Records)

(cf. 5125.1 – Release of Directory Information)

VC 22112: School Bus Signal and School Bus Stops

- d) When a school bus is stopped on a highway or private road for the purpose of loading or unloading pupils, at a location where traffic is not controlled by a traffic officer or official traffic control signal, the school bus driver shall do all of the following:
 - (1) Escort all pupils in prekindergarten, kindergarten, or any of the grades 1 to 8, inclusive, who need to cross the highway or private road upon which the school bus is stopped. The driver shall use an approved hand-held “**STOP**” sign while escorting all pupils.
 - (2) Require all pupils who need to cross the highway or private road upon which the school bus is stopped to walk in front of the bus as they cross.
 - (3) Ensure that all pupils who need to cross the highway or private road upon which the school bus is stopped have crossed safely, and that all other pupils and pedestrians are a safe distance from the school bus before setting the school bus in motion.

5 CCR 14103: Authority of the Driver

- (a) Pupils transported in a school bus or in a school pupil activity bus shall be under the authority of, and responsible directly to, the driver of the bus, and the driver shall be held responsible for the orderly conduct of the pupils while they are on the bus or being escorted across a street, highway or road. Continued disorderly conduct or persistent refusal to submit to the authority of the driver shall be sufficient reason for a pupil to be denied transportation. A bus driver shall not require any pupil to leave the bus enroute between home and school or other destinations.
- (b) Governing boards shall adopt rules to enforce this section. Such rules shall include, but not be limited to, specific administration procedures relating to suspension of riding privileges and shall be made available to parents, pupils, teachers, and other interested parties.



River Delta Unified School District



2019

Comprehensive District Safety Plan

Bates Elementary School - 180 Primasing, Courtland
D.H. White Elementary School - 500 Elm Way, Rio Vista
Isleton Elementary School - 412 Union Street, Isleton
Walnut Grove Elementary School - 14181 Grove Street, Walnut Grove
Clarksburg Middle School - 52870 Netherlands, Clarksburg
Riverview Middle School - 525 South 2nd Street, Rio Vista
Delta High School - 52810 Netherlands, Clarksburg
Rio Vista High School - 410 South 4th Street, Rio Vista
River Delta High/Elementary School - 400 Elm Way, Rio Vista
River Delta Community Day School - 160 Courtland High School Ln, Courtland
Mokelumne High School - 160 Courtland High School Ln, Courtland

This Comprehensive School Safety Plan was developed by the district's safety planning committee, reviewed by district employees, School Site Councils (SSC), local law enforcement, fire districts and adopted by the River Delta Unified School District Governing Board on February 19, 2019

RDUSD Board Approval Confirmed by:

| Name | Title | Signature | Date |
|-------------------------|------------------------|-----------|--------------------------|
| <i>Alicia Fernandez</i> | <i>Board President</i> | | <i>February 19, 2019</i> |
| <i>Don Beno</i> | <i>Superintendent</i> | | <i>February 19, 2019</i> |

This document is to be maintained for public inspection in the district office during regular business hours or on the districts website www.riverdelta.org

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Comprehensive Safety Plan Purpose & Compliance

The California Education Code (sections 32280-32288) outlines the requirements of all schools operating any kindergarten and any grades 1 to 12, inclusive, to write and develop a school safety plan relevant to the needs and resources of that particular school.

In 2004, the Legislature and Governor recast and renumbered the Comprehensive School Safety Plan provisions in SB 719 and AB 115. It is the intent of the Legislature in enacting the provisions to support California public schools as they develop their mandated comprehensive safety plans that are the result of a systematic planning process, that include strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on school campuses.

The historical requirement of the Comprehensive School Safety Plan was presented in Senate Bill 187, which was approved by the Governor and chaptered in 1997. This legislation contained a sunset clause that stated that this legislation would remain in effect only until January 1, 2000. Senate Bill 334 was approved and chaptered in 1999 and perpetuated this legislation under the requirement of the initial legislation.

Comprehensive School Safety Plans must include the following elements:

- Assessment of school crime committed on school campuses and at school-related functions
- Child abuse reporting procedures
- Disaster procedures
- Suspension and expulsion policies
- Procedures to notify teachers of dangerous pupils
- Discrimination and harassment policies
- School wide dress code policies
- Procedures for safe ingress and egress
- Policies enacted to maintain a safe and orderly environment
- Rules and procedures on school discipline
- Hate crime reporting procedures

The Comprehensive School Safety Plan will be reviewed and updated by March of each year. In July of every year, the school will report on the status of its school safety plan including a description of its key elements in the annual school accountability report card.

Small school districts (with an enrollment of 2,500 students or less) may develop a comprehensive district safety plan to encompass all schools within the district, which would fulfill each individual school's comprehensive safety plan requirement. It is not required that small school districts have their safety plans developed or approved by site councils or designated safety committees; the plans must only be approved by the district board of trustees. However, a district plan should be developed in cooperation with local law enforcement agencies, community leaders, parents, pupils, teachers, administrators, and others who may be interested in the prevention of campus crime and violence.

As defined in **RDUSD Board Policy 0450**, the Board of Trustees recognizes that students and staff have the right to a safe and secure campus where they are free from physical and psychological harm. The Board is fully committed to maximizing school safety and creating a positive learning environment that teaches strategies for violence prevention and emphasizes high expectations for student conduct, responsible behavior, and respect for others.

The Board shall review the comprehensive district wide and/or school safety plan(s) in order to ensure compliance with state law, Board policy and administrative regulation. Approval of the plan shall occur at a regularly scheduled meeting.

A copy of the comprehensive district safety plan shall be available for review without the confidential sections at the River Delta Unified School District office.

Declaration regarding RDUSD board policy and administrative regulation references:

Except when specifically quoted, the RDUSD Board Policies and Administrative Regulations included in this safety plan are for reference only and may include only a summarized version of the official policy language. To review these policies and regulations in their entirety, please see the district office during regular business hours.

RDUSD Vision, Mission and Core Values

Vision

In a diverse community, rich in agricultural and family traditions, the River Delta Unified School District will provide a safe, supportive, rigorous, student-centered education in which all students are prepared to achieve their maximum potential and become productive members of society.

Mission

Our Mission is to develop a professional learning community devoted to student success in the 21st century by:

- Providing a safe, respectful, and nurturing school environment
- Providing exemplary, standards-based, fiscally sustainable programs
- Fostering the development of each individual through enrichment, extra-curricular, and other support programs
- Employing, training, and retaining highly qualified professional staff
- Forging partnerships and collaboration opportunities with community shareholders

Core Values

We work together every day in the spirit of:

- **Curriculum**
We will implement curriculum and instruction aligned with state and local standards and assessment to ensure articulated K-12 continuous learning.
- **Facilities**
We will utilize and update all of our resources and facilities to their fullest potential for the educational benefits and safety of our students and for our community.
- **Growth and Update**
We will address the needs of each community and take appropriate action based on anticipation of growth and updates of existing structures.
- **School Efficiency**
We will design and implement a strategic plan which addresses planning and communication among teachers, students, parents, administrators and community.
- **Social Issues**
We will implement age-appropriate programs that will educate students and parents about physical, emotional and social development and responsibility.
- **Technology**
We will utilize technology to enhance student learning; improve communication with families, communities and district staff and manage data and equipment.

Safety Plan Vision

To support the vision, mission and core values of the River Delta Unified School District, we strive for a safe, respectful and nurturing learning environment where students are empowered to achieve through strong connectedness to their school and community.

Working together with our community partners, we will provide a safe campus environment by effectively identifying and addressing issues that deteriorate our schools' social and physical climate.

Components of the Comprehensive School Safety Plan

As a small school district (enrollment of 2,500 or below), the RDUSD Comprehensive District Safety Plan encompasses all eleven schools. Site-specific procedures to implement the components of this plan will be included within the body or appendices of this document. The Plan is reviewed and approved by site councils prior to Board Approval.

RDUSD Safety Planning Committee

- Don Beno, District Superintendent
- Kathy Wright, Director of Educational Services and Special Education
- Jennifer Gaston, District Executive Assistant
- Ken Gaston, Director of MOT
- Linda Garcia, MOT Secretary
- Marcy Rossi, Site Principal
- Stacy Knisley, Site Vice Principal

Assessment of School Safety

Education Code, Section 32282 (a) 1

In the 2017-2018 California Healthy Kids Survey, conducted among district 7th graders - 61%, 9th graders – 54%, and 11th grade – 55% of students reported feel safe at school all of the time. The same survey also showed that more than half of the students reported high levels of caring relationships with a teacher or other adult at their school and high levels of personal school connectedness. Each of these elements are key indicators of school safety, and these results show that RDUSD has developed for their students, a safe social and physical climate. The only concern that has arisen recently based on discipline data is an increase in drug offenses at the upper grades, which site administrators and counselors are addressing.

A review of school suspension and expulsion data, campus policies and procedures, and interviews with school administration showed an overall safe campus climate and a district commitment to student safety. Site security assessments conducted at each location found facilities to be in good repair and safe. Recommendations made following site security assessments conducted at schools in the district included: replacing door handles with handles lockable from the inside; adding fencing and lockable gates; posting additional signs to guide visitors to each school office; and strengthening lockdown procedures in emergency plans.

District/Campus Safety Strategies and Programs

Education Code 32282 (a) 2 (A)-(J)

As written in **RDUSD Board Policy 5142**, The Board of Trustees recognizes the importance of providing a safe school environment that is conducive to learning and helps ensure student safety and the prevention of student injury. The Superintendent or designee shall implement appropriate practices to minimize the risk of harm to students, including, but not limited to, practices relative to school facilities and equipment, the outdoor environment, educational programs, and school-sponsored activities.

(A) Child Abuse Reporting Procedures

Additional code references: Education Code 35294.2 (a) (2); Penal Code 11166

According to **RDUSD Board Policy 5141.4** The Board of Trustees is committed to supporting the safety and well-being of district students and desires to facilitate the prevention of and response to child abuse and neglect. The Superintendent or designee shall develop and implement strategies for preventing, recognizing, and promptly reporting known or suspected child abuse and neglect.

The Superintendent or designee may provide a student who is a victim of abuse with school-based mental health services or other support services and/or may refer the student to resources available within the community as needed.

The district's instructional program shall include age-appropriate and culturally sensitive child abuse prevention curriculum. This curriculum shall explain students' right to live free of abuse, include instruction in the skills and techniques needed to identify unsafe situations and react appropriately and promptly, inform students of available support resources, and teach students how to obtain help and disclose incidents of abuse.

The district's program may also include age-appropriate curriculum in sexual abuse and sexual assault awareness and prevention. Upon written request of a student's parent/guardian, the student shall be excused from taking such instruction.

The Superintendent or designee shall, to the extent feasible, seek to incorporate community resources into the district's child abuse prevention programs and may use these resources to provide parents/guardians with instruction in parenting skills and child abuse prevention.

The Superintendent or designee shall establish procedures for the identification and reporting of known and suspected child abuse and neglect in accordance with law.

District employees who are mandated reporters, as defined by law and administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect.

The Superintendent or designee shall provide training regarding the duties of mandated reporters.

(B) Emergency Preparedness and Crisis Response Plan

Additional code references: Educational Code 35295-35297; Government Code 8607 and 3100

In **RDUSD Board Policy 3516**, the Governing Board recognizes that all district staff and students must be prepared to respond quickly and responsibly to emergencies, disasters, and threats of disaster. The Superintendent or designee shall develop and maintain a disaster preparedness plan which details provisions for handling emergencies and disasters and which shall be included in the district's comprehensive school safety plan. In developing the district and school emergency plans, the Superintendent or designee shall collaborate with city and county emergency responders, including local public health administrators. The Superintendent or designee shall use state-approved Standardized Emergency Management System guidelines and the National Incident Command System when updating district and site-level emergency and disaster preparedness plans.

The River Delta Unified School District Crisis Response Plan is included in the appendices, and accomplishes the following: providing emergency preparedness guidelines and the district crisis response plan, which incorporates strategies of the Incident Command System (ICS), SEMS and NIMS; as well as emergency contact information and site-specific procedures.

(i) Earthquake and Multi-hazard Emergency Response Procedure System

RDUSD has defined emergency response procedures for earthquakes and other hazards in the Crisis Response Plans described in the appendices of this plan. This district follows the recommended “drop, cover and hold on” procedures for earthquake response. The plans also align with standards established by NIMS and SEMS and call for response actions to be coordinated using ICS. Additional details on the implementation of these plans, including roles and responsibilities for school personnel, are included as part of the District Emergency Operations Plan and School Emergency Response Procedures flipcharts. These additional supporting plans are provided to school personnel as references and are not included as part of this public document.

(ii) Use of School Buildings for Emergency Shelters

The Board shall grant the use of school buildings, grounds, and equipment to public agencies, including the American Red Cross, for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The Board shall cooperate with such agencies in furnishing and maintaining whatever services they deem necessary to meet the community’s needs.

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Additional code reference: Education Code 48900, 48915 (d) and (c)

As stated in **RDUSD Board Policy 5144** The Board of Trustees desires to provide a safe, supportive, and positive school environment conducive to student learning and to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, use of effective school and classroom management strategies, and parent involvement can minimize the need for discipline. This policy also states that staff shall use preventative measure and positive conflict resolution techniques whenever possible.

Through **RDUSD Board Policy 5144.1 and 5144.2**, the Governing Board has established policies and standards of behavior in order to promote learning and protect the safety and well being of all students. When these policies and standards are violated, it may be necessary to suspend or expel a student from regular classroom instruction. Except where suspension for a first offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct.

The policy also describes the guidelines in accordance with state and federal law, Student Due Process, On-Campus Suspension Program, Required Parental Attendance and the Decision to Not Enforce Expulsion Order available to the school board.

For campus-specific guidelines for suspension and expulsion of students, including behavior that may result in suspension or expulsion on the first offense, please refer to student and parent handbook distributed to all students at the start of each school year. Current versions will be available for review alongside this comprehensive safety plan in the district office.

(D) Procedures to Notify Employees of Dangerous Pupils

Additional code reference: Education Code 49079

As described in **RDUSD Board Policy 4158**: the Superintendent or designee shall ensure that employees are informed, in accordance with law, regarding crimes and offenses by students who may pose a danger in the classroom.

When any individual directs violence against an employee and the employee so notifies the Superintendent or designee, the Superintendent or designee shall take steps to ensure that appropriate legal measures are instituted. When the employee notifies the Superintendent or designee of a threat of bodily harm, the district shall take appropriate measures to enable the employee to request assistance if a threat occurs on school grounds.

The Superintendent or designee shall ensure that employees are trained in crisis prevention and intervention techniques in order to protect themselves and students. Staff development may include training in classroom management, effective communication techniques and crisis resolution.

(E) Discrimination and Harassment Policies

Additional code reference: Education Code 200-262.4

A comprehensive prohibition of discrimination and harassment across all district programs and activities is identified in **RDUSD Board Policy 0410**, which states that the Governing Board is committed to equal opportunity for all individuals in education. District programs, activities and practices shall be free from discrimination based on race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sexual orientation, gender, gender identity or expression, or genetic information; the perception of one of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

Among the policies included in this comprehensive set of anti-discrimination and harassment policies are two that clearly define the expectations and procedures regarding occurrences of discrimination and sexual harassment:

RDUSD Board Policy 5145.3 states that district programs and activities shall be free from discrimination, including harassment, with respect to a student's actual or perceived sex, gender, ethnic group identification, race, national origin, religion, color, physical or mental disability, age or sexual orientation.

The Governing Board shall ensure equal opportunities for all students in admission and access to the educational program, guidance and counseling programs, athletic programs, testing procedures, and other activities. School staff and volunteers shall carefully guard against segregation, bias and stereotyping in instruction, guidance and supervision.

Students who harass other students shall be subject to appropriate discipline, up to and including counseling, suspension and/or expulsion. An employee who permits or engages in harassment may be subject to disciplinary action, up to and including dismissal.

As written in **RDUSD Board Policy 5145.7**, the Governing Board is committed to maintaining an educational environment that is free from harassment. The Board prohibits sexual harassment of students by other students, employees or other persons, at school or at school-sponsored or school-related activities. The Board also prohibits retaliatory behavior or action against persons

who complain, testify, assist or otherwise participate in the complaint process established pursuant to this policy and the administrative regulation.

The Superintendent or designee shall ensure that all district students receive age-appropriate instruction and information on sexual harassment. Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex
2. A clear message that students do not have to endure sexual harassment
3. Encouragement to report observed instances of sexual harassment, even where the victim of the harassment has not complained
4. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made

Any student who engages in sexual harassment of anyone at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to disciplinary action. For students in grades 4 through 12, disciplinary action may include suspension and/or expulsion, provided that in imposing such discipline the entire circumstances of the incident(s) shall be taken into account.

As written in **RDUSD Board Policy 5131.2** the Governing Board recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student.

No individual or group shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, retaliate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel.

(F) School-wide Dress Code

Additional code reference: Education Code 35183

As described in **RDUSD Board Policy 5132**, the Governing Board expects that students will present themselves in an orderly manner conducive to the advancement of education. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process. The Board considers this to be a judgment area for the principal of each school and specific rules will be an administrative decision.

For campus-specific detailed dress code requirements, please refer to the student and parent handbook that are distributed to all students at the start of each school year. Current versions will be available for review alongside this comprehensive safety plan in the district office.

(G) Procedure for Safe Ingress and Egress to and from School

Through a collection of Board Policies, River Delta Unified School District has established procedures to ensure the Safe Ingress and Egress of students, parents, and school employees to and from school. The list below shows applicable board policies and administrative regulations and how they contribute to this safety component:

- BP 5142: “To assist students in safely crossing streets adjacent to or near school sites, the Board may employ crossing guards and/or establish a safety patrol at any district school. The Superintendent or designee shall periodically examine traffic patterns within school attendance areas in order to identify locations where crossing assistance may be needed.”
- AR 3543: provides a framework for school bus transportation safety plans and procedures including, student and parent education, bus evacuation exercises, limitations on school bus operation in limited visibility conditions and exceptions to school bus capacity limits in emergency situations where students must be moved immediately to ensure safety.
- BP 5131: holds students accountable for conduct not only on campus but also on their way to and from school.
- BP 5131.7: prohibits the possession of weapons, imitation firearms or other dangerous instruments, as defined in law and administrative regulation, in school buildings, on school ground or buses, at school-related or school-sponsored activities away from school, or while going to or coming from school.

Each school site will also identify emergency evacuation routes identifying locations where students may assemble in response to fire, earthquake, bomb threats or other similar hazards. A map showing emergency evacuation procedures for each campus is included in Appendix B.5: District/Campus Emergency Evacuation Plans.

In addition to the safety measures defined above, student safety will also be ensured through the control of the ingress and egress of campus visitors as defined in **RDUSD Board Policy 1250**:

All outsiders, as defined in law and administrative regulation, shall register immediately upon entering any school building or grounds when school is in session (Penal Code 627.2).

The principal or designee may provide a visible means of identification for all individuals who are not students or staff members while on school premises.

Additional code references: Education Code 32210-32211, Penal Code 627

(H) A Safe and Orderly School Environment Conducive to Learning

As intended by Educational Code 32282 (b) the action plans shown in the tables on the following pages were developed using strategies presented in the handbook developed and distributed by the School/Law Enforcement Partnership Program entitled “Safe Schools: A Planning Guide for Action”.

Each goal is supported by objectives, which will be accomplished through the defined action steps, using designated resources available, and coordinated or reported on by the designated lead person. Outcome measures are also listed and may be used to assess the progress in achieving the objectives.

| Safe Physical Climate Goal: | Our schools are a source of pride in our community with safe, clean and healthy facilities where our students can learn, achieve and thrive. | | | |
|---|--|-------------------------------------|--|--|
| Objectives | Action Steps | Resources | Project Lead | Outcomes |
| 1) Identify and address security vulnerabilities and hazards | Maintain visibility from the building and surrounding environment by pruning landscape and moving potential obstacles (All Sites) | District | Gardener | M&O Supervisor will conduct regular site checks to ensure visibility is maintained |
| | Staff will keep classroom doors of the building locked at all times (All Sites). District will provide magnet strips to sites for doorways. | District, site | Site Administrators, M&O | Policy is enforced by the principal and door remain locked |
| | Security cameras at D.H. White Elementary School, Isleton Elementary School, Riverview Middle School and Bates Elementary Research expanding installation at other school sites | Site funds | Site Administrators, M&O | Cameras are installed, maintained and operational by site. Must be approved by MOT department. |
| 2) Identify and address communication issues within the district and community that affect the safety and wellbeing of students | District will implement the CatapultEMS Safety management system districtwide. | Donations Site funds District | Site Administrators District Office | Provide an emergency communication system for the safety of the students and staff. |
| | All sites and programs will be connected to and have the ability to send out messages via School Messenger | | Ed Services, site principals | Integrated communication system for all programs |

| Safe Physical Climate Goal: | Our schools are a source of pride in our community with safe, clean and healthy facilities where our students can learn, achieve and thrive. | | | |
|--|--|------------------|-------------------------------|--|
| Objectives | Action Steps | Resources | Project Lead | Outcomes |
| | All sites will develop and maintain a current phone tree | | Site Administrators | Current contact information for all site personnel |
| | Meet with community in a site/district forum annually to address school and community safety | | District, Site Administrators | Identify and address safety concerns connected with the schools |
| 3) Identify and address traffic flow, pedestrian safety and visitor influence concerns | Crossing guards will safely cross students and families across the street to school (Where applicable) | | Staff | Staff will ensure pedestrian safety |
| | Provide staff to: Supervise students being picked-up at dismissal time Supervise students before school on the main playground, including lining up in specific places | | Administrators, staff | Students are supervised during pick-up times Reduction in the amount of parents/students walking through campus before school |
| | Ensure visitors (non-district employees), have and wear site-issued badges | | Site Administrators | All visitors will can be easily identified on school campuses |

| Safe Physical Climate Goal: | Our schools are a source of pride in our community with safe, clean and healthy facilities where our students can learn, achieve and thrive. | | | |
|---|---|---|--|--|
| Objectives | Action Steps | Resources | Project Lead | Outcomes |
| | Provide signage to all sites – Office sign is clear, dusk to dawn, alcohol/drug free and dusk to dawn | TUPE grant funding and M&O funds | M&O, Ed Services | Physical spaces are clearly defined and policies are clearly communicated to the public |
| | Implement digital sign-in system at Riverview Middle, D.H. White Elementary and Rio Vista High for 2018-2019 school year | District LCAP funds | Site Administrator | All visitors to DH White, Riverview, Rio Vista High will sign in digitally and receive a visitor badge, decreasing unidentified individuals on campus and signaling security risks |
| 4) Implement and practice the activation of crisis response plans and tools | Work with local emergency response partners to conduct and monitor drills and to advise on access issues (all schools) | Local sheriff/police/fire | Site Administrators, District Safety Coordinator | Drills will be conducted regularly and emergency response partners will be informed/invited to all |
| | Train all staff and students on standard response protocols: 1. Evacuate 2. Shelter 3. Lockdown 4. Lockout and practice per Ed Code 5. Active Shooter | Standard Response Protocol, district, local sheriff/police/fire | Site Administrator | Students and staff have common and easy to remember protocols for crisis responses |
| | Use CatapultEMS to notify and monitor staff and student status during emergency situations and drills | District Donations | Site Administrators | Students and Staff have a communication and efficient protocols for crises responses |

| | | | | |
|------------------------------------|---|--|---------------------|--|
| Safe Physical Climate Goal: | Our schools are a source of pride in our community with safe, clean and healthy facilities where our students can learn, achieve and thrive. | | | |
| Objectives | Action Steps | Resources | Project Lead | Outcomes |
| | Develop mental health response protocol and train all staff | Crisis response organizations (fire, police, etc.) | Ed Services | Consistent response to mental health crises that are based on best practices |

| | | | | |
|--|--|------------------|--------------------------------|---|
| Safe Social Climate Goal: | Our students and staff thrive together in an environment of mutual respect, self-discipline and a commitment to excellence. | | | |
| Objectives | Action Steps | Resources | Project Lead | Outcomes |
| 1) Promote social emotional learning and decrease behaviors that affect student safety | Continue implementation of Student Success Teams and Second Step (4-6) | District funds | Site administrator or designee | # of students referred to, and served by Student Success Teams and Second Step services Classroom referrals connected with harassment will decrease Definition of Bullying will be defined in the student handbook. |

| Safe Social Climate Goal: | Our students and staff thrive together in an environment of mutual respect, self-discipline and a commitment to excellence. | | | |
|----------------------------------|--|--|---|---|
| Objectives | Action Steps | Resources | Project Lead | Outcomes |
| | Maintain 1 PT counselor for each elementary site and 1 FTE for each high school and middle school | District funds, SCOE Bullying Prevention grant | Ed Services, site administrator | Counselors will educate and support students in social emotional learning and anti-bullying behavior |
| | Provide parents education annually on bullying behavior | SCOE Bullying prevention program | Ed Services, site administrator | Parents will have clearer understanding of what is and isn't bullying Parents will understand and use complaint procedures to address potential bullying |
| | Monitor and address bullying behavior; staff will intervene on ALL bullying behavior | | Site administrator, supported by all school personnel | All staff will be trained in bullying prevention and use strategies and supports in classroom, as well as investigate all bullying claims |

| Safe Social Climate Goal: | Our students and staff thrive together in an environment of mutual respect, self-discipline and a commitment to excellence. | | | |
|--|--|--|------------------------------|--|
| Objectives | Action Steps | Resources | Project Lead | Outcomes |
| 2) Strengthen staff resources available for prevention programs | Site administration will continue to serve as the district’s liaison and prevention coordinator in addition to the services already in place | Tools and resources from SCOE safety plan training | Site administration team | Staff are trained in current research on bullying and provide a safe and supportive classroom and school climate |
| | Prevention program will be provided at middle school to address drug and alcohol use | TUPE grant, Solano County | District, site administrator | Reduction of drug and alcohol use as reported in California Healthy Kids Survey |
| 3) Strengthen administrative knowledge around current disciplinary practices and legal requirements around school safety | Provide annual training to district administrators on discipline, investigative process and expulsions | District | Ed Services | Consistent application of district and state disciplinary policies |
| | Identify and train district expulsion officer | SCOE, district | Ed Services | Ensure due process for all students and all paperwork is completed and presented to district and/or school board |

(I) School Discipline Rules and Consequences

Additional code references: Education Code 35291 and 35291.5

RDUSD Board Policy 5131 identifies district-wide standards for student conduct:

The Board of Trustees believes that all students have the right to be educated in a positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, while going to or coming from school, while at school activities, and while on district transportation.

The Superintendent or designee shall ensure that each school site develops standards of conduct and discipline consistent with Board policies and administrative regulations. Students and parents/guardians shall be notified of district and school rules related to conduct.

Prohibited student conduct includes but is not limited to:

1. Conduct that endangers students, staff or others, including, but not limited to, physical violence, possession of a firearm or other weapon, and terrorist threats
2. Discrimination, harassment, intimidation, or bullying of students or staff, including sexual harassment, hate-motivated behavior, cyberbullying, hazing or initiation activity, extortion, or any other verbal, written or physical conduct that causes or threatens to cause violence, bodily harm, or substation disruption
 - a. “Cyberbullying” includes the transmission of harassing communications, direct threats, or other harmful texts, sounds, images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person’s electronic account and assuming that person’s identity in order to damage that person’s reputation.
3. Conduct that disrupts the orderly classroom or school environment
4. Willful defiance of staff’s authority
5. Damage to or theft of property belonging to students, staff or the district
6. Obscene acts or use of profane, vulgar or abusive language
7. Possession, use, or being under the influence of alcohol, tobacco, cannabis, smokeless tobacco products, and electronic cigarettes or other prohibited drug in violation of school rules
8. Possession or use of laser pointers, unless used for a valid instructional or other school-related purpose
 - a. Prior to bringing a laser pointer on school premises for a valid instructional or school-related purpose, students shall obtain permission from the principal or designee.
9. Use of a cellular/digital telephone, pager, or other mobile communications device during instructional time
 - a. Such devices shall be turned off in class, except when being used for a valid instructional or other school-related purpose as determined by the teacher or other district employee, and at any other time directed by a district employee. Any device with a camera, video or voice recording shall not be used in any manner which infringes on the privacy rights of any other person.
 - b. No student shall be permitted from possessing or using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student’s health and the use of which is limited to purposes related to the student’s health.

10. Plagiarism or dishonesty in school work or on tests
11. Inappropriate attire
12. Tardiness or unexcused absence from school
13. Failure to remain on school premises in accordance with school rules

Students who violate district or school rules and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, referral to a student success team or counseling services, or denial of participation in extracurricular or cocurricular activities or other privileges in accordance with Board policy and administrative regulation. The superintendent or designee shall notify law enforcement as appropriate.

Students also may be subject to discipline, in accordance with law, Board policy, or administrative regulation, for any off-campus conduct during non-school hours which poses a threat or danger to the safety of students, staff, or district property, or substantially disrupts school activities.

For campus-specific rules and comprehensive description of conduct and student behavior expectations, please refer to student and parent handbook distributed to all students at the start of each school year. Current versions will be available for review alongside this comprehensive safety plan in the district office.

RDUSD Board Policy 5144 describes standards for discipline and provides administrative guidance for the consequences of misconduct:

The Board of Trustees desires to provide a safe, supportive, and positive school environment conducive to student learning and to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, use of effective school and classroom management strategies, and parent involvement can minimize the need for discipline.

The administrative staff at each school may develop disciplinary rules to meet the school's particular needs. However, the rules shall be consistent with law, Board policy, and district regulations. The Board may review, at an open meeting, the approved school discipline rules for consistency with board policy and state law.

The superintendent or designee shall approve, for each school, a complement of effective, age-appropriate strategies for correcting student behavior. Such strategies may include, but are not limited to, conferences with students and their parents/guardians; use of study, guidance, and other intervention-related teams; enrollment in a program teaching prosocial behavior or anger management; and participation in a restorative justice program. Staff shall use preventative measures and positive conflict resolution techniques whenever possible. Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as suspension and expulsion, shall be imposed only when required by law and when other means of correction have failed.

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall implement appropriate discipline and attempt to identify and address the causes of the student's behavior. When choosing between different disciplinary strategies, staff shall consider the effect of each option on the student's health and opportunity to learn. Persistently disruptive

students may be assigned to alternative programs or removed from school in accordance with law, Board policy and administrative regulation.

Additional Board Policies are listed below, which describe overarching discipline standards for specific areas of concern. Violation of these items will result in student referral to campus administration at the minimum and may lead to suspension or expulsion. These include:

- **Weapons:** The Board prohibits any student from possessing weapons, imitation firearms, or other dangerous instruments, as defined in law, and administrative regulation, in school buildings, on school grounds or buses, at school-related or school-sponsored activities away from school, or while coming to or coming from school. Under the power granted to the Board to protect the safety of students, staff and others on district property and to maintain order and discipline in the schools, any school employee is authorized to confiscate any prohibited weapon, imitation firearm, or dangerous instrument from any student on school grounds. **RDUSD Board Policy 5131.7**

(J) Hate Crime Reporting Procedures and Policies

Additional code references: Penal Code 628

As stated in **RDUSD Board Policy 5145.9**, in order to create a safe learning environment for all, the Board of Trustees desires to protect the right of every student to be free from hate-motivated behavior and will promote harmonious relationships among students so as to enable them to gain a true understanding of the civil rights and social responsibilities of people in society. The district prohibits discriminatory behavior or statements that degrade an individual on the basis of his/her actual or perceived race, ethnicity, culture, heritage, gender, sex, sexual orientation, physical/mental attributes, or religious beliefs or practices.

The Superintendent or designee shall collaborate with regional programs and community organizations to promote safe environments for youth. These efforts shall be focused on providing an efficient use of district and community resources.

The district shall provide age-appropriate instruction to help promote an understanding of and respect for human rights, diversity, and tolerance in a multicultural society and to provide strategies to manage conflict constructively.

Any student who believes he/she is a victim of hate-motivated behavior shall immediately contact the Coordinator for Nondiscrimination/Principal. Upon receiving such a complaint, the Coordinator/Principal shall immediately investigate the complaint in accordance with school-level complaint process/grievance procedures as described in AR 5145.7 - Sexual Harassment. A student who has been found to have demonstrated hate-motivated behavior shall be subject to discipline in accordance with law, Board policy, and administrative regulation.

Staff who receive notice of hate-motivated behavior or personally observe such behavior shall notify the Coordinator/Principal, Superintendent or designee, and/or law enforcement, as appropriate.

As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate-motivated behavior and to students who exhibit such behavior.

Safety Plan Review, Evaluation and Amendment Procedures

The River Delta Unified School District comprehensive safety plan will be reviewed, evaluated and amended (if necessary) in November of each school year.

Pursuant to Education Code Section 35294.6(a), the River Delta Unified School District adopted this annual comprehensive school safety plan at the regular meeting of the Governing Board as noted on the cover page. An opportunity for public comment was provided during this meeting, prior to the plan's adoption. Documentation of this meeting, which may include the meeting agenda, minutes and copies of materials provided for the plan presentation, will be filed alongside the plan at the district office.

An updated file containing all appropriate or required safety related plans and materials are available for public inspection in the River Delta Unified School District Office.

Safety Plan Appendices

Protected Information

The preceding Comprehensive School Safety Plan is a public document to be available for review in the district office at any time during regular business hours, as mandated by Education Code 32282 (e). However, some appendices within this section may include proprietary information that shall not be released to the general public including personal contact information for staff members, detailed security procedures for campus crisis response and campus vulnerability assessment information.

As protected under the California Public Records Act (Government Code 6254 parts *c* and *aa*) and prescribed by RDUSD Administrative Regulation 1340, the following items will be identified as “**Confidential**”, reviewed only in a closed session of the RDUSD Governing Board and withheld from public release of the Comprehensive District Safety Plan:

- Any appendices containing personnel information that the disclosure of which would constitute an unwarranted invasion of personal privacy.
(Further detail on protected information is also defined in GC 6254.3.)
- Any appendices prepared to assess district and/or school site vulnerabilities to terrorist or other criminal acts intended to disrupt student instruction or safety.

According to the procedures developed by the Department of Homeland Security and defined in DHS Management Directive 11042.1, the following items will be designated “**For Official Use Only (FOUO)**”, will be reviewed only in a closed session of the RDUSD Governing Board and released only for official safety assurance or crisis response use:

- Any appendices containing detailed crisis response information that, if disclosed, would undermine plans or procedures designed to protect students from harm by revealing safety strategies such as but not limited to critical communications systems, crisis response facilities (i.e. command post, staging areas, etc), and supplies storage.

Appendix A: Emergency Preparedness Guidelines

Please see attached flip chart, which includes emergency preparedness guidelines followed by the school district.

Appendix B: District Crisis Response Plan

The following sections provide key information for crisis response for RDUSD. While this information represents the basic tools needed for an effective crisis response, RDUSD will continue to assess, revise and expand on the plan for continuous improvement in student safety. Additional documentation, including a stand-alone emergency operations plan will be referenced in this Comprehensive District Safety Plan as it is developed and implemented. Also, site-specific information is attached for use by site personnel and district personnel.

Appendix B.1: District Staff Emergency Contacts – Confidential

Appendix B.2: Connect Ed Use Procedures – Confidential

Appendix B.3: Crisis Response/Community Emergency Contacts

For all emergencies call 911!

Public Health and Safety

| Number | Purpose/Subject |
|----------------------------------|--|
| Emergency - 911 | |
| 916-876-8309 | Non-emergency |
| 1-800-TELL-CHPP | Non-emergency |
| 916-875-5437 | Regular hours reports |
| 916-875-5437 | After hours reports |
| 1-800-544-8596 | Regular hours reports |
| 1-800-544-8596 | After hours reports |
| 530-669-2345 | Regular hours reports |
| 1-888-400-0022 | After hours reports |
| 916-874-4670 | Natural & Man-made disaster services coordination, procedures, resources and preparedness programs |
| 707-784-1600 | After hours reports |
| 530-406-4930 | Natural & Man-made disaster services coordination, procedures, resources and preparedness programs |
| 916-875-5881 | |
| 707-784-8070 | |
| | Health and public safety resources |
| 530-666-8645 | Health and public safety resources David Gordon |
| 916-228-2410 dgordon@scoe.net | |
| 916-875-1055 | |
| 800-547-0495 | General Access Line |
| 707-428-1131 | 24 hour Crisis Line |
| 916-666-8645 | Regular Hours |

| | |
|--------------|------------------|
| 800-733-2767 | Customer Service |
| 800-876-4766 | 24 hr. HOTLINE |
| 800-876-4766 | 24 hr. HOTLINE |
| 800-876-4766 | 24 hr. HOTLINE |
| | |

Communications – Media

| Agency | Number | Purpose/Subject |
|------------------------------|--------|-----------------|
| Radio Stations | | |
| | | |
| | | |
| | | |
| Newspapers | | |
| River News Herald, Rio Vista | | |
| Sacramento Bee | | |
| Recorder, Fairfield | | |
| | | |
| | | |
| Television | | |
| | | |

Transportation and Utilities

| Agency | Number | Purpose/Subject |
|--------------------------------|-----------------|-----------------------|
| Cal Trans | | |
| Delta Breeze | 707-374-2878 | Public transportation |
| River Delta USD Transportation | (707) 374-2494 | South Trans. Office |
| River Delta USD Transportation | | |
| PG&E | 1(800) 743-5000 | 24-hour contact |
| | | |
| Telephone Repair | | |

Appendix B.4: RDUSD Incident Command System

Standardized Emergency Management System/ Incident Command System Overview

The California Standardized Emergency Management System (SEMS) uses the Incident Command System (ICS) to centralize and coordinate emergency response through the use of standardized terminology and processes. This greatly facilitates the flow of information and resources among the agencies participating in response to an emergency.

ICS consists of five functions:

Management

During an emergency, the Incident Commander directs response actions from a designated Command Post. To effectively do this, the Incident Commander must constantly assess the situation, and develop and implement appropriate strategies. The Incident Commander must be familiar with the available resources, accurately document all response actions, and effectively communicate response strategies to others participating in the response.

Planning & Intelligence

Planning and Intelligence involves the use of various methods to efficiently gather information, weigh and document the information for significance, and actively assess the status of the emergency. This understanding and knowledge about the situation at hand is vital to the effective management of a response. These activities are performed by a single person who reports directly to the Incident Commander.

Operations

All response actions are implemented under by Operations. This includes staff performing first aid, crisis intervention, search and rescue, site security, damage assessment, evacuations, and the release of students.

In the organizational structure described on the preceding page, the Operations Chief supervises five teams: First Aid and Student Health, Student Evacuation Transportation, Critical Incident Stress Response, Parent Coordination and Reunification and Student Accountability.

Logistics

Logistics supports the response by coordinating personnel; assembling and deploying volunteers; providing supplies, equipment, and services; and facilitating communications among emergency responders.

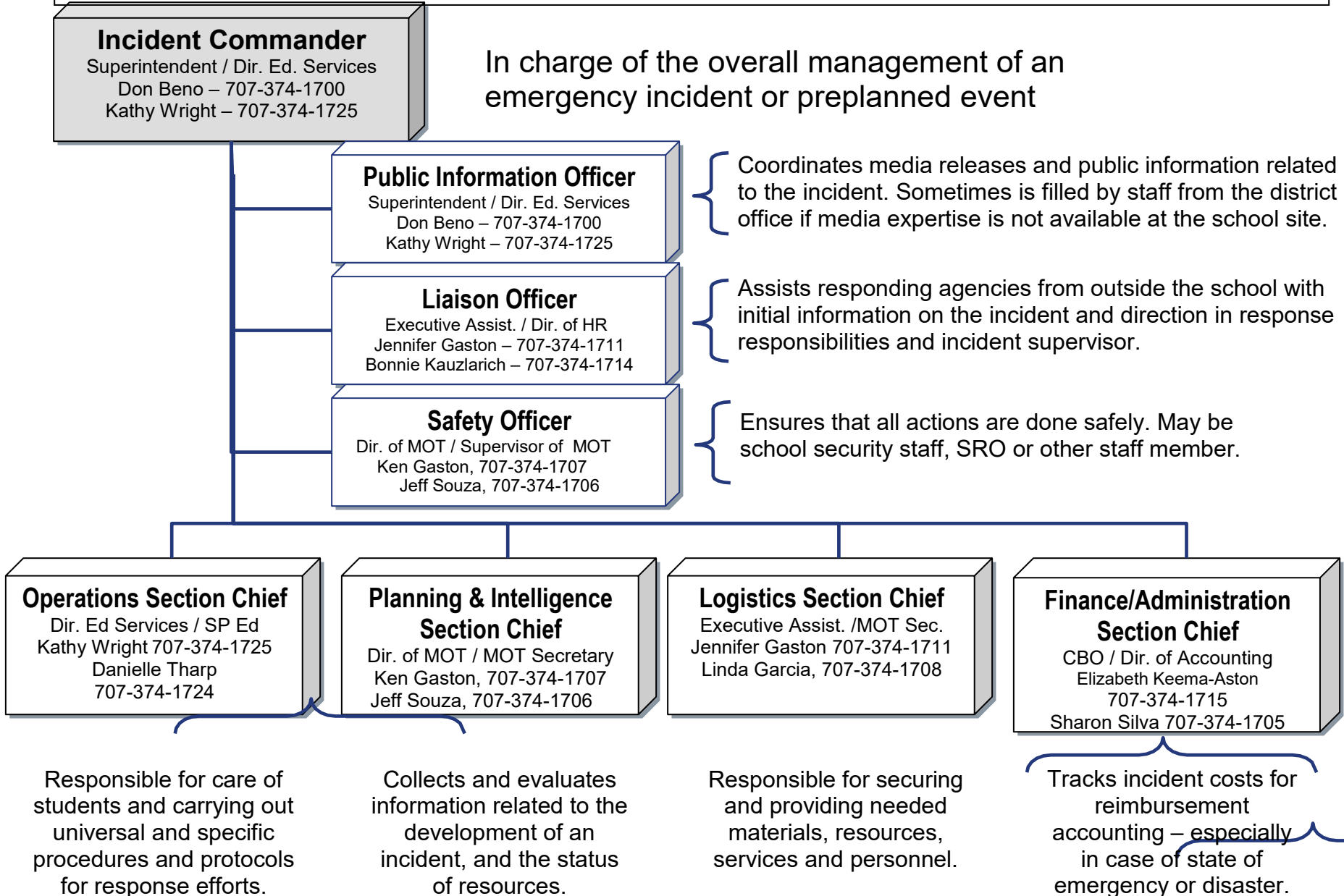
Finance & Administration

Finance & Administration involves the purchasing of all necessary materials, tracking financial records, timekeeping for emergency responders, and recovering school records following an emergency. These activities are performed by a single person who reports directly to the Incident Commander.

River Delta Unified School District Incident Response Team

Last Updated: 2-14-2019

Updated by: Jennifer Gaston – 707-374-1711



Appendix B.5: District/Campus Emergency Evacuation Plans

Appendix C: Emergency Response Guidelines

STEP ONE: IDENTIFY THE TYPE OF EMERGENCY

The first response to an emergency is to determine the type of emergency that has occurred. Procedures for 18 different types of emergencies are listed in the following section.

STEP TWO: IDENTIFY THE LEVEL OF EMERGENCY

The second step in responding to an emergency is to determine the level of the emergency. For schools, emergency situations can range from a small fire to a major earthquake. To assist schools in classifying emergency situations, there is a three-tiered rating below:

- **Level 1 Emergency:** A *minor* emergency that is handled by school personnel without the assistance from outside agencies, e.g., a temporary power outage, a minor earthquake, or a minor injury in the play yard.
- **Level 2 Emergency:** A *moderate* emergency that requires assistance from outside agencies, such as a fire or a moderate earthquake, or a suspected act of terrorism involving a potentially hazardous material, e.g., “unknown white powder.”
- **Level 3 Emergency:** A *major* emergency event that requires assistance from outside agencies such as a major earthquake, civil disturbance or a large-scale act of terrorism. For Level 3 emergencies, it is important to remember that the response time of outside agencies may be seriously delayed.

STEP THREE: DETERMINE THE IMMEDIATE RESPONSE ACTION

Once the type and extent of an emergency have been identified, school personnel can determine if an *immediate response action* is required. The most common immediate response actions initiated during school emergencies are:

- **Duck & Cover:** Students and staff protect themselves by crouching under a table, desk, or chair until the danger passes.
- **Shelter in Place:** Students and staff are kept indoors in order to isolate them from the outdoor environment. The heating and air conditioning system is also shut down.
- **Lock Down:** Students and staff are kept in a designated locked area until a danger has passed, such as an intruder being on campus.
- **Evacuate Building:** Students and staff are escorted outside to an assembly area if it has been determined that it is too dangerous to remain indoors.
- **Evacuate Campus:** Students and staff are escorted to an off-site assembly area if it has been determined that it is too dangerous to remain on campus.
- **All Clear:** Notification is given that normal school operations should resume.

STEP FOUR: COMMUNICATE THE APPROPRIATE RESPONSE ACTION (CatapultEMS)

Once the type of *immediate response action* is determined, the incident commander must inform the site’s staff which response action to take, using CatapultEMS, paging systems, or any other means necessary. The most appropriate method of communication depends on the response action selected. When announcing what response to take, avoid codes, jargon, or any other potentially confusing vocabulary. Be calm, direct, and clear in your announcements.

- **Duck & Cover:** Immediately use the site’s school-wide communication system to instruct students and staff to protect themselves by moving into a “duck & cover” position by crouching under a table, desk, or chair until the danger passes. Time is the most urgent matter with this response action as the emergency may take place before the announcement can be made. However, do not assume that all members of the site are already in a “duck & cover” position. Make the announcement even if the immediate crisis has passed.
- **Shelter in Place:** Immediately use the site’s school-wide communication system to instruct students and staff that they are to stay indoors until further notice, even if the heating and air conditioning system is disabled.
- **Lock Down:** Immediately use the site’s school-wide communication system to instruct staff to lock all exterior doors, to close any open windows, and to keep students as far away as possible from any windows until further notice
- **Lockout:** Immediately use the site’s school-wide communication system to instruct staff to lock all exterior doors, to close any open windows. Business as usual inside classroom.
- **Evacuate Building:** Immediately use the site’s fire alarm bell system to notify students and staff that they are to proceed to the site’s outside assembly area.
- **Evacuate Campus:** Immediately use the site’s fire alarm bell system to notify students and staff that they are to proceed to the site’s outside assembly area. From there, notify staff and students using a bullhorn that it has been determined that it is too dangerous to remain on campus. Provide instructions on how staff and students will be relocated.
- **All Clear:** Use the site’s school-wide communication system to notify staff and students that normal school operations should resume.



Appendix D: Types of Emergencies & General Procedures

AIRCRAFT CRASH

The administrator or designee will initiate appropriate actions, which may include Duck & Cover, Shelter-in-Place, Evacuate Building, or Evacuate Campus depending on the nature of the accident, the location of damage, and the existence of any chemical and/or fuel spills.

ANIMAL DISTURBANCE

This procedure should be implemented when the presence of a coyote, mountain lion, or any other wild animal threatens the safety of students and staff. The administrator or designee will initiate appropriate actions, which may include Lock Down or Evacuate Building.

ARMED ASSAULT ON CAMPUS

This involves one or more individuals who attempt to take hostages or cause physical harm to students and staff. Such an incident may involve individuals who possess a gun, a knife or other harmful item. The administrator or designee will decide the appropriate response, which may include Shelter-in-Place, Lock Down, Evacuate Building, or Evacuate Campus.

BIOLOGICAL OR CHEMICAL RELEASE

This is an incident involving the discharge of a biological or chemical substance in a solid, liquid, or gaseous state. Such incidents may also include the release of radioactive materials. Common chemical threats within or adjacent to schools include the discharge of acid in a school laboratory, an overturned truck of hazardous materials in proximity of the school, or an explosion at a nearby oil refinery or other chemical plant. The following indicators may suggest the release of a biological or chemical substance: Multiple victims suffering from watery eyes, twitching, choking or loss of coordination, or having trouble breathing. Other indicators may include the presence of distressed animals or dead birds. The administrator or designee will initiate appropriate actions, which may include Shelter-in-Place or Evacuate Building.

BOMB THREAT / THREAT OF VIOLENCE

This occurs upon the discovery of a suspicious package on campus grounds or receipt of a threatening phone call that may or may not present a risk of an explosion. If the threat is received by telephone, the person receiving the call should attempt to keep the caller on the telephone as long as possible and alert someone else to *call 911*. The person answering the threat call should ask the questions listed on the “Bomb Threat Checklist”. In coordination with law enforcement, the administrator or designee will initiate appropriate actions, which may include Duck & Cover, Lock Down, or Evacuation.

DISORDERLY CONDUCT

This involves a student or staff member exhibiting threatening or irrational behavior who does not have a weapon. The administrator or designee will initiate appropriate actions, which may include Shelter-in-Place, Lock Down, Evacuate Building, or Evacuate Campus.

EARTHQUAKE

Earthquakes occur without warning and may cause minor to serious ground shaking, damage to buildings, and injuries. It is important to note that even a mild tremor can create a potentially hazardous situation. The administrator or designee will initiate appropriate actions, which may include Duck & Cover, Evacuate Building, or Evacuate Campus.

EXPLOSION OR RISK OF EXPLOSION

This involves an explosion on school property, the risk of an explosion on school property, an explosion or risk of explosion near the school, or a nuclear explosion involving radioactive materials. The administrator or designee will initiate appropriate actions, which may include Duck & Cover, Shelter-in-Place, Evacuate Building, or Evacuate Campus.

FIRE IN SURROUNDING AREA

This procedure addresses the situation where a fire is discovered in an area adjoining the school. The initiated response actions should take into consideration the location and size of the fire, its proximity to the school and the likelihood that the fire may affect the school. After calling the local fire department in an effort to determine the seriousness of the fire, the administrator or designee will initiate appropriate actions, which may include Shelter-in-Place, Lock Down, Evacuate Building, or Evacuate Campus.

FIRE ON SCHOOL GROUNDS

This procedure addresses situations where a fire is discovered on school grounds. A quick response to this situation is very important to prevent injuries and further property damage. Upon discovery of a fire, teachers or staff will direct all occupants out of the building, signal the fire alarm, and report the fire to the administrator or designee. The administrator or designee will immediately initiate the Evacuate Building action. If the size of the fire is beyond the control of staff on site, call 911 for immediate assistance from the fire department.

FLOODING

This applies whenever storm water or other sources of water inundate or threaten to inundate school grounds or buildings. Flooding may occur as a result of prolonged periods of rainfall, where the school would have sufficient time to prepare. Alternatively, flooding may occur without warning, as a result of damage to water distribution systems, or a failure of a nearby man-made dam. The administrator or designee will initiate appropriate actions, which may include Shelter-in-Place, Evacuate Building, or Evacuate Campus.

LOSS OR FAILURE OF UTILITIES

This addresses situations involving a loss of water, power or other utility on school grounds. This procedure should also be used in the event of the discovery of a gas leak, an exposed electrical line, or a break in sewer lines. The administrator or designee will initiate appropriate actions, which may include Shelter-in-Place or Evacuate Building.

MOTOR VEHICLE CRASH

This procedure addresses situations involving a motor vehicle crash on or immediately adjacent to school property. Given the nature of the crash, there may also be a danger from a fuel spill, which should be considered when deciding which action(s) to take. The administrator or

designee will initiate appropriate actions, which may include Duck & Cover, Shelter-in-Place, Evacuate Building, or Evacuate Campus.

PSYCHOLOGICAL TRAUMA

When the administrator or designee feels that there has been an event that causes a psychological impact on students and/or staff, such as an act of violence; the death of a student or staff member; an earthquake or other natural disaster; a serious environmental problem; or ethnic and racial tensions, he or she should contact the local law enforcement office to request support in conducting a critical incident stress debriefing. Emergencies like these usually produce one or more of the following conditions: temporary disruption of regular school functions and routines, significant interference with the ability of students and staff to focus on learning, physical and/or psychological injury to students and staff, and concentrated attention from the community and news media. As a result of such emergencies, students and staff may exhibit a variety of psychological reactions. As soon as the physical safety of those involved has been insured, attention must turn to meeting emotional and psychological needs of others.

SUSPECTED CONTAMINATION OF FOOD OR WATER

This procedure applies where there is evidence of tampering with food packaging, observation of suspicious individuals in proximity to food or water supplies, or if notified of possible food/water contamination by central District staff or local agencies. Indicators of contamination may include unusual odor, color, taste, or multiple employees with unexplained nausea, vomiting, or other illnesses. The administrator or designee will isolate the suspected contaminated food/water to prevent consumption, and will restrict access to the area. Second, the administrator or designee will notify the district safety coordinator of the problem and await further instructions. Meanwhile, a list will be made of all potentially affected students and staff, which will be provided to responding authorities. Law enforcement should be contacted if there is evidence of individuals purposefully contaminating the food or water source.

UNLAWFUL DEMONSTRATION OR WALKOUT

An unlawful demonstration or walkout is any unauthorized assemblage on or off campus by staff or students for the purpose of protest or demonstration. Upon indication that an unlawful demonstration or walkout is about to begin, personnel should immediately notify the administrator or designee. The administrator or designee will initiate the Shelter-in-Place action. Students who ignore this action and leave campus shall be asked to sign his or her name and record address, telephone number and time entered or departed. If students leave the campus, the administrator or designee will designate appropriate staff members to accompany them. These staff members will attempt to guide and control the actions of students while offsite. The administrator or designee should proceed in good judgment on the basis of police or other legal advice, in taking action to control and resolve the situation.

**BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT**

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 19, 2019

Attachments: X

From: Don Beno, Superintendent

Item Number: 18

Type of item: (Action, Consent Action or Information Only): Action

SUBJECT:

Request to approve the Independent Contract for Services Agreement with RGM & Associates to provide a Facilities Condition Assessment for River Delta USD facility improvement needs

BACKGROUND:

There are two reasons to request a comprehensive facilities assessment district wide. First, it is the initial step in the process of identifying the need of a possible General Obligation Bond Measure. Second, Governor Newsome has indicated that he is interested in putting a state bond measure on the ballot for school facilities. A district facilities audit is a crucial step in qualifying for matching funds from the state.

STATUS:

Our district has aging schools that are in need of large-scale facility upgrades. We have schools that were built in the 1930's that have substantial structural upgrades which are needed. The most optimal way to make the necessary improvements is to seek approval of a GO Bond and seek matching funds from the state if their bond is also approved.

PRESENTER:

Don Beno, Superintendent

OTHER PEOPLE WHO MIGHT BE PRESENT:

COST AND FUNDING SOURCES: \$ 32,695

RECOMMENDATION:

That the Board approves the preliminary fee estimate from RGM & Associates, so that they can immediately commence with the Facilities Condition Assessment.

Time allocated: 15 minutes



Program Managers
Construction Managers
General Contractors

February 8, 2019

River Delta Unified School District
Attn: Don Beno, Superintendent
445 Montezuma Street
Rio Vista, CA 94571

Re: Revised Proposal for Providing High Level Facility Assessment

Dear Mr. Beno,

We are pleased to provide this Proposal to provide a Facility Assessment and assist the District's facility planning and consideration for a local bond election.

Basic Terms

- Initial Contract/PO amount to be \$32,695.
- Provide Time and Material Program Assessment and Support Services for potential Bond Planning, as directed.
- The scope of services provided can remain flexible and may be adjusted to meet the needs of RDUSD.

Scope of Services

- Site Assessments and Analysis – Conduct a visual inspection and assessment of each of the District's facilities, compile data, noting condition, health, safety and code compliance concerns observed.
- Meeting and Information Review – Meet with District M&O and administrators to glean insights to facility concerns and priorities. Review available Williams Act, Insurance Risk, AHERA and Roofing Reports. Review previous project plans and planning documents.
- Cost Opinions – Provide high-level cost opinions
- Assessment Report – Compile and present report

Fees and Payments

Payment for services shall be on a time-and-material basis in accordance with the schedule of rates attached. Basic hourly rates include RGM's cost of labor, payroll taxes, general liability insurance, workers compensation insurance, health insurance, retirement benefits, vehicle usage, auto insurance, cell phone, personal computer and home office overhead expenses. Receipts for any specific project expenses will be submitted with invoices. Invoices will be submitted the first week of each month and payments are due 30 days after submission of the invoice.

Termination of this Agreement

RDUSD or RGM may cancel this Agreement at will with a one day written notice. Upon receipt of, or giving of such notice, RGM will immediately terminate work and turn over all documents and RDUSD owned property in its possession. RDUSD upon final invoice shall promptly make final payment as indicated above.

We look forward to working with you and your staff. If you are in agreement with the terms of this Proposal, you may simply sign and return a copy of this letter. If you wish to enter into a standard Purchase Order Agreement, respectfully make reference to this letter to help define the terms of our agreement.

Sincerely,



Ralph Caputo
President

River delta Unified School District

Accepted by: _____

Name and Title

Date: _____



Program Managers
Construction Managers
General Contractors

**PROGRAM & CONSTRUCTION MANAGEMENT SERVICES
STANDARD FEE SCHEDULE**

Effective January 1, 2019

| Classification | Rate |
|---|-------------|
| Principals/ Directors/Sr Program Managers | \$ 175.00 |
| Senior Project Managers | 165.00 |
| Project Managers / Superintendents | 155.00 |
| Estimator / Scheduler / Plan Reviewer | 155.00 |
| Project Engineer / Foreman | 128.00 |
| Contracts Manager/ Move Manager | 120.00 |
| Project Coordinator | 95.00 |
| Project Labor Compliance Manager | 90.00 |
| Contract Administrator | 78.00 |
| Administrative Assistant | 65.00 |
| Clerical Support | 55.00 |

The above rates include all taxes, insurance, health and welfare benefits, overhead and profit. Rates also include cell phone, usage rates, laptop / PC for staff.

Annual fee increases will be based on data provided by the Bureau of Labor Statistics, Consumer Price Index.

RGM and Associates does not have a minimum “show-up” charge.

Reimbursables / Outside Consultants charged at cost plus 15%

See Detailed Fee Estimate (attached)

**BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT**

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 19, 2019

Attachments: X

From: Don Beno, Superintendent

Item Number: 19

Type of item: (Action, Consent Action or Information Only): Action

SUBJECT:

Request the Board to take whatever action they deem necessary to respond to the California School Boards Association's Ballot for 2019 CSBA Delegate Assembly Election

BACKGROUND:

"CSBA states the Delegate Assembly is a vital link in the association's governance structure." Ballot material for the election of a representative to the CSBA Delegate Assembly from sub-region 6B (Sacramento County)

- Number of Vacancies: 5
- Delegates will serve two-year terms beginning April 1, 2019-March 31, 2021.

STATUS:

Ballots must be postmarked by March 15, 2019 and the results to be posted by April 1, 2019.

PRESENTER:

Don Beno, Superintendent

OTHER PEOPLE WHO MIGHT BE PRESENT:

COST AND FUNDING SOURCES:

Zero cost to the district to vote for a representative to the CSBA Delegate Assembly

RECOMMENDATION:

That the Board take whatever action they deem necessary, if any.

Time allocated: 3 minutes



California School Boards Association

REQUIRES BOARD ACTION

Due: Fri. Mar. 15 return ballot in enclosed envelope

January 31, 2019

MEMORANDUM

To: All Board Presidents and Superintendents — CSBA Member Boards – **SUBREGION 6-B**
From: Emma Turner, CSBA President
Re: 2019 Ballot for CSBA Delegate Assembly — **U.S. Postmark Deadline is Fri. March 15**

Enclosed is the ballot material for election to CSBA's Delegate Assembly from your region or subregion. It consists of: 1) the ballot (on red paper), the reverse side of which contains the names of ALL current members of the Delegate Assembly from your region or subregion; and 2) the required candidate biographical sketch form and, if submitted, a resume, which will be on the reverse side of the biographical sketch form. In addition, provided is a copy of the ballot on white paper to include with your board agenda. **Only the ballot on red paper is to be completed and returned. It must be postmarked by the U.S. Post Office on or before Friday, March 15, 2019. No exceptions.**

Your Board may vote for up to the number of vacancies in the region or subregion as indicated on the ballot. For example, if there are three vacancies, the Board may vote for up to three candidates. However, your Board may cast no more than one vote for any one candidate. (The ballot also contains a provision for write-in candidates; their name and district must be clearly printed in the space provided.)

The ballot must be signed by the Superintendent or Board Clerk and returned in the enclosed envelope; if the envelope is misplaced, you may use your district's stationery. Please write **DELEGATE ELECTION** prominently on the envelope along with the region or subregion number on the bottom left corner of the envelope (this number appears at the top of the ballot).

If there is a tie vote, a run-off election will be held. All re-elected and newly elected Delegates will serve two-year terms beginning April 1, 2019 – March 31, 2021. The next meeting of the Delegate Assembly takes place on Saturday, May 18 and Sunday, May 19 at the Hyatt Regency in Sacramento. The names of all Delegates will be available on CSBA's website no later than Monday, April 1. Please do not hesitate to contact CSBA's Executive Office at (800) 266-3382 should you have any questions.

Encs: Ballot on red paper and watermarked "copy" of ballot on white paper
List of all current Delegates on reverse side of ballot (red paper and white paper)
Candidate(s)' required Biographical Sketch Forms and resumes, if provided
CSBA-addressed envelope to send back ballots

REQUIRES BOARD ACTION

This complete, **ORIGINAL** Ballot must be **SIGNED** by the Superintendent or Board Clerk and returned in the enclosed envelope postmarked by the post office No later than **FRIDAY, MARCH 15, 2019**. Only ONE Ballot per Board. Be sure to mark your vote "X" in the box. *A PARTIAL, UNSIGNED, PHOTOCOPIED, OR LATE BALLOT WILL NOT BE VALID.*

OFFICIAL 2019 DELEGATE ASSEMBLY BALLOT
SUBREGION 6-B
(Sacramento County)

Number of vacancies: 5 (Vote for no more than 5 candidates)

Delegates will serve two-year terms beginning April 1, 2019 - March 31, 2021

**denotes incumbent*

Basim Elkarra (Twin Rivers USD)

John Gordon (Galt Jt. Un. ESD)*

Susan Heredia (Natomas USD)*

Lisa Kaplan (Natomas USD)*

Ed Short (Folsom Cordova USD)*

Provision for Write-in Candidate Name

School District

Signature of Superintendent or Board Clerk

Title

School District Name

Date of Board Action

See reverse side for list of all current Delegates in your Region.

REGION 6 – 19 Delegates (12 elected/7 appointed)◆

Director: Darrel Woo (Sacramento City USD)

Below is a list of all the current Delegates with expired terms from this Region.

Subregion 6-A (Yolo)

Jackie Wong (Washington USD), term expires 2020

Subregion 6-B (Sacramento)

Michael A. Baker (Twin Rivers USD)◆, appointed term expires 2021

Pam Costa (San Juan USD)◆, appointed term expires 2019

Craig DeLuz (Robla ESD), term expires 2020

John Gordon (Galt Joint Union ESD), term expires 2019

Jay Hansen (Sacramento City USD)◆, appointed term expires 2019

Susan Heredia (Natomas USD), term expires 2019

Lisa Kaplan (Natomas USD), term expires 2019

Ramona Landeros (Twin Rivers USD), term expires 2020

Mike McKibbin (San Juan USD)◆, appointed term expires 2020

Christina Pritchett (Sacramento City USD)◆, appointed term expires 2020

JoAnne Reinking (Folsom-Cordova USD), term expires 2020

Rebecca Sandoval (Twin Rivers USD), term expires 2019

Edward (Ed) Short (Folsom-Cordova USD), term expires 2019

Bobbie Singh-Allen (Elk Grove USD)◆, appointed term expires 2020

Vacant (Elk Grove USD)◆, appointed term expires 2019

Subregion 6-C (Alpine, El Dorado, Mono)

Misty diVittorio (Placerville Union ESD), term expires 2020

Suzanna George (Rescue Union ESD), term expires 2019

County Delegate:

Shelton Yip (Yolo COE), term expires 2020

Counties

Yolo (Subregion A)

Sacramento (Subregion B)

Alpine, El Dorado, Mono (Subregion C)



2019 Delegate Assembly Candidate Biographical Sketch Form

DUE: Monday, January 7, 2019 – no late submissions accepted

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 do not re-type this form. It is the candidate's responsibility to confirm that all nomination materials have been received by the CSBA Executive Office.

Your signature indicates your consent to have your name placed on the ballot and to serve as a Delegate, if elected.

Signature: Basim E Date: 1/7/2019

| | |
|---|--------------------------------------|
| Name: <u>Basim Elkarra</u> | CSBA Region & subregion #: <u>6B</u> |
| District or COE: <u>Twin Rivers Unified School District</u> | Years on board: <u>2</u> |
| Profession: <u>Non Profit Executive</u> Contact Number (please check <input checked="" type="checkbox"/> Cell <input type="checkbox"/> Home <input type="checkbox"/> Bus.): <u>916-289-3748</u> | |
| *Primary E-mail: <u>basim.elkarra@twinriversusd.org</u> | |
| (*Communications from CSBA will be sent to primary email) | |
| Are you an incumbent Delegate? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, year you became Delegate: _____ | |

Why are you interested in becoming a Delegate? Please describe the skills and experiences you would bring to the Delegate Assembly.

Connecting, learning from and sharing ideas with fellow delegates. Ensuring CSBA policy platforms reflect the interests of diverse districts.

Running a non profit and youth leadership program for minority students for over a decade gives me a great pulse of the challenges facing our students and school districts.

Please describe your activities and involvement on your local board, community, and/or CSBA.

I work with the community through different boards, including: Governor's Complete Count Census Commission, City of Sacramento Community Police Review Commission, and chair the CA Democratic Party's Affirmative Action Committee to increase diversity and inclusion in California.

What do you see as the biggest challenge facing governing boards and how can CSBA help address it?

Upcoming budget cuts. CSBA can help address this issue by sharing best practices and strategies of successful budget cuts that minimized the effects on students and the morale of staff.

E-mail: nominations@csba.org, or fax to (916) 371-3407, or US Mail to: CSBA | Attn: Executive Office | 3251 Beacon Blvd., West Sacramento, CA 95691. Please only submit biosketch form via one of these modes only; do not send multiple times. If you have any questions, please contact the Executive Office at (800) 266-3382.

**Basim Elkarra, Board Member
Twin Rivers Unified School District**

Basim Elkarra is the Executive Director of the Sacramento Valley office of the Council on American-Islamic Relations (CAIR-SV). Elkarra has been instrumental in building coalitions with ethnic, interfaith and the civil rights community. For over a decade, Elkarra has founded and runs CAIR-CA's youth leadership program at the State Capitol. Elkarra is a member of the California Democratic Party's (CDP) Executive Board and Chairs the Affirmative Action Committee. In 2016, Elkarra was elected to the Twin Rivers Unified School District Board of Trustees. In 2017, Elkarra was elected to chair the City of Sacramento Community Police Review Commission. He also regularly appears in the media as a commentator on civil liberties. Elkarra previously served on numerous boards, including, the Los Rios Community College Bond Oversight Committee, ACLU Sacramento, New Leaders Council (Sacramento) Advisory Board, Sacramento Police Multicultural Advisory Committee, and the Asian Pacific Islander American Public Affairs Association's (APAPA) Outreach Committee. The San Francisco native holds a B.A. in Political Science from the University of California at Berkeley.

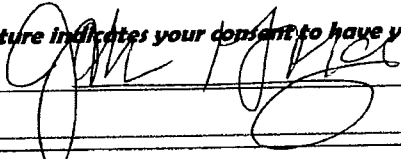
Excerpt from Resume

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Your signature indicates your consent to have your name placed on the ballot and to serve as a Delegate, if elected.

Signature:  Date: 1/4/19

Name: John Gordon CSBA Region & subregion #: 6B
 District or COE: Galt JUESD Years on board: 10
 Profession: CDE Field Representative Contact Number (please v Cell Home Bus.): 209-712-3815
 *Primary E-mail: jgordon@galt.k12.ca.us
 (*Communications from CSBA will be sent to primary email)
 Are you an incumbent Delegate? Yes No | If yes, year you became Delegate: 2011

Why are you interested in becoming a Delegate? Please describe the skills and experiences you would bring to the Delegate Assembly. (Character count limit: 700)

The opportunity to serve is extremely valuable to my region. Located south of Elk Grove, a greenbelt separates Galt from the rest of Sacramento County. It's important that school districts in this area (Arcohe, Galt High and Elementary School Districts) have a voice at the table. Additionally, the cross sharing that occurs at our regional meetings is extremely beneficial.

Through my job at the California Department of Education, I have extensive experience related to school construction. As most of the school districts have recently passed local school bonds, I can help keep my fellow delegates informed with school facilities related issues.

Please describe your activities and involvement on your local board, community, and/or CSBA. (Character count limit: 700)

School Board: CAST (Cities & Schools Together) committee, which consists of board members & superintendents from the elementary & high school districts and city council members and the city manager. We meet every other month to discuss issues related to youth.
 CSBA: Programmatic Content Advisory Group. This advisory group provided recommendations to Master's in Governance curriculum. Also served on Legislative Committee 2016-18.
 Community: Appointed to serve as an adult mentor to the Galt City Council's Youth Commission, which develop leadership/governance skills with our high school students through local government.

What do you see as the biggest challenge facing governing boards and how can CSBA help address it? (Character count limit: 700)

As the dust settles on LCFF and the dashboard, the effectiveness of local control will be the biggest challenge. Slowly, studies and news articles are starting to question whether the shift is making a difference in learning outcomes. I am very concerned about how school boards will be scrutinized with how their supplemental/concentration funds are used especially with a base grant that is underfunded. My fear is that this whole thing could fall apart and school boards will be blamed if we don't collectively take control of the narrative.

This is why CSBA's charge for "Fair and Full Funding" is critical and CSBA needs to continue to leading this effort.

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John Gordon

(209) 712-3815

jgordon@galt.k12.ca.us

Objective

To become the next California School Board Association Director-at-Large Hispanic.

Experience

School Board Member (December 2008 – present) Galt Joint Union Elementary School District, Galt
Throughout my term, the district experienced significant gains in academic achievement. From 2010-2012, I served as President of the board. During that time, GJUESD was one of three California school districts awarded a Race to the Top Grant. This \$10 million grant is allowing the district to develop a personalized approach to learning while implementing the Common Core State Standards. Our progress has been documented through various videos at <https://www.secctv.org> (Search: Galt Bright Futures)

Adult Mentor (December 2013 – present), Galt Youth Commission, Galt
Appointed by City Council, I serve to support ten high school students accomplish their mission to serve the community. Shortly after my appointment, I led an effort to successfully rebrand this commission to include developing leadership and public speaking skills so our high school students can champion community service and address youth issues affecting the community.

The commission successfully advocated that City Council pass an ordinance to require pharmacies to take back sharps. In addition, the commission held a community teen art exhibit the last three years, supported local races and partnered with local newspapers to publish teen editorials. Our progress is also documented on our YouTube page.

Field Representative (January 2004 – present) California Department of Education, Sacramento
I serve school districts in 20 counties in the Bay Area, East Bay, Central Valley, and Southern CA (Orange and San Diego counties) by reviewing and approving new school sites and new construction/modernization plans to ensure the project meets Title 5 Regulations. Additionally, I administer the Proposition 1D/Proposition 51 Career Technical Education Facilities Program, which provided \$500 million to construct new or renovate existing learning environments related to one of 15 career industry sectors recognized by the California Department of Education.

Education

Master of Public Administration, University of San Francisco, Sacramento, CA (2008)

Bachelor of Arts, Communications/Electronic Media, California State University, Sacramento (1992)

School Board Related Activities

Delegate, Region 6, California School Boards Association's Delegate Assembly (2011- current)

Member, CSBA Legislative Committee (2016-2018)

Member, CSBA Programmatic Content Advisory Committee (Ongoing)

Validator, CSBA Golden Bell Awards (2013)

Graduate, Masters in Governance (2010)

Member, National Association of Latino Elected and Appointed Officials

Member, National Hispanic Council, National School Boards Association

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Your signature indicates your consent to have your name placed on the ballot and to serve as a Delegate, if elected.

Signature: Dr. Susan Heredia

Digitally signed by Dr. Susan Heredia
Date: 2019.01.07 08:37:16 -08'00'

Date: January 7, 2019

Name: Susan Heredia

CSBA Region & subregion #: 6-B

District or COE: Natomas Unified School District

Years on board: 18

Profession: Professor Emerita

Contact Number (please v Cell Home Bus.): 916-524-3300

*Primary E-mail: susanheredia2@gmail.com

(*Communications from CSBA will be sent to primary email)

Are you an incumbent Delegate? Yes No | If yes, year you became Delegate: 2012

Why are you interested in becoming a Delegate? Please describe the skills and experiences you would bring to the Delegate Assembly.

I seek re-election to the Delegate Assembly because I want to remain involved in this important governance body that advocates for all students. My experience as a Director-At-Large, Hispanic (2004-2012) and my tenure as a Delegate (2012-present) offered a breadth of active involvement at multiple levels of public-school advocacy. This involvement coupled with my professional experience as a Professor of Education at CSUS and membership and participation in national educational associations prepared me well and will continue to serve me as a Delegate. I am an active listener, collaborative and motivated to continue to advocate for an educational system that helps all students to achieve excellence.

Please describe your activities and involvement on your local board, community, and/or CSBA.

I was elected to the Natomas Unified School Board in 2000. I have served on many district committees and represented my district at the regional level. I also attend regional meetings with Region 6 trustees where we discuss local concerns, best practices and the impact of state and federal policies upon districts. I have served on the following CSBA committees: NCLB Task Force, Accountability Task Force, Annual Educational Conference, Board Development, Bylaws, CSBA Council of Presidents, Policy Platform, and Golden Bell. Currently, I chair the 2019 Annual Educational Conference Committee and serve on the Governance Study Group.

What do you see as the biggest challenge facing governing boards and how can CSBA help address it?

I believe Full and Fair Funding is the biggest challenge facing governing boards. Although the funding base was restored to spending levels similar to the 2007-2008 school year (a level that remains below the national average) districts still struggle to meet their budgetary and student needs. I believe there's a large body of voters who subscribe to the notion that schools are well funded. Generally, they lack a clear understanding of how schools are funded. Efforts such as the Grassroots Initiative and CSBA Political Action Committee lay the groundwork for trustees to educate the public on the need for more funding.

E-mail: nominations@csba.org, or fax to (916) 371-3407, or US Mail to: CSBA | Attn: Executive Office | 3251 Beacon Blvd., West Sacramento, CA 95691. Please only submit biosketch form via one of these modes only; do not send multiple times. If you have any questions, please contact the Executive Office at (800) 266-3382.

Brief Bio for Dr. Susan Heredia
January 2019

Dr. Susan Heredia is a board member in the Natomas Unified School District in Sacramento County. Dr. Heredia was first elected to the board of trustees for the Natomas Unified School District in 2000 after having served as a PTSA member, a representative of the American Lakes School Site Council, and the District's Parent Advisory Board. She has served multiple times as the NUSD board president, vice-president and board clerk. Additionally, she served as board representative for the following committees: Strategic Planning, Charter School, English Language Learner, Achievement Gap, Multicultural Advisory, County Committee on School District Organization and the Bond Committee.

Dr. Heredia served as the Director-At-Large, Hispanic of the California School Board Association having been elected for multiple terms (2004-2012) by the CSBA Delegate Assembly. In 2012 she was elected to the Delegate Assembly (2012-present). She has served on the following CSBA committees: By-Laws, Policy Platform, Federal Issues Council, NCLB Focus Group, Accountability Task Force, Board Development, Golden Bell Review, CSBA's Annual Educational Conference, and CSBA's Council of Presidents. Currently she is as member of the Governance Study Group and Chair of the 2019 Annual Educational Conference.

Preceding her recent retirement, Dr. Heredia was Chair of the Graduate and Professional Studies in Education Division at CSUS as well as the Director of the Cross-Cultural Resource Center. Prior to serving as Department Chair, she was a professor and faculty coordinator for the McNair's Scholar Program; a program that prepares unrepresented undergraduates, primarily students of color, for graduate school. Earlier in her career, Heredia taught in the credential program at UC, Davis and was a bilingual teacher in Sacramento City Unified School District. Her professional interests include: the preparation of teachers to teach in diverse school settings, home-school relationships, and bilingual multicultural education. Her current research interest is on the role and perspectives of Latino school board members.

She earned a doctorate in socio-cultural studies from the University of California, Davis, and a Master of Arts in Education and a Bachelor of Arts in Liberal Studies from California State University, Sacramento (CSUS). She holds a lifetime teaching credential with an emphasis on bilingual education from CSUS, as well.

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Your signature indicates your consent to have your name placed on the ballot and to serve as a Delegate, if elected.

Signature: Lisa Kaplan

Digitally signed by Lisa Kaplan
Date: 2019.01.02 14:41:16 -08'00'

Date: January 2, 2019

Name: Lisa Kaplan

CSBA Region & subregion #: 6-B

District or COE: Natomas Unified School District

Years on board: 16

Profession: Education Attorney

Contact Number (please v Cell Home Bus.): 916-996-1474

*Primary E-mail: kaplan4kids@gmail.com

(*Communications from CSBA will be sent to primary email)

Are you an incumbent Delegate? Yes No | If yes, year you became Delegate: 2009

Why are you interested in becoming a Delegate? Please describe the skills and experiences you would bring to the Delegate Assembly.

I firmly believe it is my responsibility to use my knowledge of the law, policy and budget for the greater good to benefit all of Natomas' children, and as a delegate - all children in California. I have served as chair of nominating committee, a member of the CSBA leg committee and currently a member of the governance review team. All together my knowledge and vast experience will serve to benefit CSBA and help lead the change for all our children as we fight for full and fair funding.

Please describe your activities and involvement on your local board, community, and/or CSBA.

Currently, I'm an attorney and governmental affairs consultant representing school districts, companies specializing in K-12 issues including but not limited to, special education, construction, bond financing, selling surplus property, as well as drafting legislation. As a currently delegate, I participate in delegate meetings, but also attend 2-3 meetings a year with our local Region 6. In Natomas, I have served on the facilities planning committee while we were a fast-growing district, the district safety committee, budget committee, nutrition committee and have actively volunteered tutoring children in our schools to our at risk kids, and raising funds for our food locker.

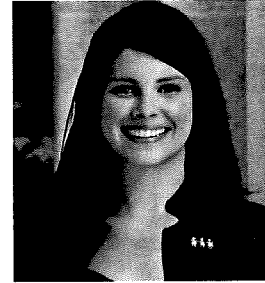
What do you see as the biggest challenge facing governing boards and how can CSBA help address it?

The biggest challenges facing local board are making sure that districts maintain local control but are able to convince our state leaders that CA woefully under-funds education, so that Districts can implement their LCAP plans fully. It is no longer acceptable to fund education around the 43rd in the Nation. CSBA can continue to push our grass roots plan, and pressure our state leaders to fully fund education. However, that in and of itself is going to be a challenge with the current state budget surplus, divergent top priorities of every elected and the fact that the required retirement pre-funding is going to bankrupt many school districts. As a delegate, I look forward to working to resolve this.

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BIOGRAPHY

LISA M. KAPLAN
TRUSTEE, NATOMAS UNIFIED SD
916/996-1474



LISA M. KAPLAN, a 18-year Attorney, a 16-year veteran School Board member, Delegate to the California School Board Association, former appointed Assistant Executive Officer for the State Allocation Board, Licensed California Real Estate Broker, and former Capitol staff member in the California State Legislature, brings her knowledge of the law, K-12 Education matters, surplus property, governance, school construction, school funding, government and policy to *Kaplan Law Group*, as its Chief Executive Officer.

Kaplan Law Group's practice consists of K-12 Education representation, land-use, administrative, and public law, involving general representation of public school districts, architectural firms, construction companies, independent and private schools, charter schools, education foundations and other education-related entities. Our services include, but not limited to, reviewing and drafting contracts, negotiating developer fee agreements, bid review and certification, Proposition 39 (Energy Efficiency) advice, School Facility Program applications (state school construction funding), Office of Public School Construction and Department of State Architect trouble-shooting, sale of surplus property, charter schools, policy development, Brown Act, public information requests and other legal and political matters affecting educational entities.

Prior to opening *Kaplan Law Group*, Lisa was appointed as the Assistant Executive Officer ("AEO") for the State Allocation Board ("SAB"), which sets the policy and approves applications for apportionment of school construction dollars for all districts in the State of California. As the AEO, Ms. Kaplan, Chaired the Implementation Committee, Audit Working Group and staffed the SAB on the subcommittee on Audits and subcommittee on Rules & Procedures. Lisa was instrumental in the passages of new audit procedures, the Shovel Ready (Priorities in Funding) policy, Sale of Surplus Property policy, the new High Performance Incentive grant regulations and the adoption of the Board's Rules and Procedures.

Between 2000-2005, Lisa first served as legislative director for several California State Assemblymembers, supervising legislative staff and administrating the Assemblymember's legislative agenda.

In 2002, she was elected to the Natomas Unified School District as a Board Trustee. As a result of her years on the school board, she has provided leadership for strategic planning, as it pertains to both policy decisions and special projects with a solid understanding of the community, public relations and crisis management. Over the past 16 years, Lisa has served on the facilities advisory committee, policy committee, budget committee and student safety committee, taking the lead for the district as the Board member on the construction of nine schools and passage of three local bonds.

Lisa is also very active and involved in the community. For 11 years she was a member of Natomas Rotary (serving as President in 2002-2003), she also served as President of the Sacramento Region Jewish Federation Board (2011-2013), Past President for Sacramento Regional Chapter of California Women Lead (2008-2011), and as a Delegate Member for the California School Board Association (2009 – present). In her spare time, Lisa spends as much time as possible with her husband and their two daughters.

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Your signature indicates your consent to have your name placed on the ballot and to serve as a Delegate, if elected.

Signature: Ed Short Date: 01-07-19

| | |
|---|---------------------------------------|
| Name: <u>Ed Short</u> | CSBA Region & subregion #: <u>6-B</u> |
| District or COE: <u>Folsom Cordova Unified School District</u> | Years on board: <u>16</u> |
| Profession: <u>Engineer</u> Contact Number (please v <input checked="" type="checkbox"/> Cell <input type="checkbox"/> Home <input type="checkbox"/> Bus.): <u>(916) 591-6850</u> | |
| *Primary E-mail: <u>edshort08@comcast.net</u> | |
| <small>(*Communications from CSBA will be sent to primary email)</small> | |
| Are you an incumbent Delegate? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, year you became Delegate: <u>6</u> | |

Why are you interested in becoming a Delegate? Please describe the skills and experiences you would bring to the Delegate Assembly. (Character count limit: 700)

I believe, I can help make a difference in CSBA's policy making that will positively impact the public education system. Furthermore, the regional connection with other surrounding school board members help me to learn best or bad practices that can be shared with my district.

I feel being a delegate helps increase my effectiveness in advancing public education priorities and my community involvement by increasing my sphere of influence.

Please describe your activities and involvement on your local board, community, and/or CSBA. (Character count limit: 700)

Fight for educational reform and make sure our teachers have the tools they need to teach and our kids have the resources they need to learn.

Provide equal and relevant educational opportunity which will prepare all our kids for the 21 st century and that meet or exceed the needs for local/Regional/Statewide employers.

I am personally involved in local non-profit organizations that support kids in their success in education and lives.

What do you see as the biggest challenge facing governing boards and how can CSBA help address it? (Character count limit: 700)

#1: Teacher shortage in California. I believe that the credentialing criteria can be changed to attract more professionals and other expert subject matters to teach. The decline in teachers is at a critical state and the credentialing process has become more restrictive, cost more and takes longer to obtain. CSBA can help influence a change that helps increase the teachers pool, and is more flexible. Make it more attractive for people to select teaching as a career of choice.