

PAJARO VALLEY UNIFIED SCHOOL DISTRICT MISSION STATEMENT

The Mission of the Pajaro Valley Unified School District is to educate and to support learners in reaching their highest potential. We prepare students to pursue successful futures and to make positive contributions to the community and global society.

May 22, 2013 REGULAR BOARD MEETING

CLOSED SESSION – 6:00 p.m. – 7:00 p.m.
PUBLIC SESSION – 7:00 p.m.

**DISTRICT OFFICE
BOARDROOM
292 Green Valley Road, Watsonville, CA 95076**

NOTICE TO THE PUBLIC: PURSUANT TO SB 343, BOARD PACKET DOCUMENTS ARE AVAILABLE FOR YOUR REVIEW AT THE FOLLOWING LOCATIONS:

- Superintendent's Office: 294 Green Valley Road, Watsonville, CA (4th Floor)
- On our Webpage: www.pvUSD.net

Notice to the Audience on Public Comment

Members of the audience are welcome to address the Board on all items not listed on this agenda. Such comments are welcome at the "Visitor Non-Agenda Items".

Members of the audience will also have the opportunity to address the Board during the Board's consideration of each item on the agenda.

Individual speakers will be allowed three minutes (unless otherwise announced by the Board President) to address the Board on each agenda item. **You must submit this card prior to the discussion of the agenda item you wish to speak to; once an item has begun, cards will not be accepted for that item.** For the record, please state your name at the beginning of your statement. The Board shall limit the total time for public input on each agenda item to 20 minutes. With Board consent, the President may increase or decrease the time allowed for public presentation, depending on the topic and the number of persons wishing to be heard. The 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.

Note: Time allotment for each item is for the report portion only; it is not an anticipation of the total time for the discussion of the item.

We ask that you please turn off your cell phones and pagers when you are in the boardroom.

Please Note that Reporting out of Closed Session will Take Place AFTER Action Items.

1.0 CLOSED SESSION OPENING CEREMONY IN OPEN SESSION – 6:00 P.M.

- 1.1 Call to Order
- 1.2 Public comments on closed session agenda.

2.0 CLOSED SESSION (AND AFTER REGULAR SESSION IF NECESSARY)

- 2.1 Public Employee Appointment/Employment, Government Code Section 54957
 - a. Certificated Employees (see Attached)
 - b. Classified Employees (see attached)
- 2.2 Public Employee Discipline/Dismissal/Release/Leaves
- 2.3 Negotiations Update
 - a. CSEA
 - b. PVFT
 - c. Unrepresented Units: Management and Confidential
 - d. Substitutes – Communication Workers of America (CWA)
- 2.4 Claims for Damages
- 2.5 Pending Litigation
- 2.6 Anticipated Litigation
- 2.7 Real Property Negotiations
- 2.8 6 Expulsions

3.0 OPENING CEREMONY – MEETING OF THE BOARD IN PUBLIC - 7:00 P.M.

- 3.1 Pledge of Allegiance
- 3.2 Welcome by Board President
Trustees Kim De Serpa, Leslie DeRose, Maria Orozco, Karen Osmundson, Lupe Rivas, Jeff Ursino and President Willie Yahiro.
- 3.3 Superintendent Comments
- 3.4 Governing Board Comments/Reports (Limit to 1 minute per trustee)
- Report on Standing Committees Meetings
- 3.5 Amesti School Student Choir Presentation
-Teacher: Catherine Espinoza
5th graders
Daniel Ceballos, Anjana Koshy, Fabian Mendoza, Jose Angel Mendoza, Jake Parker, Evelyn Pulido, Eveny Pulido, Adam Tangonan and Carlos Vasquez
4th graders
Estrella Andrade, Arianna Angeles, Lizet Arias, Satiya Chavez, Jackie Gomez, Kellie Reid and Alexsia Valdez
3rd graders
Aleyda Alvarez, Juan Manuel Arevalo, Oswaldo Contreras, Melissa Garcia, Sofia Ortiz and Miriam Ramirez
2nd graders
Jesus Cabrera and Kaylani Trout-Lacy
- 3.6 Student Recognition
- *Hayden Mennie – Bradley Elementary*
- *Savannah Billings – Linscott Charter School*
- *Katharine Basile – Watsonville Charter School of the Arts*
- *Immanuel Briones Melecio – Pacific Coast Charter School*

4.0 APPROVAL OF THE AGENDA

5.0 APPROVAL OF MINUTES

a) Minutes for May 8, 2013

b) Minutes for Special Meeting, Negotiations Update/Planning, May 16, 2013

6.0 HIGH SCHOOL STUDENTS BOARD REPRESENTATIVES REPORT

7.0 POSITIVE PROGRAM REPORT (10 minutes each)

7.1 Positive Program Report on Valencia Student Green Team: Ryan McFadden, Matthew Morse, Beck Escalante, Sam Bach, Addie Breen, Mia Chaney, Julia Johnson, Alexis Garner, Jake Galster, Julia Da Silva, Lauren Heffner, Jenna Galasso, Nico Lehner, and Lila Berman

Report by Kelley Didion, Principal, and Students

7.2 Positive Program Report on Science Fair Participation and Recognition for PVUSD Students

Report by Assistant Superintendents

President Yahiro closes the regular meeting and opens the Public Hearing.

8.0 PUBLIC HEARING: DEVELOPER FEES

8.1 Report on Approving Annual Developer Fee Justification Analysis and Adoption of Resolution #12-13-18 for level 1 and Resolution #12-13-26 for Level 2/3 Developer Fees Pursuant to Government Code Sections 65995.5 and 65995.7.

Report by Brett McFadden, CBO.

10 min. pres.; 15 min. discussion

8.2 Public Comment

8.3 Board Comments/Questions

President Yahiro closes the public hearing and resumes regular board meeting.

9.0 VISITOR NON-AGENDA ITEMS

Public comments on items that are not on the agenda can be addressed at this time. The Board President will recognize any member of the audience wishing to speak to an item not on the agenda on a matter directly related to school business. The President may allot time to those wishing to speak, but no action will be taken on matters presented (Ed. Code Section 36146.6). If appropriate, the President or any Member of the Board may direct that a matter be referred to the Superintendent's Office for placement on a future agenda. Trustees may ask questions for clarity but cannot take action on these matters. (Please complete a card if you wish to speak.)

10.0 EMPLOYEE ORGANIZATIONS COMMENTS – PVFT, CSEA, PVAM, CWA 3 Min. Each

11.0 CONSENT AGENDA

Information concerning the Consent items listed above has been forwarded to each Board Member prior to this meeting for his/her study. Unless some Board Member or member of the audience has a question about a particular item(s) and asks that it be withdrawn from the Consent list, the item(s) will be approved at one time by the Board of Trustees. The action taken in approving Consent items is set forth in the explanation of the individual item(s).

11.1 Purchase Orders May 2 - 15, 2013

The PO's will be available in the Superintendent's Office.

11.2 Warrants May 2 - 15, 2013

The warrants will be available in the Superintendent's Office.

- 11.3 Approve PVUSD Representation for California Interscholastic Federation.
- 11.4 Approve Resolution #12-13-24, Establishing Measure L School Bond Citizens' Oversight Committee.
- 11.5 Approve Aptos High School Stadium Visitor Bleachers and Sound System Project.
- 11.6 Approve Amesti Elementary School Additional Modular Classroom Project.
- 11.7 Approve Aptos High School Water Tank Replacement Project, Package #1.
- 11.8 Approve Construction Management Amendments.
- 11.9 Approve CAHSEE Passage Waiver for Student #12-13-20, Mathematics, Watsonville High School.
- 11.10 Approve CAHSEE Passage Waiver for Student #12-13-21, English Language Arts, Pajaro Valley High School.
- 11.11 Approve CAHSEE Passage Waiver for Student #12-13-22, Mathematics, Watsonville High School.
- 11.12 Approve CAHSEE Passage Waiver for Student #12-13-23, Mathematics, Watsonville High School.
- 11.13 Approve Student Data Management System Contract with Illuminate Education, Inc.

The administration recommends approval of the Consent Agenda.

12.0 DEFERRED CONSENT ITEMS

13.0 REPORT AND DISCUSSION ITEMS

- 13.1 Report and discussion on Update on Governor's May Revision and District Budget.
Report by Brett McFadden, CBO and Helen Bellonzi, Finance Director.
15 min. report; 5 min. discussion
- 13.2 Report and discussion on Early Childhood Education Department Preparing English Language Learners for Language and Literacy Success.
Report by Kathy Lathrop, Director, Child Development Department.
15min. report; 5 min. discussion
- 13.3 Report and discussion on District-wide Benchmark Assessments.
Report by Susan Perez, Director of Educational and English Language Learner Services.
20 min. report; 5 min. discussion

14.0 REPORT, DISCUSSION AND POSSIBLE ACTION ITEMS

- 14.1 Report, discussion and possible action to approve Resolution #12-13-25, Declaring May 19 – 25, 2013 Classified Employees Week.
Report by Sharon Roddick, Assistant Superintendent. *2 min. report; 5 min. discussion*
- 14.2 Possible Action to Approve Resolution #12-13-18, to Index Level 1 Developer Fees Pursuant to State Law.
Report given under item 7.0.
- 14.3 Possible Action to Approve Resolution #12-13-26, to Levy Level 2 and 3 Developer Fees Pursuant to State Law.
Report given under item 7.0.

15.0 ACTION ON CLOSED SESSION

16.0 UPCOMING BOARD MEETINGS/REMAINING BOARD MEETINGS FOR 2013

All meetings, unless otherwise noted, take place at the District Office Boardroom, 292 Green Valley Road, Watsonville, CA. Closed Session begins at 6:00 pm; Open Session begins at 7:00 pm.

| | | Comment |
|-----------|---|---|
| June | <ul style="list-style-type: none">1226 | <ul style="list-style-type: none">13-14 Budget Adoption |
| July | <ul style="list-style-type: none"> | <ul style="list-style-type: none">No Meetings Scheduled |
| August | <ul style="list-style-type: none">1428 | |
| September | <ul style="list-style-type: none">1125 | <ul style="list-style-type: none">Unaudited Actuals |
| October | <ul style="list-style-type: none">923 | |
| November | <ul style="list-style-type: none">13 | <ul style="list-style-type: none"> |
| December | <ul style="list-style-type: none">11 Annual Organization Mtg. | <ul style="list-style-type: none">Approve 1st Interim Report |

17.0 ADJOURNMENT

PAJARO VALLEY UNIFIED SCHOOL DISTRICT
CLOSED SESSION AGENDA
May 22, 2013

- 2.1 Public Employee Appointment/Employment, Government Code Section 54957
a. Certificated Employees
b. Classified Employees

| | |
|--|----------------------------|
| New Hires – Probationary | |
| 1 | Instructional Assistant I |
| New Hires | |
| | None |
| New Substitutes | |
| | None |
| Promotions | |
| | None |
| Administrative Appointments | |
| 1 | Athletic Director |
| Other | |
| 1 | Assistant Principal |
| Extra Pay Assignments | |
| 15 | Coach |
| Extra Period Assignments | |
| | None |
| Leaves of Absence | |
| 5 | Teachers |
| 1 | Instructional Assistant II |
| 1 | Maintenance Specialist |
| 1 | Behavior Technician |
| Retirements | |
| | None |
| Resignations/Terminations | |
| | None |
| Supplemental Service Agreements | |
| 42 | Teachers |
| Miscellaneous Actions | |
| | None |
| Separations From Service | |

| | |
|----------------------------------|---|
| 4 | Teachers |
| 1 | School Psychologist |
| 1 | School Nurse |
| Limited Term – Projects | |
| 1 | Behavior Technician |
| 1 | Cafeteria Assistant |
| 5 | Campus Safety Coordinator |
| 2 | Career Development Specialist I |
| 1 | Career Development Specialist II |
| 1 | Custodian II |
| 1 | Enrichment Specialist |
| 1 | Instructional Assistant II |
| 2 | Instructional Assistant Migrant/Children Center |
| 1 | Instructional Support Clerk |
| 1 | Language Support Liaison I |
| 1 | Lead Custodian II |
| 1 | Lead Custodian III |
| 1 | Library Media Technician |
| 1 | Occupational Therapist |
| 1 | Office Manager |
| 1 | Translator |
| Exempt | |
| 3 | Migrant OWE |
| 3 | Pupil |
| 6 | Safety Monitor |
| 2 | Spectra Artist |
| 1 | Student Helper |
| Provisional | |
| 1 | Library Media Technician |
| Limited Term - Substitute | |
| 1 | Attendance Specialist |
| 1 | Bus Driver |
| 1 | Cafeteria Assistant |
| 2 | Instructional Assistant II |
| 7 | Instructional Assistant Migrant/Children Center |
| 1 | Registration Specialist |



May 8, 2013
REGULAR BOARD MEETING
UNADOPTED MINUTES

CLOSED SESSION – 6:00 p.m. – 7:00 p.m.
PUBLIC SESSION – 7:00 p.m.

DISTRICT OFFICE, BOARDROOM
292 Green Valley Road, Watsonville, CA 95076

1.0 CLOSED SESSION OPENING CEREMONY IN OPEN SESSION – 6:00 P.M.

1.1 Call to Order

President Yahiro called the meeting of the Board to order at 6:05 pm at 292 Green Valley Road, Watsonville, CA.

1.2 Public comments on closed session agenda.

Bill Beecher, community member, noted that committees established by the Board should abide by Brown Act regulations. He added that PVFT contract language may violates this Brown Act requirement.

2.0 CLOSED SESSION (AND AFTER REGULAR SESSION IF NECESSARY)

2.1 Public Employee Appointment/Employment, Government Code Section 54957

a. Certificated Employees

b. Classified Employees

| New Hires – Probationary | |
|-----------------------------|--|
| 1 | Cafeteria Assistant |
| 1 | Custodian II |
| 1 | Information Systems Support Technician |
| 1 | Network Engineer |
| 1 | Payroll Technician |
| 1 | Supervisor, Nutrition Services |
| New Hires | |
| 1 | Principals |
| 1 | Teacher |
| New Substitutes | |
| 17 | Substitutes |
| Promotions | |
| | None |
| Administrative Appointments | |
| | None |
| Other | |
| | None |
| | |

| | |
|--|-----------------------------------|
| Extra Pay Assignments | |
| 8 | Coaches |
| Extra Period Assignments | |
| | None |
| Leaves of Absence | |
| 8 | Teachers |
| 1 | Bus Driver |
| 1 | Cafeteria Assistant |
| 1 | Campus Safety Coordinator |
| 2 | Instructional Assistant II |
| 1 | Office Manager |
| 1 | Workers Comp Coordinator |
| Retirements | |
| 2 | Teachers |
| Resignations/Terminations | |
| | None |
| Supplemental Service Agreements | |
| 8 | FCCH Specialist |
| 1 | Psychologist |
| 1 | Speech & Language Specialist |
| 66 | Teachers |
| Miscellaneous Actions | |
| 2 | Attendance Specialist |
| Separations From Service | |
| 2 | Teachers |
| 1 | Cafeteria Assistant |
| 1 | Library Media Technician |
| 1 | Registrar |
| 1 | Office Manager |
| Limited Term – Projects | |
| 14 | Behavior Technician |
| 1 | Cafeteria Assistant |
| 1 | Custodian I |
| 3 | Enrichment Specialist |
| 7 | Instructional Assistant – General |
| 3 | Instructional Assistant II |

| | |
|----------------------------------|---|
| 1 | Lead Custodian II |
| 3 | Office Assistant I |
| 1 | Office Assistant II |
| 1 | Office Assistant III |
| 1 | Translator |
| Exempt | |
| 3 | Child Care |
| 1 | MEES |
| 6 | Migrant OWE |
| 5 | Pupil |
| 9 | Student Helper |
| 1 | Workability |
| 4 | Yard Duty |
| Provisional | |
| 1 | Instructional Assistant – General Ed |
| 1 | Instructional Assistant I |
| 4 | Instructional Assistant II |
| 3 | Office Assistant III |
| Limited Term - Substitute | |
| 1 | Cafeteria Assistant |
| 15 | Instructional Assistant Migrant/Children Center |
| 1 | Instructional Support Clerk |

**2.2 Public Employee Discipline/Dismissal/Release/Leaves
- Resolution #12-13-23, Dismissal of 1 Certificated Employee**

2.3 Negotiations Update
a. CSEA
b. PVFT
c. Unrepresented Units: Management and Confidential
d. Substitutes – Communication Workers of America (CWA)

2.4 Claims for Damages

2.5 Pending Litigation

2.6 Anticipated Litigation

2.7 Real Property Negotiations

2.8 11 Expulsions

3.0 OPENING CEREMONY – MEETING OF THE BOARD IN PUBLIC - 7:00 P.M.
President Yahiro called the meeting of the Board in public to order at 7:16 pm.

3.1 Pledge of Allegiance

Trustee DeRose led the Board in the Pledge of Allegiance.

3.2 Welcome by Board President

Trustees Kim De Serpa, Leslie DeRose, Maria Orozco, Karen Osmundson, Jeff Ursino and President Willie Yahiro were present. Trustee Lupe Rivas was absent.

3.3 Superintendent Comments

Superintendent Dorma Baker thanked all teachers on this Day of the Teacher for the opportunities they give students to learn and be creative. She also thanked the Association of Mexican American Educators (AMAE) for their celebration honoring teachers.

3.4 Governing Board Comments/Reports (Limit to 1 minute per trustee) - Report on Standing Committees Meetings

Trustee Osmundson reported she attended two open houses, a special education committee meeting, an Adult Education celebration, a COPA meeting, the Labor Awards ceremony with PVFT, AMAE's celebration and the Pajaro Valley art reception and show.

Trustee Ursino attended Renaissance High School's open house and was impressed with student and parent participation.

Trustee De Serpa read a poem regarding the importance of "one". She thanked all teachers for what they do.

Trustee DeRose visited the transitional kinder program at Mar Vista school, the PVPSA board meeting and the Monterey Association of Psychologists meeting. She hopes to start planning for a fall event for students. She attended Lakeview's breakfast event.

Trustee Orozco attended open house at Calabasas, the Migrant Parent Advisory Committee meeting, a COPA public meeting, an S4C middle school planning group, and the labor awards event by PVFT.

President Yahiro reported he had shadowed WHS physical education coaches and saw the effect of large class sizes, with each class having about 60 students.

3.5 Student Recognition

Staff, administrators, family and friends recognized and honored the following students.

- *Yesenia Pulido-Mejia – Pajaro Valley High School*
- *Yajayra Izquierdo – Academic Vocational Charter Institute (AVCI)*

4.0 APPROVAL OF THE AGENDA

President Yahiro moved to approve the agenda, moving item 13.2 after item 11.0. Trustee De Serpa seconded the motion. The motion passed 6/0/1 (Rivas absent).

5.0 APPROVAL OF MINUTES

a) Minutes for April 10, 2013

Trustee De Serpa moved to approve the minutes for April 10, 2013. Trustee DeRose seconded the motion. The motion passed 6/0/1 (Rivas absent).

b) Minutes for April 13, 2013, Study Session, Board Governance Workshop

Trustee De Serpa moved to approve the minutes for April 13, 2013. Trustee DeRose seconded the motion. The motion passed 6/0/1 (Rivas absent).

6.0 HIGH SCHOOL STUDENTS BOARD REPRESENTATIVES REPORT

Yesenia Pulido Mejia of Pajaro Valley High School reported on a planned Mother's Day Celebration and other upcoming events; she noted that there are 30 students recommended for redesignation. She thanked Supervisor Caput for his volunteer work at the school.

Sarah Jeffrey of Aptos High School reported that AHS received the distinguished school award. She added that Robotics team won the regional competition.

Meghan Maxwell of Aptos High School stated that ASB elections took place and that the prom would be the following week at Monterey's Hyatt.

7.0 PUBLIC HEARING: 2013-14 CATEGORICAL PROGRAM FLEXIBILITY TRANSFERS

7.1 Report by Helen Bellonzi, Finance Director

Ms. Bellonzi reported that Tier III categorical flexibility, which came into effect in the 2008-09 school year, has been extended through 2014-15 with the additional requirement to have a public hearing since the 2011-12 school year. A list of categorical program transfers was given to the board. Ms. Bellonzi recommends that it is approved under 13.1.

7.2 Public Comment

Jack Carroll, teacher, regarding sweep, he hopes that the \$1.6 million dollars sweep from Adult Education is reconsidered as it may not be necessary given the financial state of the district.

7.3 Board Comment

Trustee Osmundson expressed her agreement with Mr. Carroll about Adult Education, specifically because there may be an increase in number of people seeking ESL courses when the immigration law passes.

8.0 VISITOR NON-AGENDA ITEMS

Celeste DeWald, parent, introduced the new group: Santa Cruz County Alliance for Arts Education. Part of the group's task is to attend board meetings to influence arts education.

Blanca Baltazar-Sabbah, parent, asked for support in implementing Revolution Foods at Alianza for the 2013/14 school year.

The following expressed their concern for large class sizes and lack of salary increases: Judy Heyboer, teacher and parent; Ari Parker, teacher; Kevin Beck, teacher; and Maria Diaz, parent.

The following expressed their concern for large class sizes: Jamie Marks, teacher; Nancy Johnson, teacher; April Nelson, teacher and parent; and Lucia Herrera, teacher and parent.

Sergio Arredondo, community member, spoke of lack of library for Las Lomas community and proposed that PVUSD partners with other organizations to have a library at Las Lomas.

Marilyn Garret, retired teacher, commented on dangers of wireless radiation and that students need a safe learning environment.

Rhea DeHart, community member, spoke of AMAE's recognition of Margie Medrano Biddick as teacher of the year. Ms. Biddick has 29 years of services as a Speech and Language Specialist.

Graciela Diaz Lourenco, teacher, spoke of the benefits of investing on teachers through professional development, such as the training that COTSEN has been offering to some teachers.

Bobby Salazar, staff, thanked the board for helping Aptos High become a distinguished school.

Noemi Raygoza, teacher, spoke of the lack of resources to reach students with special needs.

9.0 EMPLOYEE ORGANIZATIONS COMMENTS – PVFT, CSEA, PVAM, CWA 3 Min. Each
Sarah Henne, PVFT, stated that for the third time into negotiating the union was met without a counterproposal. Teachers are working with difficult conditions. The union has offered to provide contingency language and the proposal is financially safe.

Bobby Salazar, CSEA, welcomed new board members, Orozco and Rivas. He said classified employees have been working hard through budget crisis and are hoping to get a 7% raise along with the May revise. Thanked administrators for the evaluations and acknowledging staff's work.

Sylvia Mendez, PVAM, spoke about testing and how each school has developed ways to encourage students to do well. Last month appreciation was shown to administrative assistants and today schools celebrated teachers. Ms. Mendez thanked trustee Rivas for volunteering at Ann Soldo's library to label Accelerated Reader books. She reminded all that there are 21 days left of school.

10.0 CONSENT AGENDA

Trustee De Serpa moved to approve the consent agenda. Trustee De Rose seconded the motion acknowledging donations from community organizations. The motion passed 6/0/1 (Rivas absent).

- 10.1 Purchase Orders April 4 – May 1, 2013**
- 10.2 Warrants April 4 – May 1, 2013**
- 10.3 Acknowledge with Gratitude Donation of \$10,000 from Joe Begley, Ph. D., of Driscoll's Strawberry Associates for Bradley's Elementary School's Reading Intervention Program Walk to Learn.**
- 10.4 Acknowledge with Gratitude Donation from Carol Clouse of Four Acer Aspire One D270 Netbooks, an Estimated Value of \$1,011.32.**
- 10.5 Approve Department of Rehabilitation (DOR)/Transition Partnership Program Agreement #28836.**
- 10.6 Approve CAHSEE Passage Waiver for Student #12-13-13, English Language Arts, Pajaro Valley High School.**
- 10.7 Approve CAHSEE Passage Waiver for Student #12-13-14, Mathematics, Pajaro Valley High School.**
- 10.8 Approve CAHSEE Passage Waiver for Student #12-13-15, Mathematics, Pajaro Valley High School.**
- 10.9 Approve CAHSEE Passage Waiver for Student #12-13-16, Mathematics, Pacific Coast Charter School.**
- 10.10 Approve CAHSEE Passage Waiver for Student #12-13-17, English Language Arts, Pajaro Valley High School.**
- 10.11 Approve CAHSEE Passage Waiver for Student #12-13-18, Mathematics, Pajaro Valley High School.**
- 10.12 Approve CAHSEE Passage Waiver for Student #12-13-19, English Language Arts, Pajaro Valley High School.**

- 10.13 Approve Resolution #12-13-20 to the Board of Supervisors of the County of Santa Cruz to Provide Temporary Cash Loans to Pajaro Valley Unified School District.**
- 10.14 Approve Resolution #12-13-21 for Temporary Borrowing Between District Funds in Order to Meet Cash Flow Needs of the District for Fiscal Year 2013-14.**
- 10.15 Approve Parent Involvement Policy for Amesti Elementary School, E.A. Hall Middle School, Pajaro Valley High School and Watsonville High School.**

11.0 DEFERRED CONSENT ITEMS

None.

13.0 REPORT, DISCUSSION AND POSSIBLE ACTION ITEMS

13.2 Report, discussion and possible action to Approve Naming Hall District Elementary School Library the Ardell Tuzon Library.

Report by Ylda Nogueta, Assistant Superintendent.

Ylda Nogueta introduced Guillermo Ramos, principal at Hall District, stating that the school is honoring one of their own. Ms. Nogueta acknowledged teachers and former administrator who were in attendance.

Mr. Ramos spoke about Ms. Tuzon's work at the school stating that Hall District was fortunate to have had her dedication for 40 years. Naming the library in honor of Ms. Tuzon is supported by staff and the School Site Council. Ms. Tuzon passed away in January and we hope to honor her in this way.

Marylyn Frandeen, formal principal of Hall District, had the opportunity to work with Ms. Tuzon and she deserves this tribute.

Trustee Osmundson moved to approve naming the school in honor of Ardell Tuzon. Trustee Orozco seconded the motion. The motion passed 6/0/1 (Rivas absent).

12.0 REPORT AND DISCUSSION ITEMS

12.1 Report and discussion on Personnel Commission.

Report by Pam Shanks, Director, Classified Staff

Pam Shanks introduced commissioners Sharon Gray, MaryAnne Gomez and Gary Smith. Ms. Shanks presented a brief history of the District's establishment of the Merit System in 1969. The system was established to ensure fairness, objectivity, impartiality, excellence, efficiency, competition, and equal opportunity for all. Ms. Shanks spoke of the responsibility of the Personnel Commission (PC) as the oversight body of the Merit System. The PC handles all matters related to classified employees of the district, including classification, recruitment, selection, discipline and budget. Ms. Shanks spoke in detail of the cycle for creating a new classification, of recruitment and examination processes, and the use of eligibility list. She addressed the PC's role in the discipline process, which includes a Skelly hearing to ensure all employees are given due process. She presented the annual report for the commission. Ms. Shanks noted that HR staff has developed a customer-focused climate offering training and development opportunities for staff. An important task of the commission is to develop strong relationships with all stakeholders.

All commissioners expressed their commitment to the merit system and spoke of how this process ensures fairness and equity.

The Board thanked Ms. Shanks and commissioners for their work.

12.2 Report and discussion on District's Budget and Fiscal Matters.

Report by Brett McFadden, CBO.

Brett McFadden noted that there were no significant changes in the budget and assumptions since the County approved the second interim report. While there seems to be additional revenue, the budget's

recovery will occur in steps. Mr. McFadden shared a letter from the county, warning the district about deficit spending, noting that the district was at a level of spending it was when it entered into recession approximately two years earlier. The 2nd interim multi-year assumptions remain the same as well; they may need to be changed once the district is ready to present its budget for adoption in June. Regarding the Local Control Funding Formula (LCFF), an update from Sacramento has created more confusion, expecting districts to plan three different scenarios: the Governor's version, the State Senate version and the Assembly version. Once May Revise is revealed, the district may enter into budget deliberations better informed.

Mr. McFadden spoke of sequestration, noting that the district may need to adhere to federal sequestration, which means about a possible \$4 million mid-year reduction. If the district is forced to incorporate sequestration into its June budget, there may be a reduction of \$8 million total for the 2012-13 and 2013-14 school years. It is a challenging situation, Mr. McFadden noted, but the district has a strong reserve to be able to handle this potential reduction. Finance staff is concerned about the budget because there are many unknowns at this point, including a budget formula and other requirements six weeks away from the budget deadline. Regarding the budget development, Mr. McFadden noted that staff is running scenarios as required although there are no specific guidelines. He concluded his presentation stating that the district must ensure it remains operational.

The Board participated with comments.

Public comments:

Jack Carroll, PVFT, stated that financial presentations are always accurate but based on narrow set of assumptions. He said that the 2nd interim report is not a planning tool; the planning is up to the district and its bargaining units.

Bill Beecher, community member, stated that the district needs to move forward with the budget even if the state does not have a budget. Important to consider what would the district look like in the next five years to effectively manage its budget.

The Board participated with additional comments. President Yahiro thanked Helen Bellonzi and Mr. McFadden for their wonderful work.

Trustee De Serpa moved to extend meeting until midnight. Trustee DeRose seconded the motion. The motion passed 6/0/1 (Rivas absent).

13.0 REPORT, DISCUSSION AND POSSIBLE ACTION ITEMS (CONTINUED)

13.1 Possible Action to Approve Resolution #12-13-22, 2013-14 Categorical Program "Tier III" Fund Transfers.

Report given under item 7.0.

Trustee De Rose moved to approve this item. Trustee Ursino seconded the motion. The motion passed 6/0/1 (Rivas absent).

13.3 Report, discussion and possible action to approve Resolution #12-13-19, Declaring May 8, 2013 as Day of the Teacher.

Report by Sharon Roddick, Assistant Superintendent.

Sharon Roddick noted that the resolution should bring a great sense of satisfaction to the Board as district teachers are passionate and committed. There have been a number of recognitions throughout the district to honor their work.

Trustee DeRose moved to approve this resolution. Trustee Orozco seconded the motion.

Board participated with comments.

The motion passed 6/0/1 (Rivas absent).

13.4 Report, discussion and possible action to Approve Accepting 7th and 8th Grade Students at New School.

Report by Murry Schekman, Assistant Superintendent.

Mr. Schekman reported on options for high and middle school students who are expelled or at risk, noting that there are very few options for middle school students. Ms. Victoria Sorensen and Mr. Schekman spoke of the benefits this action would provide for students, including earlier intervention for students at risk. They asked for the Board's support to allow 8th grade students to go to New School.

Board participated with questions and comments.

Trusted DeRose moved to approve this item. Trustee Ursino seconded the motion. The motion passed 6/0/1 (Rivas absent).

Board adjourned to closed session to finalize closed session agenda.

Board resumed meeting in public to report out of closed session.

14.0 ACTION ON CLOSED SESSION

2.8 11 Expulsions

Action on Expulsions:

Trustee Osmundson moved to approve the recommendation of the Administrative Panel for the following expulsion:

12-13-064

Trustee DeRose seconded the motion. The motion passed 6/0/1 (Rivas absent).

Trustee Osmundson moved to approve the recommendation of the Administrative Panel for the following expulsion:

12-13-067

Trustee Ursino seconded the motion. The motion passed 6/0/1 (Rivas absent).

Trustee Osmundson moved to approve the recommendation of the District Administration for the following expulsion:

12-13-068

Trustee Ursino seconded the motion. The motion passed 6/0/1 (Rivas absent).

Trustee Osmundson moved to approve the recommendation of the District Administration for the following expulsion:

12-13-070

Trustee Ursino seconded the motion. The motion passed 6/0/1 (Rivas absent).

Trustee Osmundson moved to approve the recommendation of the District Administration for the following expulsion:

12-13-072

Trustee DeRose seconded the motion. The motion passed 6/0/1 (Rivas absent).

Trustee Osmundson moved to approve the recommendation of the District Administration for the following expulsion:

12-13-073

Trustee Orozco seconded the motion. The motion passed 6/0/1 (Rivas absent).

Trustee Osmundson moved to approve the recommendation of the District Administration for the following expulsion:

12-13-074

Trustee Ursino seconded the motion. The motion passed 6/0/1 (Rivas absent).

Trustee Osmundson moved to approve the recommendation of the District Administration for the following expulsion:

12-13-075

Trustee Orozco seconded the motion. The motion passed 6/0/1 (Rivas absent).

Trustee Osmundson moved to approve the recommendation of the District Administration for the following expulsion:

12-13-076

Trustee Ursino seconded the motion. The motion passed 6/0/1 (Rivas absent).

Trustee Osmundson moved to approve the recommendation of the District Administration for the following expulsion:

12-13-077

Trustee Orozco seconded the motion. The motion passed 6/0/1 (Rivas absent).

2.1 Public Employee Appointment/Employment, Government Code Section 54957

a. Certificated Employees

Trustee DeRose moved to approve the certificated employee report as presented. Trustee Ursino seconded the motion. The motion passed 6/0/1 (Rivas absent).

b. Classified Employees

Trustee DeRose moved to approve the classified employee report as presented. Trustee Ursino seconded the motion. The motion passed 6/0/1 (Rivas absent).

2.2 Public Employee Discipline/Dismissal/Release/Leaves

- Resolution #12-13-23, Dismissal of 1 Certificated Employee

Trustee DeRose reported that the board approved Resolution #12-13-23, dismissal of 1 certificated employee.

2.6 Anticipated Litigation

Trustee DeRose reported that the Board approved a settlement to meet Proposition 39 requirements.

15.0 UPCOMING BOARD MEETINGS/REMAINING BOARD MEETINGS FOR 2013

All meetings, unless otherwise noted, take place at the District Office Boardroom, 292 Green Valley Road, Watsonville, CA. Closed Session begins at 6:00 pm; Open Session begins at 7:00 pm.

Administration requested a special meeting on May 16 to discuss negotiations. Trustee Orozco moved to approve this special meeting on May 16, from 7 to 9 pm. Trustee DeRose seconded the motion. The motion passed 6/0/1 (Rivas absent).

| | | Comment |
|-----------|-------------------------------|--|
| May | ▪ 22 | ▪ Approve 3 rd Interim Report |
| June | ▪ 12 | ▪ |
| | ▪ 26 | ▪ 13-14 Budget Adoption |
| July | ▪ | ▪ No Meetings Scheduled |
| August | ▪ 14 | |
| | ▪ 28 | |
| September | ▪ 11 | ▪ Unaudited Actuals |
| | ▪ 25 | |
| October | ▪ 9 | |
| | ▪ 23 | |
| November | ▪ 13 | ▪ |
| December | ▪ 11 Annual Organization Mtg. | ▪ Approve 1 st Interim Report |

16.0 ADJOURNMENT

There being no further business to discuss, the meeting of the Board adjourned at 11:35 pm.

Dorma Baker, Superintendent



Thursday, May 16, 2013
SPECIAL MEETING
CLOSED SESSION ON NEGOTIATIONS UPDATE/PLANNING
UNADOPTED MINUTES
7:00 PM – 9:00 PM
DISTRICT OFFICE
HUMAN RESOURCES CONFERENCE ROOM
294 Green Valley Road, Watsonville, CA 95076

1.0 CLOSED SESSION OPENING CEREMONY IN OPEN SESSION – 7:00 P.M.

1.1 Call to Order

President Yahiro called the meeting of the Board to order at 7:05 pm at 294 Green Valley Road, Watsonville, CA.

1.2 Welcome by Board President

Trustees Kim De Serpa, Leslie DeRose, Maria Orozco, Karen Osmundson and President Willie Yahiro were present. Trustee Jeff Ursino arrived at 7:15 pm. Trustee Lupe Rivas was absent.

President Yahiro welcomed all to the meeting. He notified the public that there would be an allowance of 20 minutes for public comment.

1.3 Pledge of Allegiance

Trustee Orozco led the Board in the Pledge of Allegiance.

1.4 Public comments on closed session agenda

The following expressed their support for smaller class sizes: Lucia Herrera, teacher and parent; John Lukin, parent and future teacher; Kelly Mennie, parent; Margaret Rosa, parent; and Shireen Goudarzi, teacher.

Kathleen Kilpatrick, school nurse, spoke about the need for more competitive salaries to attract nurses and the need for more full time nurses.

Anne Twichell, teacher, commented that teachers are under a lot of pressure for student performance and that they need more support.

The following expressed their support for better compensation for classified employees: Robin Butterworth, staff and CSEA regional representative; Bobby Salazar, staff; and Patty Saenz, regional CSEA representative.

Susan Manabe, teacher, stated that in addition to the academic support that students need, they also need emotional support. Teachers should have the ability to provide students with that personal and positive support.

The following expressed their support for smaller class sizes and better salaries: Aaron Moore, teacher; Charissa Garcia, parent; and Connie Bishop, teacher.

Lynne Siqueiros, teacher, said that working conditions are not adequate, including prep time and salaries.

Sean Henry, school psychologist, stated that teachers do not have enough time to work well with each student. He asked the Board to make the right decision.

Eileen Clark, teacher, stated that teachers deserve to have some dialogue with the Board; e-mails to trustees do not get a response, only trustee Ursino has replied to her communication. Teachers deserve respect from board members.

Bill Beecher, community member, offered his opinion on what items the Board should prioritize, including smaller class sizes and additional funding to Pajaro Valley Prevention and Student Assistance.

2.0 APPROVAL OF THE AGENDA

Trustee DeRose moved to approve the agenda, pulling item 4.0 as there will not be any actions taken during closed session. Trustee De Serpa seconded the motion. The motion passed 6/0/1 (Rivas absent).

President Yahiro will proceed to excuse members of the public to conduct special meeting of the Board in closed session.

3.0 CLOSED SESSION - NEGOTIATIONS UPDATE/PLANNING

The Board participated in closed session.

At 9:00 pm, trustee DeRose moved to continue the meeting until 9:15 pm. Trustee Orozco seconded the motion. The motion passed 6/0/1 (Rivas absent).

4.0 ACTION ON CLOSED SESSION

This item was pulled.

5.0 ADJOURNMENT

There being no further business to discuss, the special meeting of the Board was adjourned at 9:15 pm.

Dorma Baker, Superintendent

PAJARO VALLEY UNIFIED SCHOOL DISTRICT



Board Agenda Backup

Item No: 7.1

Date: May 22, 2013

Item: Positive Program, Valencia Elementary Green Team

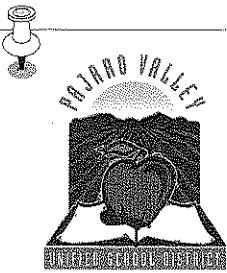
Overview: Valencia Elementary Green Team Students will do a follow-up presentation on their efforts to create a Green Ribbon School. Students: Ryan McFadden, Matthew Morse, Beck Escalante, Sam Bach, Addie Breen, Mia Chaney, Julia Johnson, Alexis Garner, Jake Galster, Julia Da Silva, Lauren Heffner, Jenna Galasso, Nico Lehner, Lila Berman

Recommendation: Positive Program Report.

Prepared By: Kelley Didion, Valencia Principal, and Valencia Students

Superintendent's Signature:

Dorinda Baker (Agl)



PAJARO VALLEY UNIFIED SCHOOL DISTRICT

Board Agenda Backup

Item No: 7.2

Date: May 22, 2013

Item: Positive Program Report – County and State Science Fair

Overview: State and County Science Fair Results

Recommendation: Enjoy the Report!

Imagine standing underneath the space shuttle Endeavor exhibiting your science fair project! Seven Watsonville High School students had that experience representing WHS, the PVUSD and Santa Cruz County at the California State Science Fair held the weekend of April 14-16, 2013

WHS sent 10 students to the Santa Cruz County Science Fair this year -- a first in over 20 years. Students there won two divisional 1st places, a 3rd place finalist and several special awards. Seven students qualified to compete at the California State Science Fair in Los Angeles with over 1000 of California's best and brightest young scientists. Students faced an intense judging process that demanded they think on their feet and demonstrate a high level of scientific understanding. Our students made us all proud. Cesar Garcia, 11th grader, received a statewide Honorable Mention, a very high level of success! The other six participants' names are: Rene Gonzalez, Anthony Glum, Emily Hernandez, Danny Ortiz, Isabel Torres and Maria Yerena.

- Cesar Garcia - *Impacts of urban runoff on rocky intertidal biodiversity (Environmental Sciences)*
- Emily Hernandez - *Native or Non-natives: Macro nutrients (Botany)*
- Isabel Torres - *Effects of ocean acidification on marine calcifying invertebrates (Microbiology)*
- Maria Yerena - *Effect of a commonly used "organic" fungicide on a freshwater plankton community (Microbiology)*
- Danny Ortiz, Anthony Glum, & Rene Gonzalez - *The effects of Eucalyptus globulus trees on native plants (Botany)*
- Yotzira Flores & Frida Flores - *(Make Up Perspectives and Reality (Cognitive Sciences)(Presented at County)*
- Jessica Rocha - *(Teens, Math and Sleep (Cognitive Sciences) (Presented at County)*

WHS students developed their research projects with close mentorship from UC Santa Cruz graduate students, coordinated by the GK-12 SCWIBLES program at UCSC and with support from our school, the district, and the community. Our students really stepped up to the challenge, growing as scientists and as young adults. They supported each other, cared for each other, and stood together, reflecting the family values of our community. They developed technical skills, abilities to communicate ideas clearly and skills as scientific researchers. They also showed poise and greater self-confidence. The positive experience has inspired them to even higher goals. In particular, they want to go back next year, and win.

We also had 22 elementary school students receive honors in the Santa Cruz County Science Fair. Their names and information about their projects and their schools are included with this report.

We wish to honor our staff and students for these accomplishments!

Budget Considerations: None

Funding Source:

Budgeted: Yes: ☐ No: ☐

Amount: \$ 0

Prepared By: Murry Schekman, Assistant Superintendent

Superintendent's Signature:

Dorinda Baker (Signature)



Santa Cruz County Science Fair 2013 Award Recognition

| Student Name | School | Division/Grades | Category | Project Name | Award/Place |
|--|--------------------------|-----------------|--------------------------------|--|------------------|
| Andrew Jones | Bradley Elementary | Elementary/4-5 | Energy & Power | Chill'in in the Sun: Solar Cell Power Output vs. Temperature | First place |
| Blanca Lopez | Calabasas Elementary | Elementary/4-5 | Botany | Growing, Growing Gone | Third place |
| Kelly Miranda | Hall District Elementary | Elementary/4-5 | Behavioral & Social Sciences | M & M Survival Challenge | Third place |
| Mikayla Arenas & Reina Martinez | Ohlone Elementary | Elementary/4-5 | Electronics & Electromagnetics | Birds on Power Lines | Project of Merit |
| Jazmin Cortez, Anissa Garcia & Thaily Guzman | Radcliff Elementary | Elementary/4-5 | Product Science | The FYI on SPF | First place |
| Meydi Manzo & Yajaira Ortega | Radcliff Elementary | Elementary/4-5 | Behavioral & Social Sciences | The Sound of Music | Second place |
| Eduardo Gutierrez & Lisandro Valencia | Radcliff Elementary | Elementary/4-5 | Electronics & Electromagnetics | Magnificent Magnetic Crystals | Project of Merit |
| Kinan Poston | Valencia Elementary | Elementary/4-5 | Physics & Astronomy | The Heat Bridge | Second place |
| Bailey Smith & Alison Taylor | Valencia Elementary | Elementary/4-5 | Zoology | Dog's Colors | Second place |
| George Marquez | Valencia Elementary | Elementary/4-5 | Physics & Astronomy | Launching Into Science | Project of Merit |
| Connor Driscoll | Valencia Elementary | Elementary/4-5 | Physics & Astronomy | Running Straight May Be The Fastest Way Around The Bases But Is It The Fastest Way | Project of Merit |
| Devin Stires & Henry Wiley | Bradley Elementary | Junior/6-8 | Product Science | Citrus Squeeze | Project of Merit |
| Marc von Oepen | Rio del Mar Elementary | Junior/6-8 | Physics & Astronomy | Wire on Ice | First place |
| Kaylie Beerman | Rio del Mar Elementary | Junior/6-8 | Botany | Ripe or Wrong? | Project of Merit |
| Lauren McBride | Rio del Mar Elementary | Junior/6-8 | Cognitive Sciences | Mathemusical | Third place |



Board Agenda Backup

Item No: 8.0

Date: May 22, 2013

Item: **Public Hearing: Report on Approving Annual Developer Fee Justification Analysis and Adoption of Resolution # 12-13-18 for Level 1 and Resolution # 12-13-26 for Level 2/3 Developer fees pursuant to state Law.**

Overview: The board will hold a public hearing to discuss imposing updated Level 1, 2, and 3 developer fees as authorized by state law. The proposed amounts per square foot are set forth in the attached resolutions and justification studies. These documents have been on file and available for public review for approximately one month. Staff is recommending imposing new and updated Level 1, 2 and 3 fees per law.

Background:

Senate Bill 50 was signed into law in 1998 and took effect upon the passage of Proposition 1A on November 3, 1998. SB 50 allows school districts to establish Level 1, 2 and 3 developer fees. Justification studies must be conducted and a public hearing held annually to consider the adoption of school facilities fees on new development pursuant to Education Code Section 17620 and Government Code Section 65995.

Level 1 developer fees

Level 1 fees are only imposed when a district does not authorize the levying of Level 2 fees. This fee level is intended to be a minimum amount only. The district has historically justified the imposition of Level 2 fees pursuant to law and has not utilized Level 1 fee amounts. The maximum amount of Level 1 fees is established by the State Allocation Board (SAB). Districts are required to update and justify their Level 1 fee amounts every two years.

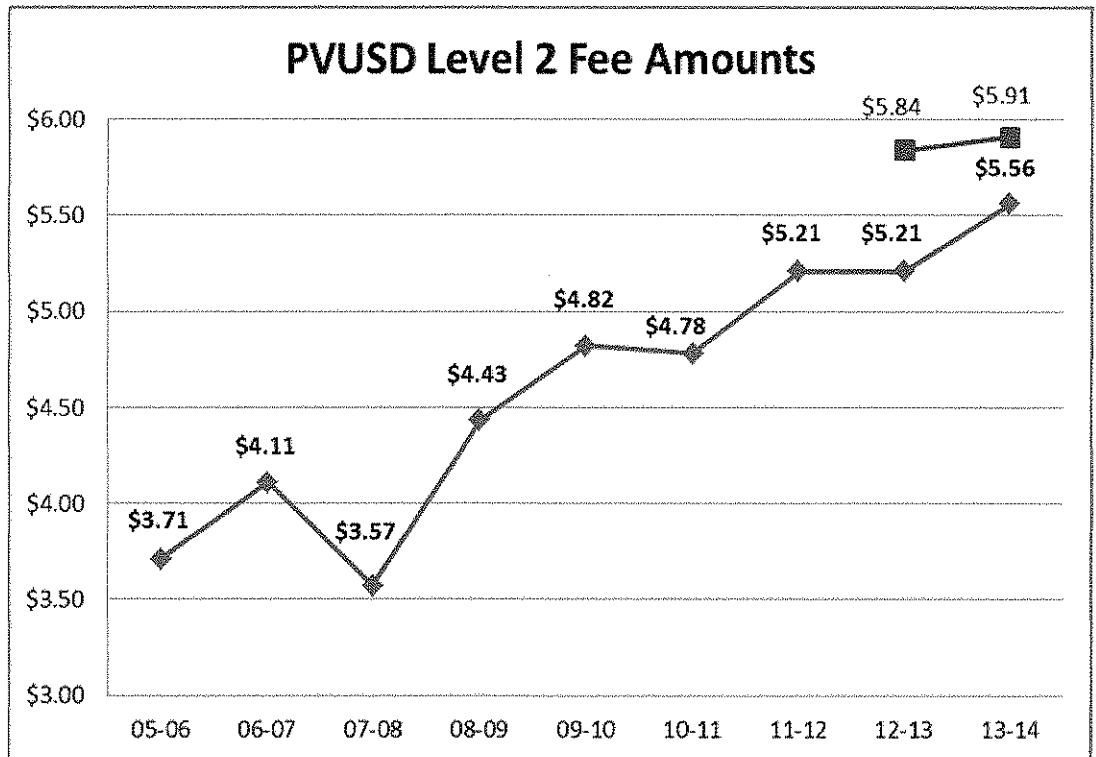
The SAB, at its January 25, 2012 meeting, authorized school districts to adjust Level 1 developer fees for inflation to a maximum of \$3.20 per square foot for residential construction and \$0.51 per square foot for commercial/industrial construction.

Staff is recommending that district adopt its Level I developer fees to the state approved maximums of \$3.20 per square foot for residential construction and \$0.51 per square foot for commercial/industrial construction. The district would impose Level 1 fees only if it did not authorize Level 2 fees in the future. The district conducted a study to justify the fee amounts as required by law. Attached is the Level 1 Justification Study and corresponding resolution to take this action. This action item will be taken up as a separate matter.

Level 2 and 3 developer fees

Level 2 fees may be levied in lieu of Level 1 fees on new residential construction. The attached justification study has determined that Level 2 fees for all residential housing types could be imposed at \$5.91 per square foot. This amount is \$0.70 higher than the current Level 2 fee of \$5.21 authorized by the board in 2011-12 and again in 2012-2013.

Level 3 fees may be levied in lieu of Level 2 fees only in the event that the state runs out of school facility funding. The needs analysis has determined that Level 3 fees for all residential housing types shall be \$11.82 per square foot. At this time, funding remains in the state school construction amount. Therefore, the district would not be authorized to assess Level 3 fees. The district has historically imposed Level 2 fees on new construction within the district. The graph below details recent Level 2 fee amounts.



Staff recommends the district's 2013-14 Level 2 fee amount increase to \$5.56 per square foot. Although justified according to statutory formulas, the fee amount has increased in recent years as displayed above. (\$5.84 in 2012-2013 and \$5.91 in 2013-2014) Staff sought the input of local developers and construction businesses when analyzing this matter. The Pajaro Valley continues to struggle with the effects of the *Great Recession*. The local industry is predominately made up of small, family owned businesses. Input from the businesses and development community indicated that a larger fee increase would pose further challenges to the industry's recovery efforts. Staff recommends the District's 2013-14 Level 2 fee increase to the amount of \$5.56 per square foot.

Staff further recommends the rates for the below listed categories remain at current 2012-13 levels as follows:

| | |
|-----------------------------------|--------|
| Commercial/Industrial/Agriculture | \$0.51 |
| Senior house development | \$0.47 |
| Self-Storage Facilities | \$0.30 |
| Parking structures | \$0.10 |

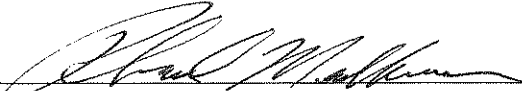
A Public Hearing must be held to consider the adoption of Level 2 and Level 3 school facilities fees on new development pursuant to Government Code Section 65995. Copies of the Resolution and Needs Analysis are attached. In order for the new fees to take effect, the Board would need to adopt Resolution No's 12-13-18 and 12-13-26, at the May 23, 2013 Board Meeting.

Public notice

The law requires school district to provide minimum public notice regarding the justification and subsequent imposition of Level 1, 2, and 3 fee amounts. The district once again conducted an extensive effort to provide maximum public notice on this issue. Staff posted all documents for public review one month prior to the board meeting. The minimum notification required by law is approximately two weeks. Staff posted several public notices in the Sentinel and Register Pajaronian newspapers, and contacted local press reporters informing them of this action item.

Recommendation: Hold a public hearing to discuss and receive public input on the imposition of Level 1, 2, and 3 developer fees as described above.

Prepared By:


Brett McFadden, CBO

Richard Mullikin, Director of Maintenance, Operations & Facilities

Superintendent's Signature:


Dorma Baker

**PAJARO VALLEY UNIFIED
SCHOOL DISTRICT**

**NEEDS ANALYSIS
SCHOOL FACILITIES FEES
LEVEL 2/3**



**TOTAL SCHOOL SOLUTIONS
4751 MANGELS BOULEVARD
FAIRFIELD, CA 94534**

March 14, 2013

FOREWORD

SB 50 was enacted into law in 1998 to address school financing issues that had plagued California for many years. To enable the reader of this "Needs Analysis" to better understand the issues, attached in Appendix E is a report on SB 50 that was prepared by the Coalition for Adequate School Housing's (C.A.S.H.) Legal Advisory Committee.

In addition to the cooperative effort documented in Appendix E, a key player in the development and passage of SB 50 was the California Building Industry Association. As noted in the website for David L. Colgan, Attorney, he states that he was "...a key member of the California Building Industry Association's legal team that helped draft and secure passage of SB 50 in 1998, the historic school facilities financing and developer fee reform legislation that became effective with the electorate approving Proposition 1A".

California law stipulates that Level 2/3 fees may be imposed for one year only based on a "Needs Analysis", and that annual updates are required to continue to levy fees. The "Needs Analysis" incorporates changes made to California law and State Allocation Board regulations, residential development data, student yield rates, State Allocation Board construction grant allowance per student, inflationary increases in construction costs, and California Department of Education guidelines on site size requirements.

SAB grants were adjusted in January 2013 to reflect a 3.13 percent increase in the cost index for Class B construction during the period January 1, 2012 to January 1, 2013, based on the Marshall and Swift index for eight California cities. This 2012 to 2013 increase followed a 2011 to 2012 increase when, in January 2012, the SAB increased State grants by 3.76 percent.

On June 27, 2012, the Governor signed Senate Bill (SB) 1016 which temporarily suspended school districts ability to levy "Level 3" developer fees until December 31, 2014. Justification for Level 3 fees has been included in this report in the event that school districts ability to collect Level 3 fees is restored earlier than otherwise allowed by the bill.

The effects of the above identified factors are fully documented in this "Needs Analysis".

Total School Solutions
March 14, 2013

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PAJARO VALLEY UNIFIED SCHOOL DISTRICT

NEEDS ANALYSIS SCHOOL FACILITIES FEES

March 14, 2013

SUMMARY

Based on this Needs Analysis, the maximum Level 2 and Level 3 fees that may be imposed per square foot on new residential construction by the Pajaro Valley Unified School District are the following:

| CATEGORY | LEVEL 2 FEES | LEVEL 3 FEES |
|---------------|--------------|--------------|
| Single-family | \$5.91 | \$11.82 |
| Multi-family | \$5.91 | \$11.82 |

The above Level 2 fees are 7 cents higher than the Level 2 fees justified one year earlier due to a 3.13 percent increase in the State grant amounts for new construction and the Class B construction cost index, and other factors as summarized below:

| Variable | 2012 | 2013 | Impact on Developer Fee |
|------------------------------|-----------|-----------|-------------------------|
| State grant amounts | Base | +3.13% | 3.13% increase |
| Class B construction cost | Base | +3.13% | 3.13% increase |
| Average square foot per unit | 1,841 | 1,891 | 2.72% increase |
| Site Acquisition Costs | \$230,000 | \$250,000 | 9% Increase |

Previous Level 2 fees per square foot

| | |
|---------|--------|
| 2005-06 | \$3.72 |
| 2006-07 | \$4.11 |
| 2007-08 | \$3.57 |
| 2008-09 | \$4.43 |
| 2009-10 | \$4.82 |
| 2010-11 | \$4.78 |
| 2011-12 | \$5.21 |
| 2012-13 | \$5.84 |

1. INTRODUCTION

SB 50, which became law on November 4, 1998, upon passage of Proposition 1A on November 3, 1998, provided school districts with the authority to impose three different levels of fees.

1.1 Level 1 Fees

Level 1 fees are identical to those previously imposed by school districts (a.k.a. AB 2926 or Stirling fees). SB 50 set the initial fee limit at \$1.93 per square foot for residential units and \$0.31 per square foot for commercial/industrial projects, with bi-annual adjustments for inflation. (State Allocation Board action on January 30, 2008, increased these fees to \$2.97 and \$0.47.) A Developer Fee Justification Study, based on requirements established in Education Code Sections 17620-17621 and Government Code Sections 65995 et seq., is required to impose Level 1 fees. The District's "Level 1-Developer Fee Justification Study" dated April 2012, justified the maximum residential fee of \$3.20 per square foot for new residential units and residential additions of 500+ square feet and \$0.51 per square foot for commercial/industrial.

1.2 Level 2 Fees

Level 2 fees were established by SB 50 under Government Code Section 65995.5. Before imposing Level 2 fees, a Needs Analysis must be prepared in accordance with Government Code Section 65995.6. Additionally, a school district must be eligible to receive new construction funding, file an eligibility application with the State Allocation Board ("SAB"), and receive SAB approval (or, alternatively, after passage of 120 days from submittal). Also, a school district must meet two out of four statutory requirements as set forth in Government Code Section 65995.5(b)(3). The District's prior "School Facilities Needs Analysis", dated April 2012, justified a fee of \$5.84 per square foot for new residential construction.

1.3 Level 3 Fees

Level 3 fees were established by SB 50 under Government Code Section 65995.7, and take effect only in the event that state funds are exhausted. The difference between Level 2 and Level 3 fees is that Level 2 fees are based on 50 percent of school construction costs while Level 3 fees are based on 100 percent.

2. ELIGIBILITY FOR NEW CONSTRUCTION FUNDING

On January 25, 1999, the Pajaro Valley Unified School District filed forms SAB 50-01 (Enrollment Certification/Projection) and SAB 50-02 (Existing School Building Capacity), and on May 26, 1999, the State Allocation Board (SAB) certified the Baseline Eligibility (Appendix A). Subsequently, the District filed updated SAB 50-01's, resulting in increasing enrollments and New Construction Baseline Eligibility. For detail, refer to the February 25, 2013, New Construction Eligibility information from the Office of Public School Construction website (Appendix A).

The eligibility condition to impose Level 2 fees is met upon SAB approval of the Eligibility Determination or 120 days after submittal, whichever occurs first. The District has therefore complied with eligibility regulations.

3. COMPLIANCE WITH STATUTORY REQUIREMENTS

After January 1, 2000, a school district must satisfy two of the following four statutory requirements to impose Level 2 fees:

- (a) Multi-track year-round education requirement.
- (b) Local general obligation bond measure placed on the ballot in the past four years which received at least 50 percent plus one of the votes cast.
- (c) Issued debt or incurred obligations for capital outlay totaling 15 percent of the local bonding capacity, including indebtedness repaid from property taxes, parcel taxes, general fund, special taxes, Mello-Roos funds approved by registered voters, Mello-Roos funds approved by landowners prior to November 4, 1998. If Mello-Roos funds approved by landowners after November 4, 1998 are included, the debt percentage increases from 15 percent to 30 percent.
- (d) At least 20 percent of teaching stations are relocatable.

The Pajaro Valley Unified School District complies with requirement (c) and (d) outlined above. The District held general obligation bond elections on November 5, 2002 (Measure J, \$58,250,000), and very recently on November 6, 2012 (Measure L, \$150,000,000). The anticipated sale or issuance of \$80 million in Measure L bonds during the month of March 2013, in addition to the current outstanding debt on Measure J bonds, is estimated to raise the District's capital debt well over the statutory threshold of 15 percent of the total bonding capacity, thereby complying with requirement (c) above. The District has 925 classrooms total, of which 331 (36 percent) are relocatable (Appendix A), thereby complying with (d) defined above.

4. CALCULATION OF LEVEL 2 FEES

4.1 Formulas

The formulas used in the calculation of Level 2 fees are the following:

- | | | |
|-----------------------------------|---|--|
| 1. New Residential sq. ft. | = | H.U. Projection (5-years) ¹ x average sq. ft. per unit ² |
| 2. Unhoused Students ⁴ | = | H.U. Projection (5-years) x Student Yield Rate ³ |
| 3. Construction Cost | = | Unhoused Students x State grant per student ⁵ |
| 4. Total Cost | = | Construction Cost + Site Acquisition Cost (@ 50 percent) ⁶ + Site Development Cost (@ 50 percent) |

5. Net Cost = Total Cost - Other Local Funds⁷
6. Level 2 Fee per sq. ft. = Net Cost divided by New Residential sq. ft.

FOOTNOTES:

- ¹ Housing Units (H.U.) by type: single-family attached, single-family detached or multi-family.
- ² Average sq. ft. for each Housing Unit type.
- ³ Student Yield Rates for each housing unit type from housing units constructed and occupied during the five prior years.
- ⁴ If there is any existing excess capacity, the unhoused students would have to be reduced accordingly.
- ⁵ State grant per student is adjusted for inflation.
- ⁶ Site acquisition cost based on California Department of Education guideline for allowable acreage.
- ⁷ "Other Local Funds" include any District funds not committed to projects to provide school housing for unhoused students. This could include the District's Level 1 Fees, any available Mello-Roos or G.O. Bonds, and any available surplus property.

Impact of Variables on Developer Fee Per Square Foot

The major variables and their impact on the resultant developer fee to be levied include the following:

- Housing units to be constructed over the next five years: No impact on fee, unless no students are unhoused.
- Average square foot per unit: As the average increases the developer fee decreases.
- Student yield rate: As the rate increases the developer fee increases.
- State grant per student: As the grant increases the developer fee increases.
- Construction cost: As inflationary increases and the bidding climate impact site acquisition and/or site development costs, the developer fee increases.

4.2 New Residential Square Footage

Housing developments are discussed in Appendix B. For the purposes of this study, the five - year projection of housing units in the current economic climate that will be subject to Level 2 and 3 fees, the average square feet per unit, and the new residential square feet were calculated as follows:

| New Housing Units | # Units | Avg. Sq. Ft. | Total Sq. Ft. |
|-------------------|---------|--------------|---------------|
| Single-Family | 200 | 1,891 | 378,200 |

It is emphasized that the calculation of Level 2/3 fees per square foot is independent of the actual number of housing units to be constructed over the next five years.

4.3 Unhoused Students

Pupil yield rates by grade groupings were taken from a yield rate study conducted in 2012 (Appendix C) as follows:

| Housing Type | K-6 | 7-8 | 9-12 | Total |
|---------------|-------|-------|-------|-------|
| Single-Family | 0.414 | 0.067 | 0.138 | 0.619 |

From the above housing unit and yield rate data, the numbers of unhoused students generated by the projected construction of new housing units were calculated as follows:

| Unhoused Students | K-6 | 7-8 | 9-12 | Total |
|-------------------|-----|-----|------|-------|
| Single-Family | 83 | 13 | 28 | 124 |

The SAB 50-01 five-year projected enrollments based on 2006-07 – 2009-10 enrollments consisted of the following for total K-12 enrollment:

| | | |
|-------------------------|---------------|-------------|
| Regular Students – K-6 | 12,515 | 56.7% |
| Regular Students – 7-8 | 3,418 | 15.5% |
| Regular Students – 9-12 | 5,638 | 25.6% |
| SDC – Non-Severe | 487 | 2.2% |
| Total | 22,058 | 100% |

Based on the above percentages, the projected unhoused students were adjusted as follows:

| | Original Projection | Adjusted Projection |
|----------------|---------------------|---------------------|
| K-6 | 83 | 82 |
| 7-8 | 13 | 12 |
| 9-12 | 28 | 27 |
| SDC-Non-Severe | Included | 3 |
| Total | 124 | 124 |

Government Code Section 65995.6(a) states that the existing school building capacity shall be calculated pursuant to Education Code Section 17071.10 et seq., which is in accordance with regulations adopted by the State Allocation Board. Those regulations are established in form SAB 50-02, as summarized in Appendix A. As of October 2012, the District's total enrollment was 19,923 and the total capacity was 18,074 – therefore, 1,849 of current enrollment are unhoused. In addition, based on the District's adjusted new construction eligibility (Appendix A), there is a backlog of 5,374 unhoused students, and all new students to be generated from projected housing units over the next five years are unhoused.

4.4 Construction Cost

The new construction state grant amounts for grades K-6, 7-8, 9-12 and SDC-Non-Severe, as adjusted by the State Allocation Board on January 23, 2013, and including grants for automatic fire alarm/detection and sprinklers were the following:

New Construction Grants

| Grades | Base Grant | Fire Detection/ Alarm | Sprinklers | Grant per Student |
|----------------|-------------------|----------------------------------|-------------------|------------------------------|
| K-6 | \$9,751 | \$11 | \$164 | \$9,926 |
| 7-8 | \$10,312 | \$17 | \$195 | \$10,524 |
| 9-12 | \$13,119 | \$26 | \$202 | \$13,347 |
| SDC-Non-Severe | 18,321 | \$34 | \$347 | \$18,702 |

From the above data, the cost to construct school facilities to accommodate the projected unhoused students was calculated as follows:

| Construction Cost | Unhoused Students | Grant | Cost |
|--------------------------|------------------------------|--------------|--------------------|
| K-6 | 82 | \$9,926 | \$813,932 |
| 7-8 | 12 | \$10,524 | \$126,288 |
| 9-12 | 27 | \$13,347 | \$360,369 |
| SDC-Non-Severe | 3 | \$18,702 | \$56,106 |
| Total | 124 | | \$1,356,695 |

4.5 Total Cost

According to the "Guide to School Site Analysis and Development, 2000 Edition", the following site sizes would be required for future schools:

Student Capacities and Site Sizes

| Grades | Student Capacity | Site Size (Acres) |
|---------------|-------------------------|--------------------------|
| K-6 | 600 | 11.0 |
| 7-8 | 900 | 25.0 |
| 9-12 | 1,601-1,800 | 44.5 |

A review of commercial and industrial properties for sale in the Watsonville area as published in the LandandFarm.com website during the current month ranged from \$75,000 to \$437,158. Therefore, for the purpose of this study, an estimated acquisition cost of \$250,000 per acre would be reasonable. Additional site acquisition costs must be included for appraisals, surveys, toxic studies, soils tests, EIR, preliminary architectural/engineering work, school site approval process, legal fees, consultants, etc. Based on estimated costs for K-6, 7-8 and 9-12 schools (Appendix D), the estimated total site acquisition costs per acre were the following:

| | |
|------|-----------|
| K-6 | \$265,225 |
| 7-8 | \$257,827 |
| 9-12 | \$255,288 |

Based on the above acreages and projected un-housed students, the total costs would be the following:

Total New School Site Acquisition Costs

| Grades | Un-housed Students | Required Acres | Total Site Acquisition Cost |
|---------------|---------------------------|-----------------------|------------------------------------|
| K-6 | 83 | 1.522 | \$403,672 |
| 7-8 | 13 | 0.361 | \$ 93,076 |
| 9-12 | 28 | 0.778 | \$198,614 |
| Total | 124 | 2.661 | \$695,362 |

Site development costs (including on-site and off-site costs) were based on actual bids, as summarized in Appendix D. Those cost data revealing the following estimated site development costs per acre:

| | |
|------|----------------|
| K-6 | \$440,996/acre |
| 7-8 | \$404,344/acre |
| 9-12 | \$314,225/acre |

While site development costs will vary depending upon many variables (utilities requirements, off-site access requirements, site slope and condition, etc.), it is believed that for the District the average site development costs above would be reasonable. Based on these estimates, the site development costs would be the following:

| Grades | Required Acres | Total Site Development Cost |
|---------------|-----------------------|------------------------------------|
| K-6 | 1.522 | \$671,196 |
| 7-8 | 0.361 | \$145,968 |
| 9-12 | 0.778 | \$244,467 |
| Total | 2.661 | \$1,061,631 |

From the above data, the total cost for each grade group was calculated as follows:

| Grades | State Grant Share of Construction Cost (1/2 of total) | Site Acquisition Cost(@1/2) | Site Dev. Cost(@1/2) | Total Cost |
|----------------|---|--------------------------------|-------------------------|--------------------|
| K-6 | \$813,932 | \$201,836 | \$335,598 | \$1,351,366 |
| 7-8 | \$126,288 | \$46,538 | \$72,984 | \$245,810 |
| 9-12 | \$360,369 | \$99,307 | \$122,234 | \$581,910 |
| SDC-Non-Severe | \$56,106 | Included | Included | \$56,106 |
| Total | \$1,356,695 | \$347,681 | \$530,816 | \$2,235,192 |

4.6 Net Cost

The formulas used to calculate the Level 2 fee included a reduction of total costs by other local funds, including any District funds not committed to provide school housing for unhoused students, including Level 1 fees, Mira fees, G.O. bonds, available surplus property, etc.

As noted in Section 4.3, the District has 5,374 unhoused students. Therefore, all Level 1 fees and other available funds are committed to providing for the current backlog.

It is concluded from the above information that the District has no local resources available to finance the construction or reconstruction of school facilities needed to accommodate any growth in enrollment attributable to the construction of the new residential units subject to Level 2 fees. Therefore, the total cost of \$2,235,192 is the basis upon which Level 2 fees are to be calculated.

4.7 Level 2 Fee per Square Foot

From the above data, the Level 2 fees per square foot were calculated as follows:

Level 2 Fees

| | Total Cost | Total Sq. Ft. | Cost/Sq. Ft. |
|---------------------|-------------|---------------|--------------|
| Residential Housing | \$2,235,192 | 378,200 | \$5.91 |

5. CALCULATION OF LEVEL 3 FEES

When state funds for new construction are not available, Level 3 fees, as authorized under Section 65995.7 of the Education Code, may be imposed by a school district.

5.1 Level 3 Fee per Square Foot

Level 3 fees were calculated based on Level 2 fees data presented in Section 2, except that full costs were used as follows:

| Grades | Construction Cost | Site Acquisition Cost | Site Development Cost | Total Cost |
|----------------|--------------------------|------------------------------|------------------------------|--------------------|
| K-6 | \$1,627,864 | \$403,672 | \$671,196 | \$2,702,732 |
| 7-8 | \$252,576 | \$93,076 | \$145,968 | \$491,620 |
| 9-12 | \$720,738 | \$198,614 | \$244,467 | \$1,163,819 |
| SDC-Non-Severe | \$112,212 | Included | Included | \$112,212 |
| Total | \$2,713,390 | \$695,362 | \$1,061,631 | \$4,470,383 |

From the above data, the Level 3 fees per square foot were calculated as follows:

Level 3 Fees

| | Total Cost | Total Sq. Ft. | Cost/Sq. Ft. |
|---------------------|-------------------|----------------------|---------------------|
| Residential Housing | \$4,470,383 | 378,200 | \$11.82 |

APPENDIX A

ELIGIBILITY DETERMINATION

APPENDIX A ELIGIBILITY DETERMINATION

The District's new construction eligibility was calculated as follows:

| Grades | Baseline¹ Eligibility | SAB Approvals/Adjustments² | Remaining Eligibility |
|----------------|---|--|----------------------------------|
| K-6 | 2,873 | 518 | 3,391 |
| 7-8 | 233 | 629 | 862 |
| 9-12 | 2,239 | (1,256) | 983 |
| SDC-Non-Severe | 0 | 107 | 107 |
| SDC- Severe | 0 | 31 | 31 |
| Totals | 5,345 | 29 | 5,374 |

¹ The Baseline Eligibility (SAB 50-03) was certified by the State Allocation Board (SAB) on May 26, 1999, based on the Enrollment Certification/Projection (SAB 50-01) which used CBEDS enrollment data for 1995-96 through 1998-99, less the Existing School Building Capacity (SAB 50-02).

² The SAB Approvals/Adjustments were based on updated SAB 50-01 projections and approved projects under the California School Facility Program. Data shown above were taken from the OPSC website on February 25, 2013.

Classroom Inventory

The original SAB 50-02 classroom inventory and the current classroom inventory¹ were the following:

| Category | Original January 1999 | Current January 2012¹ |
|-----------------|----------------------------------|---|
| Permanent | 502 (68%) | 504 (67%) |
| Portable | 238 (32%) | 252 (33%) |
| Total | 740 (100%) | 756 (100%) |

¹ Source: Facility Master Plan 2012-2022, January 6, 2012, Total School Solutions. Data above does not include charter school capacity.



Public School Construction



Monday, February 25, 2013

Project Tracking System: School Facility Program: Project Summary

District: Pajaro Valley Unified Application No: 50-03-00-002
 District Rep: Mr. Bob McFadden County: Santa Cruz

SAB 50-03 New Construction Eligibility Information

New Construction Baseline Eligibility

| Grade Level: | K - 6 | 7 - 8 | 9 - 12 | Non-Sexorc | Severe |
|---------------------------|-------|-------|--------|------------|--------|
| Establishes Eligibility: | 2873 | 233 | 2238 | 6 | 0 |
| SAB Approval/Adjustments: | 818 | 829 | 1256 | 107 | 31 |
| Remaining Eligibility: | 2055 | 153 | 982 | 107 | 31 |

SAB 50-03 Eligibility Document Status/Date:

Status: PM Complete
 Date Signed: 1/23/1999
 Date Received: 1/23/1999
 SAB Approval Date: 5/28/1999

If you have any questions regarding this information you can contact the assigned Project Manager:

OPSC Project Manager: Dennis Schrader
 Telephone: (916) 375-4866
 E-mail Address: dennis.schrader@dgs.ca.gov

[View Moderation Summary](#)

[Project Tracking Home](#)

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STATE OF CALIFORNIA
EXISTING SCHOOL BUILDING CAPACITY

2013-2014 (Rev. 09/01/2013)

STATE ALLOCATION BOARD
 OFFICE OF PUBLIC SCHOOL CONSTRUCTION
 Page 1 of 4

SCHOOL DISTRICT
 PAJARO VALLEY UNIFIED
 COUNTY
 SANTA CRUZ

DISTRICT CODE NUMBER (SEE DISTRICT PUBLIC SCHOOL DIRECTORY)
 02789
 SCHOOL ATTENDANCE AREA DESIGN OR SUPERVISOR'S APPROVAL

PART I - Classroom Inventory ☐ NEW ☒ ADJUSTED

| | LINE 1 | LINE 2 | LINE 3 | LINE 4 | LINE 5 | LINE 6 |
|--|--------|--------|--------|--------|--------|--------|
| Line 1. Leased State Relocatable Classrooms | 88 | 25 | 15 | | | 108 |
| Line 2. Portable Classrooms leased less than 5 years | 87 | 5 | 10 | | | 85 |
| Line 3. Interim Housing Portables leased less than 5 years | | | | | | |
| Line 4. Interim Housing Portables leased at least 5 years | | | | | | |
| Line 5. Portable Classrooms leased at least 5 years | | | | | | |
| Line 6. Portable Classrooms owned by district | 44 | 3 | 8 | | | 55 |
| Line 7. Permanent Classrooms | 284 | 88 | 106 | 19 | 25 | 502 |
| Line 8. Total (Lines 1 through 7) | 431 | 120 | 145 | 19 | 25 | 740 |

PART II - Available Classrooms

| | LINE 1 | LINE 2 | LINE 3 | LINE 4 | LINE 5 | LINE 6 |
|-------------------------|--------|--------|--------|--------|--------|--------|
| a. Part I, line 4 | | | | | | |
| b. Part I, line 5 | | | | | | |
| c. Part I, line 6 | 44 | 3 | 8 | | | 55 |
| d. Part I, line 7 | 284 | 88 | 106 | 19 | 25 | 502 |
| e. Total (a, b, c, & d) | 308 | 91 | 114 | 19 | 25 | 557 |

| | LINE 1 | LINE 2 | LINE 3 | LINE 4 | LINE 5 | LINE 6 |
|--|--------|--------|--------|--------|--------|--------|
| a. Part I, line 8 | 431 | 120 | 145 | 19 | 25 | 740 |
| b. Part I, lines 1, 2, 3 and 6 (total only) | | | | | | 235 |
| c. 25 percent of Part I, line 7 (total only) | | | | | | 125 |
| d. Subtract c from b (enter 0 if negative) | 79 | 15 | 16 | | | 112 |
| e. Total (a minus d) | 352 | 105 | 129 | 19 | 25 | 628 |

PART III - Determination of Existing School Building Capacity

| | LINE 1 | LINE 2 | LINE 3 | LINE 4 | LINE 5 |
|--------------------------------|--------|--------|--------|--------|--------|
| Line 1. Classroom capacity | 7,750 | 2,457 | 3,075 | 247 | 225 |
| Line 2. SER adjustment | | | | | |
| Line 3. Operational Grants | | | | | |
| Line 4. Greater of line 2 or 3 | | | | | |
| Line 5. Total of lines 1 and 4 | 7,750 | 2,457 | 3,075 | 247 | 225 |

I certify, as the District Representative, that the information reported on this form is true and correct and that:
 I am designated as an authorized district representative by the governing board of the district; and,
 This form is an exact duplicate (verbatim) of the form provided by the Office of Public School Construction (OPSC).
 In the event a conflict should exist, then the language in the OPSC form will prevail.

SIGNATURE OF DISTRICT REPRESENTATIVE

DATE

APPENDIX B

HOUSING DEVELOPMENTS

APPENDIX B. HOUSING DEVELOPMENTS

The numbers of new residential units constructed in the District were compiled from District developer fee collection records. For the recent past, the annual new dwelling units were the following:

| | |
|------|-----|
| 2006 | 176 |
| 2007 | 102 |
| 2008 | 63 |
| 2009 | 28 |
| 2010 | 33 |
| 2011 | 47 |
| 2012 | 39 |

Because of the economic slow-down, the numbers of annual new dwelling units have dropped significantly. Based on the assumption that new residential construction will remain low for several years, the five-year projection of new dwelling units is 200 units.¹ The current analysis of developer fee collection reports indicated that there is a slight increase in square footage from 1,844 square feet per unit to 1,891 square feet per unit.

The construction of 200 new dwelling units will generate only 114 new K-12 students based on a K-12 yield rate of 0.573, but it is emphasized that the calculation of Level 2/3 fees per square foot is independent of the actual number of housing units to be constructed over the next five years.

¹ The 2009 study made a five-year projection of 300 new housing units at 1,894 square feet per unit. The 2010 study made a five-year projection of 250 new housing units at 1,794 square feet per unit. This 2013 study maintains that the 2012 five-year projections of 200 new housing units remains reasonable and supports the assumption that the on-going economic downturn will keep the slow pace of development for a few more years to come.

DEVELOPER FEE COLLECTIONS¹

SINGLE-FAMILY (SFD)

| Period | No. of Units | Total Square Foot | Level 2 Fee/ Square Foot |
|----------------------|--------------|-------------------|-----------------------------|
| January - June 2006 | 44 | 87,857.00 | \$3.72 |
| July - December 2006 | 132 | 218,822.00 | 4.11 |
| January - June 2007 | 58 | 102,843.00 | 4.11 |
| July - December 2007 | 44 | 88,366.00 | 3.57 |
| January - June 2008 | 41 | 83,764.00 | 3.57 |
| July - December 2008 | 22 | 39,142.00 | 4.43 |
| January - June 2009 | 11 | 20,217.75 | 4.43 |
| July - December 2009 | 17 | 38,404.00 | 4.82 |
| January - June 2010 | 15 | 25,367.00 | 4.82 |
| July - December 2010 | 18 | 35,753.00 | 4.78 |
| January - June 2011 | 28 | 44,152.00 | 4.78 |
| July - December 2011 | 19 | 41,959.00 | 5.21 |
| January - June 2012 | 12 | 17,042.00 | 5.21 |
| July - December 2012 | 26 | 77,399.00 | 5.21 ² |
| Totals | 487 | 921,087.75 | |
| | Average = | 1,891.35 | |

¹ Source: District developer fee collection records for new single-family units (SFD), new multi-family units (MF), additions to existing residential units (ADD) and commercial buildings (COM).

² The District's April 2012 "Needs Analysis of School Facilities Fees, Level 2/3", justified a fee of up to \$5.84 per square foot for new residential construction.

2006 DEVELOPER FEE COLLECTIONS

| Month | # Units | Total Square Foot | Fee/Square Foot | Total Fee |
|-----------------|------------|-------------------------|--------------------|-----------------------|
| January | 5 | 13,362 | \$3.72 | \$49,706.64 |
| February | 9 | 10,453 | 3.72 | 38,885.16 |
| March | 5 | 15,316 | 3.72 | 56,975.52 |
| April | 13 | 25,293 | 3.72 | 94,089.96 |
| May | 5 | 10,454 | 3.72 | 38,888.88 |
| June | 7 | 12,979 | 3.72 | 48,281.88 |
| Subtotal | 44 | 87,857 | | 326,828.04 |
| July | 14 | 31,958 | 4.11 | 131,347.38 |
| August | 38 | 65,778 | 4.11 | 270,347.58 |
| September | 9 | 21,504 | 4.11 | 88,381.44 |
| October | 5 | 9,760 | 4.11 | 40,113.60 |
| November | 62 | 84,022 | 4.11 | 345,330.42 |
| December | 4 | 5,800 | 4.11 | 23,838.00 |
| Subtotal | 132 | 218,822 | | \$899,358.42 |
| Totals | 176 | 306,679 | | \$1,226,186.46 |
| | Average= | 1,742 | | |

Other-Sea View Ranch

| | | | | |
|--------------------|-----------|---------------|------------------|-----------------------|
| Total | 29 | 8,523 | 3.72 | 31,703.70 |
| ADD | | | | |
| Total | 54 | 52,088 | | 197,896.44 |
| COM | | | | |
| Total | 34 | 91,989 | 0.36/0.42 | 35,591.88 |
| Grand Total | | | | \$1,491,378.48 |

2007 DEVELOPER FEE COLLECTIONS
SFD

| Month | # Units | Total Square Foot | Fee/Square Foot | Total Fee |
|--------------------|----------------|----------------------------------|----------------------------|---------------------|
| January | 14 | 26,193 | \$4.11 | \$107,653.23 |
| February | 12 | 19,701 | 4.11 | 80,971.11 |
| March | 9 | 12,007 | 4.11 | 49,348.77 |
| April | 10 | 18,806 | 4.11 | 77,292.66 |
| May | 9 | 19,827 | 4.11 | 81,488.97 |
| June | 4 | 6,309 | 4.11 | 25,929.99 |
| Subtotal | 58 | 102,843 | | 422,684.73 |
| July | 6 | 11,514 | 3.57 | 41,104.98 |
| August | 13 | 21,460 | 3.57 | 76,612.20 |
| September | 7 | 17,429 | 3.57 | 62,221.53 |
| October | 6 | 12,678 | 3.57 | 45,260.46 |
| November | 5 | 12,084 | 3.57 | 43,139.88 |
| December | 7 | 13,201 | 3.57 | 47,127.57 |
| Subtotal | 44 | 88,366 | | \$315,466.62 |
| Totals | 102 | 191,209 | | \$738,151.35 |
| | Average= | 1,875 | | |
| ADD | | | | |
| Total | 52 | 50,629 | | 196,777.70 |
| COM | | | | |
| Total | 6 | 44,694 | 0.42 | 18,771.48 |
| Grand Total | | | | \$953,700.53 |

**2008 DEVELOPER FEE COLLECTIONS
SFD**

| Month | # Units | Total Square Foot | Fee/Square Foot | Total Fee |
|--------------------|----------------|----------------------------------|----------------------------|---------------------|
| January | 8 | 15,485 | \$3.57 | \$55,281.45 |
| February | 7 | 11,589 | 3.57 | 41,372.73 |
| March | 5 | 10,288 | 3.57 | 36,728.16 |
| April | 6 | 11,883 | 3.57 | 42,422.31 |
| May | 4 | 9,054 | 3.57 | 32,322.78 |
| June | 11 | 25,465 | 3.57 | 90,910.05 |
| Subtotal | 41 | 83,764 | | 299,037.48 |
| July | 5 | 8,979 | 4.43 | 39,776.97 |
| August | 10 | 17,171 | 4.43 | 76,067.53 |
| September | 3 | 7,005 | 4.43 | 31,032.15 |
| October | 1 | 1,996 | 4.43 | 8,842.28 |
| November | 2 | 2,791 | 4.43 | 12,364.13 |
| December | 1 | 1,200 | 4.43 | 5,316.00 |
| Subtotal | 22 | 39,142 | | \$173,399.06 |
| Totals | 63 | 122,906 | | \$472,436.54 |
| | Average= | 1,951 | | |
| ADD | | | | |
| Total | 30 | 30,025 | | 116,465.21 |
| COM | | | | |
| Total | 6 | 34,504 | 0.42/0.47 | 15,080.03 |
| Grand Total | | | | \$603,981.78 |

**2009 DEVELOPER FEE COLLECTIONS
SFD**

| Month | # Units | Total Square Foot | Fee/Square Foot | Total Fee |
|--------------------|-----------|-------------------------|--------------------|---------------------|
| January | 2 | 1,913 | \$4.43 | \$8,474.59 |
| March | 1 | 2,437 | 4.43 | 10,795.91 |
| April | 2 | 9,150 | 4.43 | 40,534.50 |
| June | 6 | 6,717.75 | 4.43 | 32,379.56 |
| Subtotal | 11 | 20,217.75 | | 92,184.56 |
| July | 5 | 9,541 | 4.82 | 45,987.62 |
| August | 6 | 14,713 | 4.82 | 70,916.66 |
| September | 2 | 5,823 | 4.82 | 28,066.86 |
| October | 2 | 2,820 | 4.82 | 13,592.40 |
| November | 2 | 5,507 | 4.82 | 26,543.74 |
| Subtotal | 17 | 38,404 | | \$185,107.28 |
| Totals | 28 | 58,621.75 | | \$277,291.84 |
| | Average= | 2,094 | | |
| | | ADD | | |
| Total | 16 | 14,327 | | 67,781.23 |
| | | COM | | |
| Total | 5 | 127,985 | 0.47 | 60,152.95 |
| Grand Total | | | | \$405,226.02 |

2010 DEVELOPER FEE COLLECTIONS
SFD

| Month | # Units | Total Square Foot | Fee/Square Foot | Total Fee |
|--------------------|-----------|-------------------------|--------------------|---------------------|
| January | 2 | 3,803 | \$4.82 | \$18,330.46 |
| March | 1 | 1,232 | 4.82 | 5,938.24 |
| April | 1 | 1,199 | 4.82 | 5,779.18 |
| May | 3 | 7,241 | 4.82 | 34,901.62 |
| June | 7 | 8,998 | 4.82 | 43,370.36 |
| June 24 | 1 | 2,894 | 4.82 | 13,833.32 |
| Subtotal | 15 | 25,367 | | 122,153.18 |
| July | 1 | 2,264 | 4.78 | 10,821.92 |
| August | 3 | 4,339 | 4.78 | 20,740.42 |
| September | 3 | 7,687 | 4.78 | 36,743.86 |
| October | 4 | 7,744.75 | 4.78 | 37,019.91 |
| November | 3 | 5,592 | 4.78 | 26,729.76 |
| December | 4 | 8,127 | 4.78 | 39,172.14 |
| Subtotal | 18 | 35,753.75 | | \$171,228.01 |
| Totals | 33 | 61,121 | | \$293,381.19 |
| | Average= | 1,852 | | |
| ADD | | | | |
| Total | 11 | 16,369 | | 78,771.14 |
| COM | | | | |
| Total | 5 | 17,501 | 0.47 | 8,225.47 |
| Grand Total | | | | \$380,377.80 |

2011 DEVELOPER FEE COLLECTIONS
SFD

| Month | # Units | Total Square Foot | Fee/Square Foot | Total Fee |
|-----------------|-----------|-------------------------|--------------------|---------------------|
| March | 21 | 20,382 | \$4.78 | \$97,425.96 |
| April | 2 | 7,836 | 4.78 | 37,456.08 |
| May | 2 | 4,270 | 4.78 | 20,410.60 |
| June | 2 | 10,482 | 4.78 | 50,103.96 |
| June 24 | 1 | 1,182 | 5.21 | 6,158.22 |
| Subtotal | 28 | 44,152 | | \$211,554.82 |
| July | 5 | 15,358 | \$5.21 | \$80,015.18 |
| August | 8 | 16,862 | 5.21 | 87,850.72 |
| September | 2 | 4,196 | 5.21 | 21,861.16 |
| October | 2 | 2,660 | 5.21 | 13,858.60 |
| November | 2 | 2,883 | 5.21 | 15,020.43 |
| Subtotal | 19 | 41,959 | | \$218,606.09 |
| Totals | 47 | 86,111 | | \$430,160.91 |
| | Average= | 1,832 | | |

OTHER - INTERSECTION MINTO RD/MIEDL AVE

| | | | | |
|--------------------|----------|-----------------------|---------------|----------------------|
| December | Unknown | 87,154 | \$5.21 | \$454,072.34 |
| | | ADD | | |
| January-May | 4 | 1,603 | \$4.78 | \$10,339.14 |
| June-December | 6 | 5,011 | 5.21 | 29,551.12 |
| | | COM | | |
| Total | 6 | 26,264 | \$0.47 | \$12,344.08 |
| | | REIMBURSEMENTS | | |
| Total | 6 | | | (\$29,883.08) |
| Grand Total | | | | \$906,584.51 |

2012 DEVELOPER FEE COLLECTIONS
SFD

| Month | # Units | Total Square Feet | Fee/ Square Foot | Total Fee |
|-----------------|-----------|---------------------|----------------------|---------------------|
| January | 2 | 4,252 | \$5.21 | \$22,152.92 |
| March | 4 | 4,489 | 5.21 | 23,387.69 |
| April | 4 | 4,264 | 5.21 | 22,215.44 |
| June | 2 | 4,037 | 5.21 | 21,032.77 |
| June | 1 | 28,368 ¹ | 1.00 | 28,368.00 |
| Subtotal | 13 | 45,410 | | \$117,156.82 |
| July | 4 | 5,378 | 5.21 | 28,019.38 |
| August | 2 | 2,280 | 5.21 | 11,878.80 |
| September | 4 | 9,445 | 5.21 | 49,208.05 |
| October | 12 | 50,432 | 5.21 | 262,750.72 |
| November | 3 | 6,965 | 5.21 | 36,287.60 |
| December | 1 | 2,899 | 5.21 | 15,103.79 |
| Subtotal | 26 | 77,399 | | \$403,248.34 |
| Totals | 39 | 122,809 | | \$520,405.16 |
| Average | | 2,485 | square foot per unit | |

| ADD | | | | |
|---------------|----------|--------------|------|--------------------|
| May | 2 | 3,652 | 1.85 | 6,755.06 |
| June | 2 | 2,120 | 5.21 | 11,045.20 |
| July | 3 | 3,168 | 5.21 | 16,505.28 |
| Totals | 7 | 8,940 | | \$34,305.54 |

| COM | | | | |
|---------------|----------|---------------|------|--------------------|
| May | 1 | 11,531 | 0.47 | 5,419.57 |
| June | 3 | 20,741 | 0.51 | 10,577.91 |
| September | 1 | 46,156 | 0.30 | 13,869.00 |
| October | 1 | 3,550 | 0.47 | 1,668.50 |
| November | 1 | 2,234 | 0.47 | 1,049.98 |
| December | 1 | 9,610 | 0.47 | 4,516.70 |
| Totals | 8 | 93,822 | | \$37,101.66 |

| REIMBURSEMENTS | | | | |
|-----------------------|----------|----------------|-------------|----------------------|
| Totals | 2 | (4,540) | 3.87 | (\$17,547.28) |

| | | | | |
|--------------------|---------------------|--|--|--|
| Grand Total | \$574,265.08 | | | |
|--------------------|---------------------|--|--|--|

¹ Excluded from analysis.

APPENDIX C

PUPIL YIELD RATES

APPENDIX C. PUPIL YIELD RATES

Pupil yield rates were calculated 2012 by a manual address match of 2011-12 students enrolled in the District and building permits issued during the period January 2006 through December 2011. In conducting the yield rate study, building permits were first matched against residence addresses of students and second, where there were no residence addresses given, against mailing addresses, thereby producing the maximum number of matches possible. Approximately 450 students had no residence address, but about 400 of those students did have mailing addresses. The remaining 50 students had neither a residence nor a mailing address, with only post office boxes as the primary address given.

The yield rates from prior 2009, 2010 and the 2012 study were the following:

| Grades | 2009¹ | 2010¹ | 2012² |
|---------------|-------------------------|-------------------------|-------------------------|
| K-6 | 0.298 | 0.342 | 0.414 |
| 7-8 | 0.088 | 0.086 | 0.067 |
| 9-12 | 0.182 | 0.145 | 0.138 |
| Total | 0.568 | 0.573 | 0.619 |

¹ Source: School Facilities Needs Analysis, April 2009 and April 2010, SchoolWorks, Inc.

² Source: Total School Solutions, March 2012

It should be noted that the State yield rates allowed when using the dwelling unit method on form SAB 50-01 are:

| | |
|--------------|-------------|
| K-6 | 0.40 |
| 7-8 | 0.10 |
| 9-12 | 0.20 |
| Total | 0.70 |

Pupil Yield Rates¹
Single – Family

| | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | Total |
|-------------------------|------------|-----------|-----------|----------|-----------|----------|----------------|
| | Jan-Dec | Jan-Dec | Jan-Dec | Jan-Dec | Jan-Dec | Jan-Dec | |
| Building Permits | 176 | 102 | 63 | 28 | 33 | 47 | 449 |
| Grades | | | | | | | |
| K | 14 | 7 | 4 | 0 | 4 | 1 | 30 |
| 1 | 18 | 7 | 2 | 1 | 1 | 1 | 30 |
| 2 | 15 | 8 | 5 | 0 | 0 | 0 | 28 |
| 3 | 14 | 5 | 2 | 0 | 1 | 2 | 24 |
| 4 | 11 | 7 | 7 | 1 | 2 | 3 | 31 |
| 5 | 7 | 10 | 6 | 1 | 0 | 0 | 24 |
| 6 | 8 | 6 | 4 | 0 | 1 | 0 | 19 |
| Subtotal | 87 | 50 | 30 | 3 | 9 | 7 | 186 |
| Yield Rate | | | | | | | (0.414) |
| 7 | 9 | 6 | 3 | 0 | 1 | 0 | 19 |
| 8 | 5 | 1 | 5 | 0 | 0 | 0 | 11 |
| Subtotal | 14 | 7 | 8 | 0 | 1 | 0 | 30 |
| Yield Rate | | | | | | | (0.067) |
| 9 | 7 | 4 | 5 | 1 | 0 | 0 | 17 |
| 10 | 10 | 10 | 1 | 0 | 0 | 0 | 21 |
| 11 | 4 | 6 | 4 | 0 | 0 | 0 | 14 |
| 12 | 6 | 3 | 1 | 0 | 0 | 0 | 10 |
| Subtotal | 27 | 23 | 11 | 1 | 0 | 0 | 62 |
| Yield Rate | | | | | | | (0.138) |
| Total | 128 | 80 | 49 | 4 | 10 | 7 | 278 |
| Yield Rate | | | | | | | (0.619) |

¹ In conducting a match of building permits and students, both residence and mailing addresses were used and potential errors caused by misspelled addresses were corrected. Building permits for 2011 were included in the data in spite of the fact that many of those residences were not completed and occupied by the 2011-12 school. Because of that fact and the lack of addresses for some students, the resultant yield rates calculated are probably slightly lower than the true yield rates.

APPENDIX D

SITE ACQUISITION AND DEVELOPMENT COSTS

SITE ACQUISITION COSTS

Site purchase costs can vary significantly from site to site within a school district based on land availability, unimproved vs. improved land, prior sales prices and zoning. Before a purchase can be finalized, appraisals must be made and terms and conditions must be agreed upon.

A review of commercial and industrial properties for sale in the Watsonville area as advertised in the LandandFarm.com website during the current month ranged from \$75,000 to \$437,158. Therefore, for the purpose of this study, an estimated acquisition cost of \$250,000 per acre would be reasonable. In the prior two developer fee studies, 2010 and 2012, the land costs were estimated at \$230,000 per acre.

In addition to the cost of land, there are support costs associated with the acquisition of land. The Bakersfield City School District prepared an analysis of the various categories of service to be considered during the acquisition process as follows:

Estimated Support Costs¹

| Category | K-6 | 7-8 | 9-12 |
|---|------------------|------------------|------------------|
| Appraisal Fees | \$15,000 | \$15,000 | \$15,000 |
| Legal Fees | 50,000 | 50,000 | 50,000 |
| Escrow Fees | 30,000 | 30,000 | 30,000 |
| CEQA Documentation | 7,500 | 25,000 | 50,000 |
| Environmental Analysis (DTSC) | 25,000 | 25,000 | 25,000 |
| Topographic Survey | 3,000 | 6,000 | 10,000 |
| Traffic Study | 6,000 | 6,000 | 6,000 |
| Geo-Technical Hazards Report | 3,000 | 6,000 | 10,000 |
| Total | \$139,500 | \$163,000 | \$196,000 |
| Inflationary Adjustment (20.05%)² | \$167,470 | \$195,682 | \$235,298 |

¹ Bakersfield City School District 2007-2014 Facilities Plan, June 14, 2006. Cost estimates based on 2006 dollars

² Based on construction cost index for Class B construction for the period January 2006 (1.74) through January 2010 (1.96) totaling 12.64 percent (SAB action on January 27, 2010), plus a 7.41 percent increase from January 2010 to January 2013 (SAB action on January 23, 2013)

Actual land acquisition support costs can vary depending on local factors at work. While a precise support cost cannot be calculated, the analysis above is reasonable to use.

State recommended acreages that were used to compute total site acquisition costs for the District are as follows:

| Grades | Enrollment | State Recommended Acreage |
|--------|-------------|---------------------------|
| K-6 | 600 | 11.0 |
| 7-8 | 900 | 25.0 |
| 9-12 | 1,601-1,800 | 44.5 |

| Grades | Acres | Cost/Acre | Total |
|--------|-------|-----------|--------------|
| K-6 | 11.0 | \$250,000 | \$2,750,000 |
| 7-8 | 25.0 | \$250,000 | \$6,250,000 |
| 9-12 | 44.5 | \$250,000 | \$11,125,000 |

Total Site Acquisition Cost

| Grades | Acres | Land | Support | Total Cost | Total Cost/Acre |
|--------|-------|--------------|-----------|--------------|-----------------|
| K-6 | 11.0 | \$2,750,000 | \$167,470 | \$2,917,470 | \$265,225 |
| 7-8 | 25.0 | \$6,250,000 | \$195,682 | \$6,445,682 | \$257,827 |
| 9-12 | 44.5 | \$11,125,000 | \$235,298 | \$11,360,298 | \$255,288 |

SITE DEVELOPMENT COSTS¹

Site development costs cannot be precisely calculated because of many variables at work, such as whether off-site utilities and streets are available, site conditions (substrata rocks, clean-up requirements, etc.), site slope/cuts/fills, etc. However, reasonable estimates of site development costs per acre can be prepared from local experience and architect estimates.

Planning and construction costs for the two examples from the Manteca Unified School District – Mossdale Elementary School and Lathrop High School – summarize local costs, as shown in the table. Based on the assumption that 25 percent of total planning and construction costs go to site development, the site development cost analysis presents the following conclusions:

| Category | Mossdale Elementary | Lathrop High |
|-----------------------|---------------------|--------------|
| Acreage | 16.0 | 50.0 |
| Student Capacity | K-5 525, 7-9 459 | 9-12 1,566 |
| Site Development/Acre | \$391,885 | \$314,225 |

To verify the reasonableness of the above data, architectural estimates prepared for the Bakersfield City School District were used for comparison purposes. The conclusions from the Bakersfield estimates were K-6 site development costs of \$357,706/acre and 7-8 site development costs of \$344,150/acre, thereby confirming the reasonableness of the above data.

For the District, the following site development costs per acre will be used:

| | |
|------|-----------|
| K-6 | \$440,996 |
| 7-8 | \$404,344 |
| 9-12 | \$314,225 |

¹ There was a 3.76 percent increase in the Class B construction cost index from January 1, 2011 to January 1, 2012, which should theoretically result in a 3.76 percent increase in site development cost. However, the bidding climate also impacts construction costs, so for the purpose of this study, site development costs for K-6 and 7-8 schools were based on actual recent bids in the Bakersfield City School District and 9-12 costs, inflated by 6.89 percent.

PLANNING AND CONSTRUCTION

| Category | Mossdale Elementary | Lathrop High |
|-------------------------------|--------------------------------|-------------------------|
| Architect/Engineering Fees | \$1,263,612 | \$2,921,155 |
| DSA/CDE Fees | 113,375 | 333,334 |
| Consultants | 15,151 | 118,735 |
| Subtotal Planning | \$1,392,138 | \$3,373,224 |
| Construction | \$21,894,668 | \$54,741,454 |
| Inspections | 149,855 | 378,042 |
| Tests | 2,237 | 227,169 |
| Labor Compliance | 25,125 | 74,155 |
| Subtotal Construction | \$22,071,885 | \$55,420,820 |
| Total Planning & Construction | \$23,464,023 | \$58,794,044 |
| Furniture & Equipment | 400,474 | 853,236 |
| Grand Total | \$23,864,497 | \$59,647,280 |

Estimated Cost Split

| | | |
|------------------------|---------------------|---------------------|
| Site Development (25%) | \$5,866,006 | \$14,698,514 |
| Construction (75%) | 16,598,017 | 44,095,544 |
| Subtotal | \$22,464,023 | \$58,794,058 |
| Furniture & Equipment | 400,474 | 853,236 |
| Grand Total | \$22,864,497 | \$59,647,294 |

| | | |
|---------------------------------|-----------|-----------|
| Site Acreage | 16.0 | 50.0 |
| Site Development/Acre | \$366,625 | \$293,970 |
| Inflationary Adjustment (6.89%) | \$391,885 | \$314,225 |

CONSTRUCTION COSTS¹

| Site Development | | |
|---|-------------|-------------|
| | K-6 | 7-8 |
| Utility Services | \$100,000 | \$100,000 |
| Off-Site Development | \$100,000 | \$175,000 |
| Service Site Development | \$1,950,000 | \$3,000,000 |
| General Site Development | \$1,336,640 | \$1,918,700 |
| Fees/Reports/Testing & Inspection (25%) | \$386,895 | \$539,745 |
| Total Site Development | \$3,873,535 | \$5,733,445 |
| Inflationary Adjustment (20.05%) ² | \$4,650,179 | \$6,883,000 |
| Site Development/Acre ³ | \$357,706 | \$344,150 |

| Building Construction | | |
|---|--------------|--------------|
| | K-6 | 7-8 |
| Building Construction (New) | \$10,766,400 | \$15,354,000 |
| Built-In Equipment & Technology | \$550,000 | \$733,000 |
| Contingency | \$735,152 | \$1,055,285 |
| Fees/Reports/Testing & Inspection (75%) | \$1,160,685 | \$1,619,233 |
| Total Building Construction | \$13,212,237 | \$18,761,518 |
| Inflationary Adjustment (20.05%) ² | \$15,861,290 | \$22,523,202 |

| Furniture and Equipment | | |
|--------------------------------|---------------------|---------------------|
| Movable Furniture & Equipment | \$500,000 | \$500,000 |
| Total Construction Cost | \$21,011,469 | \$29,636,202 |

¹ Bakersfield City School District's 2007-2014 Facilities Plan, June 14, 2006. Cost estimates based on 2006 data.

² Based on construction cost index for Class B construction for the period January 2006 through January 2013 totaling 20.05 percent (SAB action on January 23, 2013).

³ Based on District planned acreage: 13 acres for K-6 school and 20 acres for 7-8 school.

**UPDATED CONSTRUCTION COSTS
BAKERSFIELD CITY SCHOOL DISTRICT**

| Category | Estimated Costs | | Actual Bids¹ | |
|--|-------------------------|-------------------------|--------------------------------|-------------------------|
| | K-6 | 7-8 | K-6 | 7-8 |
| Site Development Cost | \$4,650,179 (22.1%) | \$6,883,000 (23.0%) | \$5,732,944 (22.1%) | \$8,086,871 (23.0%) |
| Site Development Cost/Acre ² | \$357,706 | \$344,150 | \$440,996 | \$404,344 |
| Construction Cost and F&E | \$16,361,290 (77.9%) | \$23,023,202 (77.0%) | \$20,207,978 (77.9%) | \$27,073,438 (77.0%) |
| Total Construction Cost | \$21,011,469 | \$29,636,202 | \$25,940,922 | \$35,160,309 |

¹ Actual total bid costs included construction costs, soft costs and 4 percent contingency. The estimates for site development costs based on actual total construction costs were based on the percentages for the estimated costs. Actual bids had been adjusted for inflation at 3.13% based on the Construction Cost Index for year 2012-13.

² Based on 13 acres for K-6 school and 20 acres for 7-8 school.

APPENDIX E

Senate Bill 50 and School Facility Fees **A Report Prepared by C.A.S.H.'s Legal Advisory Committee**

Senate Bill 50 and School Facility Fees

A Report Prepared by C.A.S.H.'s Legal Advisory Committee

Introduction

On August 27, 1998, the Governor signed into law Senate Bill 50 (Greene) ("SB 50"), the Leroy F. Greene School Facilities Act of 1998, which is identified as Chapter 407, Statutes of 1998. SB 50 placed a \$9,200,000,000 State bond measure on the ballot at the November 3, 1998 election ("Proposition 1A"). The effectiveness of many of SB 50's provisions was contingent on the passage of Proposition 1A. Now that Proposition 1A has passed, SB 50 is fully operative.

SB 50 imposes new limitations on the power of cities and counties to require mitigation of school facilities impacts as a condition of approving new development and suspends--or perhaps even repeals--the series of cases known as "*Mira/Hart/Murrieta*". However, it also authorizes school districts to levy statutory developer fees at levels which may be significantly higher than those previously permitted, although school districts must follow a new--and more stringent--set of rules to do so.

The purpose of this report is to discuss the limitations imposed by SB 50 on the local development review process and the new developer fee rules that are now in place following the approval of Proposition 1A. It is not the purpose of this report to discuss the bill's impacts on the State school funding process, the proposed allocation of funds from the State general obligation bonds approved at the November election, the bill's affordable housing provisions, or other sections not directly related to the development mitigation process.

This report was produced by C.A.S.H.'s Legal Advisory Committee. This is a new committee which grew out of a "Developer Fee Technical Subcommittee" organized to review SB 50 and assist the Board and C.A.S.H. members in responding effectively to its challenges and opportunities. Among the attorneys who assisted in the preparation of the materials used in this report were:

- Alex Bowie, Bowie, Arneson, Wiles & Giannone
- Priscilla Brown, Miller Brown & Dannis
- Addison Covert, Kronick, Moskovitz, Tiedemann & Girard
- Dean Derleth, Best, Best & Krieger
- Harold Freiman, Lozano Smith
- Steve Hartsell, Schools Legal Service
- Bill Kadi, Jones Hall
- Susanne Reed, School & College Legal Services
- Lysa Saltzman, Best Best & Krieger
- Wendy Wiles, Bowie, Arneson, Wiles & Giannone

In addition, the following non-attorneys were of invaluable assistance to the "Developer Fee Technical Subcommittee":

- Rob Corley, Rob Corley Consultant
- Tom Duffy, Superintendent, Moorpark USD

- Richard Recht, Schoolhouse Economists & Planners.

One of the first important tasks of the Subcommittee was to determine what to call the "alternate fees" authorized by SB 50. This task was not such an easy one, since it was not entirely clear as to whether the bill is authorizing two new fees or just higher levels for existing fees. After some discussion, the Subcommittee agreed upon the following terminology which will be used in this report:

The current statutory fees (currently limited to \$1.93) will be described as "General School Facilities Fees." These fees may also be described as "Level 1 Fees."

The higher fee amount authorized pursuant to Government Code Section 65995.5 (nominally 50 percent of construction cost) will be described as "Alternate School Fees per Government Code Section 65995.5." These fees may also be described as "Level 2 Fees."

The even higher fee amount authorized pursuant to Government Code Section 65995.7 (nominally 100 percent of construction cost) will be described as "Alternate School Fees per Government Code Section 65995.7." These fees may also be described as "Level 3 Fees."

This report is divided into six sections as follows:

Section 1: Suspension/Repeal of *Mira/Hart/Murrieta*

Section 2: Transition Rules

Section 3: The New School Facility Fees

Section 4: The Needs Analysis

Section 5: Glossary

The information and materials in this report represent the committee members' current understanding and analysis of SB 50. Because this legislation is both so recent and so complex, the committee members' interpretations of the statute are still evolving. Anticipated clean-up legislation and possible court decisions in the future may also affect those interpretations. In addition, the information in this report is necessarily general, and its application to a particular set of facts and circumstances may vary. **For each of these reasons, the information and materials in this report do not constitute legal advice and it is recommended that school districts consult with their own legal counsel prior to acting on any of the information in this report.**

If you have any questions, comments, or suggestion regarding this report please feel free to contact Steve Hartsell 661/636-4599.

Section 1

Suspension/Repeal of *Mira/Hart/Murrieta*

A. The 1986 Legislation. The School Facilities Law of 1986 authorized school districts to levy development fees to fund school facilities. Under this scheme, the maximum amount that could be levied was \$1.50 per square foot for residential development and \$0.25 per square foot for commercial and industrial development. (With inflation adjustments, these rates had risen to \$1.93 and \$0.31 in 1998.) The 1986 law appeared, on its face, to prohibit municipalities to levy fees in excess of the statutory maximum amounts to fund schools or to deny requests for development approvals on the basis of inadequacy of school facilities.

B. Judicial Interpretation. In a series of appellate decisions known as "*Mira/Hart/Murrieta*", however, the courts found a way around the limitations of the 1986 law. In *Mira Development Corp. v. City of San Diego* ("*Mira*"), 205 Cal. App. 3d 1201 (1988); *William S. Hart Union High School District v. Regional Planning Commission* ("*Hart*"), 226 Cal. App. 3d 1612 (1991); and *Murrieta Valley Unified School District v. County of Riverside* ("*Murrieta*"), 228 Cal. App. 3d 1212 (1991), the courts held that the limitations of the School Facilities Law of 1986 only applied to municipalities when they made adjudicative decisions (such as approvals of parcel maps, use permits, and building permits) but not when they made legislative decisions (such as general plan amendments, zoning changes, and development agreements). The courts held that, when a municipality made a legislative decision concerning land use, it could consider the impacts of that decision on school facilities and could condition its approval on mitigation measures, even if the mitigation measures exceeded the limits of what school districts could require on their own.

Mira/Hart/Murrieta allowed cities and counties to use their legislative power over land use (a part of what is called their "police power") to assist school districts by requiring developer fees, land dedications, or other measures to fully mitigate the impacts of development on school facilities. In addition to exercising their police powers to control land development, municipalities have a duty to assess and mitigate the environmental effects of development under the California Environmental Quality Act (CEQA) (Public Resources Code Sections 21000 et seq). Prior to the passage of Proposition 1A, Government Code Section 65996 prohibited local agencies to deny approval of a "project" on the basis of the adequacy of school facilities. The *Murrieta* case interpreted the term "project" to again limit the application of this rule to adjudicative decisions, thereby allowing mitigation measures under CEQA for school facilities pursuant to legislative acts.

C. Repeal of *Mira/Hart/Murrieta*. In essence, SB 50 completely relieves cities and counties of the power to require development fees or other exactions in excess of the statutory maximum amounts to help fund school facilities. SB 50 amends Government Code Section 65995(a) to provide that only those fees expressly authorized by Education Code Section 17620 (discussed below) or Government Code Sections 65970 and following (the old interim facilities fees) may be levied or imposed in connection with or made conditions of any legislative or adjudicative act by a local agency involving planning, use, or development of real property. Subdivision (h) of section 65995 declares that the payment of the development fees authorized by Education Code Section 17620 is "full and complete mitigation of the impacts of any legislative or adjudicative

act . . . on the provision of adequate school facilities." Section 65995(i) prohibits an agency from denying or refusing to approve a legislative or adjudicative act involving development "on the basis of a person's refusal to provide school facilities mitigation that exceeds the amounts authorized [by SB 50]."

As with the limitations on the police power in Government Code Section 65995, SB 50 makes its limitations on a city's or county's power under CEQA to mitigate school facilities impacts applicable to both adjudicative and legislative decisions. The new version of Government Code Section 65996 also recites that the development fees authorized by SB 50 are deemed to be "full and complete school facilities mitigation" for the purposes of CEQA or for any other reason. A local agency may not deny approval of a legislative or adjudicative action under CEQA relating to real estate development on the basis of the inadequacy of school facilities.

D. Restoration of Power to Deny Legislative Approvals. If at a statewide election in 2006 or thereafter, a statewide general obligation measure for school facilities is submitted to the voters and the measure is not approved, Government Code Section 65996 would become inoperative and the provisions of Section 65997 would go into effect. Section 65997(d) provides that "notwithstanding any other provision of law [which would include Section 65995(i)], a public agency may refuse to approve a legislative act" involving property development on the basis that school facilities are inadequate. While Section 65997 would permit a complete denial of a legislative development approval, it still would prohibit a public agency to require payment of "a fee, charge, dedication, or other financial requirement" in excess of those authorized by SB 50 as a condition of approval. It would also prohibit a public agency from denying, pursuant to CEQA, approval of a project on the basis of the adequacy of school facilities.

E. The Effects of SB 50 on Mello-Roos Districts. SB 50 forbids requiring the use of the Mello-Roos financing for schools as a condition of approval of any legislative or adjudicative action. A person's refusal to participate in a Mello-Roos school funding program may not be taken into account when considering any legislative or adjudicative action relating to land development. If a person voluntarily participates in a Mello-Roos program approved by landowner vote, the present value of the taxes to be paid are to be calculated as an amount per square foot of assessable space and credited against any developer fee liability.

Mello-Roos taxes may still be used to make new development bear more of the costs that it imposes on school districts. To comply with SB 50 however, the taxes would need to be approved by two-thirds of the registered voters within the boundaries of a Mello-Roos district created by the school district (which could include the entire school district territory). Because the tax is approved by registered voters rather than landowners, the amount of the tax is not an offset to developer fees (although it would be taken into account in the justification studies done for the developer fees). It may also be possible for a school district to propose to its voters that they approve a Mello-Roos tax that is levied on any property that receives approval for development that will lead to increased enrollment on the theory that the tax is not a condition to the approval of development; it is a consequence of that approval.

F. Site Designation. SB 50 severely limits cities' and counties' consideration of school facilities issues in the land use approval process, but one section of the new law preserves the traditional power of cities and counties to use the general plan and zoning to reserve areas for schools. New

Section 65998 of the Government Code states that nothing in SB50 shall be interpreted to "limit or prohibit the authority of a local agency to reserve or designate real property for a school site." While a city or county may not ask a developer to donate land for a school site in exchange for a development approval, a municipality retains its general authority to designate and zone an area for a school and thereby prohibit other types of development in that area, even if the owner of the property wishes to develop it in another way. School districts should be aware, however, that, if a district does not immediately purchase the property and the designation as a school site eliminates the owner's ability to make economic use of the property, the owner may have a claim against the city or county that made the site designation for compensation for a temporary regulatory taking.

Section 2

Transition Rules

A. Introduction. Senate Bill 50 contains certain permanent and temporary exceptions to its limitations on mitigation requirements and the application of the enhanced developer fees to projects that are in the development pipeline. These exceptions are sometimes referred to as "grandfather" provisions. These exceptions fall into four categories, as follows:

B. Permanent Exception for Pre-1987 Contracts. Any residential construction that is subject to a contract (such as a development agreement or a memorandum of understanding) entered into between a person and a school district, city or county, on or before January 1, 1987, that requires payment of a fee, charge, or dedication for school facilities mitigation is not subject to the provisions of Education Code section 17620 (the basic fee authorization) nor to SB 50's new fee provisions and suspension of *Mira/Hart/Murrieta*.

C. Permanent Exception for Pre-November 4, 1998 Contracts. Any construction that is subject to a contract (such as a development agreement or a memorandum of understanding) entered into between a person and a school district, city or county, after January 1, 1987, but before November 4, 1998, that requires payment of a fee, charge, or dedication for school facilities mitigation shall not be affected by any of the provisions of SB 50.

D. Temporary Exception for Construction Subject to Condition Pre-November 4, 1998. Any construction that is not subject to a contract (as described above) but that is carried out on real property for which residential development was made subject to a condition relating to school facilities imposed by a state or local agency in connection with a legislative act approving or authorizing the residential development of the property after January 1, 1987, but before November 4, 1998, shall be required to comply with the condition, until January 1, 2000. On and after January 1, 2000, such construction may not be subject to a fee, charge, dedication, or other requirement exceeding the fee limits imposed by SB 50.

E. Temporary Exception for Construction Receiving Building Permit Prior to January 1, 2000. Any construction that is neither the subject of a contract nor conditioned in the manner described in paragraph C above may not be charged more than the \$1.93 per square foot residential fee and \$0.31 per square foot commercial or industrial fee authorized by Government Code Section 65995, if such construction:

1. Received a tentative map, development permit or conditional use permit before November 4, 1998, and
2. Received a building permit prior to January 1, 2000.

Any construction not meeting these requirements is subject to the increased alternative fees authorized by new Government Code Sections 65995.5 and 65995.7. It should be kept in mind that this exception only applies to the specific construction authorized by the qualifying building permit. In other words, issuance of a building permit for residential construction in a tract prior to January 1, 2000 does not exempt construction in the remainder of the tract – only the construction on the lot for which the permit was issued.

Section 3

The New School Facility Fees

A. Introduction. SB 50 provides authority for three different levels of fees. Education Code Section 17620 provides the basic authority for school districts to levy fees against construction for the purpose of funding construction or reconstruction of school facilities, subject to limits set forth in Government Code Section 65995. Prior to SB 50, Section 65995 limited those fees to an inflation-adjusted \$1.93 for residential construction and an inflation-adjusted \$0.31 for commercial or industrial construction. SB 50 modified Section 65995 to provide, in addition to those “Level 1 Fees”, higher fees on new residential construction pursuant to Government Code Sections 65995.5 and 65995.7. At the end of this section is a chart which graphically summarizes the development fee process under SB 50.

B. Level 1 Fees (Govt. Code §65995). SB 50 does not affect the levying of Level 1 Fees. A school district may continue to levy these fees as long as the school district's development Fee Justification Study (as required by Ed. Code §17621 and Govt. Code §6600 1) justifies them.

(Note: Although it is understood that SB 50 was not intended to have any effect on what are now referred to as Level 1 Fees, Government Code Section 65995.5(f) could be interpreted as requiring that all development fees, including those collected on residential additions and commercial or industrial construction be spent solely on facilities necessitated by students generated from new residential construction. C.A. S.H. expects that this issue will be resolved in future clean-up legislation.)

C. Level 2 Fees (Govt. Code § 65995.5).

a. Governing board makes a “timely application” to the SAB for new construction funding for which it is eligible and is determined by SAB to meet the eligibility requirements for new construction set forth in Education Code Sections 17071.10 et seq. and § 17071.75 et seq. (Govt. Code §65995.5(b)(1) A school district which submits an application to determine its eligibility is deemed eligible if the SAB fails to notify the district within 120 days of receipt of the application.

The committee believes that the only "application" referred to in Section 65995.5(b)(1) is SAB 50-03 which is used to request an eligibility determination based on the information in Forms SAB 50-01 and SAB 50-02. (See SAB Emergency Regulations ("E.R.") §§1859.20 and 1859.50) However, we understand that the building industry may believe that the "application" referred to in the first sentence of Section 65995.5(b)(1) is actually SAB 50-04 by which a district requests funding for a specific project.

In order to preclude any legal challenge on this issue, the committee suggests that districts consider filing an SAB Form 50-04 for at least one project concurrently with their filing of SAB Forms 50-01, 50-02, and 50-03, or as soon as possible thereafter. Although the SAB requires that the Division of State Architect ("DSA") must have approved the plans and specifications for the project for which funding is sought, it should be kept in mind that a qualifying SAB Form 50-04 could be filed (and funding requested) for a single relocatable structure.

b. Satisfy at least **1** of the **4** requirements listed below **until Jan. 1, 2000** and then **on and after Jan. 1, 2000** satisfy **2** of the **4** following requirements: (Govt. Code §65995.5(b)(3))

- (1) Multi Track Year Round Education (MTYRE) Requirement
 - (a) Have at least 30% of K- 6 enrollment in high school attendance area of growth on MTYRE for unified and elementary school districts; (Govt. Code §65995.5(b)(3)(A))
 - or
 - (b) Have at least 30% of high school district enrollment on MTYRE; (Govt. Code §65995.5(b)(3)(A)(i))
 - or
 - (c) Have at least 40% of K- 12 enrollment within the boundaries of the high school attendance area for which the district is applying for funding on MTYRE (Govt. Code §65995.5(b)(3)(A)(ii))
- (2) The district has placed a local bond measure on the ballot in the past 4 years which received at least 50% plus 1 of the votes (Govt. Code §65995.5(b)(3)(B))
- (3) The district meets one of the following criteria (Govt. Code §65995.5(b)(3)(C)):
 - (a) The district has issued debt or incurred obligations for capital outlay equal to 15% of local bonding capacity including indebtedness repaid from:
 - (i) property taxes
 - (ii) parcel taxes
 - (iii) the district's general fund
 - (iv) special taxes levied by cities, counties and special districts, approved by a two-thirds vote of the qualified electors pursuant to Art.XII A §4 of the California Constitution

- (v) special taxes levied pursuant to the Mello-Roos Community Facilities Act of 1982 that are approved by a vote of registered voters
- (vi) special taxes levied pursuant to the Mello-Roos Community Facilities Act of 1982 that are approved by a vote of landowners prior to Nov. 4, 1998
- (vii) revenues received pursuant to the Community Redevelopment Law (i.e.; pass-through funds, tax increment funds)
or
- (b) The district has issued debt or incurred obligations for capital outlay equal to 30% of local bonding capacity including indebtedness repaid from:
 - (i) property taxes
 - (ii) parcel taxes
 - (iii) the district's general fund
 - (iv) special taxes levied by cities, counties and special districts, approved by a two-thirds vote of the qualified electors pursuant to Art.XII A §4 of the California Constitution
 - (v) special taxes levied pursuant to the Mello-Roos Community Facilities Act of 1982 that are approved by a vote of registered voters
 - (vi) special taxes levied pursuant to the Mello-Roos Community Facilities Act of 1982 that are approved by a vote of landowners after Nov. 4, 1998
 - (vii) revenues received pursuant to the Community Redevelopment Law (i.e.; pass-through funds, tax increment funds)
- (4) At least 20% of teaching stations per Ed. Code § 17071.25 within the district are relocatable classrooms (Govt. Code §65995.5(b)(3)(D)).
- (c.) Adopt Needs Analysis in accordance with Govt. Code §65995.6 (Govt. Code §65995.5(b) (2)). ***See Section 4.***
- 2. Calculation of Level 2 Fee
 - a. *See* Govt. Code §65995.5(c): The number of unhoused students identified in the Needs Analysis, multiplied by the regular grant amount per each grade level, plus the sum of site acquisition and development costs, less local funds "dedicated" by the governing board, for school facilities necessitated by new construction, divided by the projected total square footage of residential units anticipated to be constructed during the next 5 years
- (1) Site acquisition costs are limited to 50% and site development costs cannot exceed two times the amount funded by the SAB (Govt. Code §65995.5(h) and Ed. Code § 17072.12)

- (2) Local funds are all funds dedicated by the governing board to provide facilities necessitated by new construction, including commercial and industrial fees (Govt. Code §65995.5(c)(2)).

Refer to Annual and Five Year Developer Fee Reports required per Govt. Code §§66001 and 66006 to identify “dedicated” funds.

- (3) Projected square footage shall be determined by information from the city or county where the new residential units are anticipated to be constructed or by a market report prepared by an independent third party.
 - (4) The regular grant amount is a per- unhoused pupil grant that excludes the cost of interim housing, central administration, and other site specific facilities, therefore state funding received will be less than the amount required to provide adequate facilities and developer fees will most likely be necessary to satisfy the deficiency.
3. Elementary and High School Districts that split developer fees (Ed. Code § 17623) must each satisfy the requirements to levy the Alternative Statutory Fee described above (Govt. Code §65995.5(d)).
 4. Level 2 Fee may be used only to finance the school facilities identified in the Needs Analysis as required to accommodate students generated from new residential construction (Govt. Code §65995.5(f)). The amount of the district’s share of the Level 1 Fee will be deducted from the Level 2 Fee to determine the amount of funds available to spend on administrative costs.

D. Level 3 Fees (Govt. Code §65995.7).

1. Requirements to levy the Level 3 Fee
 - a. State funding is not available (Govt. Code §65995.7(a)).
 - (1) The SAB is no longer approving apportionments for new construction per Ed. Code §17072.20 due to lack of funds and the SAB has notified the Secretary of the Senate and the Chief Clerk of the Assembly, in writing, of the determination that funds are no longer available.
 - (2) E.R. § 1859.91 provides that the SAB “shall declare that state funds are insufficient when” the grant requests that are ready for apportionment exceed the amount of state funds available. This declaration serves as the mechanism for the SAB to notify the Legislature for purposes of the Level 3 Fee.
 - b. School District has adopted the Level 2 Fee per 65995.5.

2. Calculation of Level 3 Fee
 - a. Add the full amount of local funds dedicated by the district to provide school facilities to accommodate students generated from new growth, including commercial/industrial fee to the Level 2 Fee amount (Govt. Code §65995.7(a)).
 - b. The maximum total fee that may be levied on new residential construction is equal to the sum of the amount in a. and the Level 2 Fee.
3. Level 3 Fee may be used only to finance the school facilities identified in the Needs Analysis as required to accommodate students generated from new residential construction (Govt. Code §65995.5(f)). The amount of the district's share of the Level 1 Fee will be deducted from the Level 3 Fee to determine the amount of funds available to spend on administrative costs.
4. Reimbursement Election (Govt. Code §65995.7(b)(c) & (d))
 - a. Statutory Reimbursement: the governing board may offer a "reimbursement election" to the developer providing for a reimbursement of the difference between the Level 2 Fee and the Level 3 Fee, less any amount expended for interim facilities, to the extent such state funding is subsequently received by the district (Govt. Code §65995.7(b))/
 - (1) If the district offers a "reimbursement election" pursuant to Govt. Code §65995.7 (b), the developer has the option to apply the reimbursement "on a tract or lot basis".
 - (2) If the district offers a "reimbursement election" pursuant to Govt. Code §65995.7 (b), reimbursement of available state funds must be made within 30 days of receipt of such funds by the district.
 - (3) Currently, the developer would receive the reimbursement, even if the cost of the school fees was passed through to the home owner.
 - b. Negotiated Reimbursement: the governing board may offer the developer an opportunity to negotiate an alternative reimbursement agreement mutually agreeable to both parties, without adhering to the requirements above (Govt. Code §65995.7(c)). The governing board may provide in the written agreement that the rights granted by the "reimbursement election" are assignable (Govt. Code §65995.7(d)).
 - c. Every reimbursement, whether statutory or negotiated, should be memorialized in writing, in the form of a mitigation agreement.

- d. If the district fails to offer a reimbursement election or enter into a mitigation agreement, the amount of state funding subsequently received shall be reduced by the difference between the Level 2 Fee and the Level 3 Fee, less any amount expended for interim facilities (Ed. Code §17072.20(b); Govt. Code § 65995.7(b)).

It is possible that a district will offer a reimbursement election to a developer who then refuses or denies such election. In such case, the district must document in writing the district's offer for a reimbursement election and the developer's refusal/denial of the reimbursement to prevent any future reduction in state funding by the SAB.

The draft emergency regulations have been revised so that the reduction in the regular grant amount for failure to offer a reimbursement election applies to only the Level 3 Fees collected from residential units to be served by the facilities associated with the new construction grant (E.R. § 1859.77)

E. Accounting for Level 1, Level 2, and Level 3 Fees. Because each of the fees discussed above are subject to different restrictions and conditions, districts should segregate the money attributable to each type in different funds, accounts, or sub-accounts. For example, if a unified district is levying a Level 2 fee of \$2.50 per square foot, \$1.93 should be deposited in one fund, account, or sub-account with the difference between \$1.93 between \$2.50 (i.e., \$0.57) being deposited in another; if that same district is levying an additional \$2.75 Level 3 fee when the state is out of money, that amount should be deposited in yet another fund, account, or sub-account.

Section 4

The Needs Analysis

A. Introduction. In order for a school district to levy the fee under Government Code Section 65995.5 or 65995.7, the district must have completed a Needs Analysis. Even though the Needs Analysis is similar to the Fee Justification Study required under Government Code sections 66000 et seq. (sometimes referred to as the AB 1600 requirements), these are separate legal requirements. The elements of the Fee Justification Study are listed in Government Code Section 66001 and the elements of the Needs Analysis are listed in Section 65995.6.

As a practical matter, the Fee Justification Study may be combined with the Needs Analysis into a single document, so long as the document contains all of the elements for both studies. In any case, the Needs Analysis can (and probably should) include information on the cost of school facilities based on school district standards and not just those based on SB 50 amounts for State Funding. This might include interim classrooms, central administration and support. Although these costs cannot be the basis for calculating the amount of the Alternative School Fees, they are appropriate to demonstrate that levying the Level 2 and Level 3 fees would be in compliance with statutory and case law governing fees and to provide the public with information regarding the true cost of school facilities needed to serve students coming from new residential development.

A school district should involve at an early date an attorney experienced in school facility fees. Whether the district can do some or all of the work required for a legally adequate Needs Analysis depends on time and expertise available. If the district will need outside assistance, it should consider getting more than one proposal, as costs, content and quality are factors to consider. Districts may want to consult with their legal counsel about contracting for consultant services through legal counsel to preserve the attorney-client privilege on all work product and communications regarding the calculation of the Level 2 and Level 3 Fees, as well as preparation of the Needs Analysis in the event there is future litigation over the sufficiency of the Needs Analysis or the collection of the Level 2 and Level 3 Fees.

B. Preparation of Needs Analysis.

1. Districts should prepare a preliminary estimate of eligibility under the new School Facilities Program (SFP) using the guidance of the emergency regulations and SAB Forms. Participation in the SFP is a prerequisite to levying the Level 2 and Level 3 Fees, therefore, districts must confirm eligibility in the SFP prior to completing the Needs Analysis.
2. Districts should conduct a cursory calculation of the Level 2 Fee to determine if it exceeds \$1.93 per square foot of residential construction (i.e.; greater than the Level 1 Fee)
3. Districts should conduct a preliminary review of the requirements to collect the Level 2 fee to determine if the district can satisfy at least 1 of the 4 requirements until January 1, 2000
4. If items 1-3 above are positive, the district should:
 - a. If it has not already done so, complete the requirements to obtain an eligibility determination from SAB. (Once eligibility for the SFP has been confirmed by the SAB, the District may wish to consider adopting a resolution to that effect for purposes of the Needs Analysis.)
 - b. If it has not already done so, submit an application for new construction funding under the SFP. *See Section 3, Para. C.1.a.*
 - c. Prepare the Needs Analysis.

C. Content of Needs Analysis (Govt. Code §65995.6(a) & (b))

1. Projection of the number of unhoused pupils generated by new residential units based upon the historical student generation rates of new residential units constructed during the previous five years and upon relevant planning agency information that may modify the historical figures.

2. Calculation of existing school building capacity per Ed. Code § 17071.10 et seq. (Note: For purposes of eligibility under the SFP, the calculation set forth in these code sections is made on a “one-time basis ” and then updated per Ed. Code §17071.75 et seq. For purposes of Level 2 and Level 3 Fees, this calculation must be made without reference to per Ed. Code § 17071.75 et seq.
3. Identification and consideration of each of the following:
 - a. Any surplus property owned by the district that can be used as a school site or that is available for sale to finance school facilities.
 - b. The extent to which projected enrollment may be accommodated by excess capacity in existing facilities.
 - c. Local sources other than fees, charges, dedications, or other requirements imposed on residential construction available to finance the construction or reconstruction of school facilities need to accommodate any growth attributable to the construction of new residential units.
4. Identification of school facilities to be constructed to accommodate new growth. Compare proposed facilities with Annual and Five Year Developer Fee Reports to ensure consistency.
5. Explanation of the reasonable relationship between the Level 2 and Level 3 Fees and the impact of new residential development (i.e.; nexus requirement). This may involve a calculation of cost to provide new school facilities identified in 4. above based on governing board policies and school district standards, including all costs for interim housing and central administration and comparison of this cost with that calculated per Govt. Code §65995.5(c)(1).

D. Procedure of Adopting Needs Analysis (Govt. Code §65995.6(c))

1. Have final Needs Analysis available for public review and comment 30 days prior to public hearing.
2. Provide Needs Analysis to city/county for review and comment 30 days prior to public hearing.
3. Publish notice of time and place of public hearing including location and procedure for requesting a copy of the Needs Analysis **at least 1 time** in a newspaper of general circulation **at least 30 days prior to the public hearing.** (Govt. Code §65995.6(d)).
4. Mail Needs Analysis at least 30 days prior to the public hearing to any person who has made a written request at least 45 days before the public hearing for a copy of the Needs Analysis.

5. Prior to adoption of the Needs Analysis at the public hearing, the governing board must respond to any written comments received. There is no legal requirement for this response to be in writing, and a district could respond to any written comments orally at the public hearing.
6. Conduct a public hearing and adopt Needs Analysis by resolution of the governing board.
7. File Notice of Exemption under CEQA with local County Clerk and post copy in District office for 30 days.

Note: Govt. Code §65995.6(g) provides that CEQA “may not” apply to the adoption of the Needs Analysis whereas Ed. Code § 17621 specifically exempts the adoption of the Fee Justification Study from CEQA. Although the committee believes that this language is intended to exempt the adoption of the Needs Analysis from CEQA, districts should consult with legal counsel as to the necessary CEQA requirements prior to adopting the Needs Analysis.

E. Effective Date of the Alternative School Fees (Govt. Code §65995.6(f))

1. The Level 2 Fee and the Level 3 Fee are effective immediately upon adoption of the resolution by the governing board.
2. The Alternative School Fees (Level 2 and Level 3 Fees) supported by the Needs Analysis are valid for 1 year and may be revised at any time.

Section 5

Glossary

| | |
|-----------------------|--|
| Alternate School Fees | School facilities fees permitted pursuant to Government Code Section 65995.5 (Level 2 Fee) and 65995.7. (Level 3 Fee) |
| CDE | California Department of Education |
| CEQA | California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) |
| CFD | Community facilities district formed pursuant to the Mello-Roos Community Facilities Act of 1982, Government Code Section 53311. Condition of Approval A condition adopted by a city or county requiring certain action by a developer/property owner to mitigate impacts on school facilities prior to project approval |
| DSA | Division of State Architect |
| E.R. | Emergency Regulations adopted by the State Allocation Board |

| | |
|-------------------------|--|
| Fee Justification Study | Study adopted by Governing Board justifying the collection of the Level 1 Fees and establishing the nexus for the Level 1 Fees |
| General School Fees | School facilities fees collected pursuant to Education Code Section 17620 and Government Code Section 65995, also referred to as "Level 1 Fees," currently in the amount of \$1.93 per square foot of new residential construction and \$0.31 per square foot of new commercial construction |
| Level 1 Fee | The general school fee collected pursuant to Education Code Section 17620 and Government Code Section 16995, currently in the amount of \$1.93 per square foot for new residential construction |
| Level 2 Fee | The alternative school fee collected pursuant to Government Code Section 65995.5 |
| Level 3 Fee | The alternative school fee collected pursuant to Government Code Section 65995.7 collected only when the State Allocation Board is no longer approving apportionments for new construction funding |

Local Agency City or county

| | |
|----------------------|--|
| LPP | Leroy F. Greene State School Building Lease-Purchase Law of 1976 (Education Code Section 17700 et. seq.); Lease Purchase Program |
| Mitigation Agreement | An agreement entered into between a developer/property owner and school district providing for mitigation of school facilities impacts |
| MTYRE | Multi track year round education |
| Needs Analysis | School facilities needs analysis required by Government Code Section 65995.6 |
| OAL | Office of Administrative Law |
| OPSC | Office of Public School Construction |
| SAB | State Allocation Board |
| SFP | Leroy F. Greene School Facilities Act of 1998 (Education Code Section 17070.10 et. seq.); School Facilities Program |

PAJARO VALLEY UNIFIED SCHOOL DISTRICT



Board Agenda Backup

Item No: 11.3

Date: May 22, 2013

Item: California Interscholastic Federation – PVUSD Representation

Overview: Each year the Board of Trustees reviews and approves the list of employees who serve as our district representatives to the C.I.F. In the past our representatives have included the Principal and/or the Athletic Director from each of our comprehensive high schools.

It is therefore staff's recommendation that the following individuals be approved to serve as the district's representatives to the California Interscholastic Federation:

Allison Niizawa, Assistant Principal, PVHS
Athletic Director AHS – Mark Dorfman
Athletic Director WHS (2013-14) – Saul Ruiz

Recommendation: Approve

Budget Considerations: N/A

Prepared By: Murry Schekman, Assistant Superintendent , Secondary Education

Superintendent's Signature: *Dorm Bork*

2013-2014 Designation of CIF Representatives to League

Please complete the form below for each school under your jurisdiction and **RETURN TO THE CIF SECTION OFFICE (ADDRESSES ON REVERSE SIDE) no later than July 2, 2013.**

Pajaro Valley Unified School District School District/Governing Board at its May 22, 2013 meeting,
(Name of school district/governing board) (Date)

appointed the following individual(s) to serve for the 2013-2014 school year as the school's league representative:

PHOTOCOPY THIS FORM TO LIST ADDITIONAL SCHOOL REPRESENTATIVES

NAME OF SCHOOL Aptos High School

NAME OF REPRESENTATIVE Mark Dorfman POSITION A.D.
ADDRESS 100 Mariner Way CITY Aptos ZIP 95003
PHONE 831-688-6565 FAX 831-688-6430 E-MAIL mark_dorfman@pvusd.net

NAME OF SCHOOL Pajaro Valley High School

NAME OF REPRESENTATIVE Alison Niizawa POSITION A.P.
ADDRESS 500 Harkins Slough Rd. CITY Watsonville ZIP 95076
PHONE 831-728-8102 FAX 831-728-6944 E-MAIL alison_niizawa@pvusd.net

NAME OF SCHOOL Watsonville High School

NAME OF REPRESENTATIVE Saul Ruiz POSITION A.D.
ADDRESS 250 E. Beach Street CITY Watsonville ZIP 95076
PHONE 831-728-6390 FAX 831-761-6013 E-MAIL saul_ruiz@pvusd.net

NAME OF SCHOOL

NAME OF REPRESENTATIVE POSITION
ADDRESS CITY ZIP
PHONE FAX E-MAIL

If the designated representative is not available for a given league meeting, an alternate designee of the district governing board may be sent in his/her place. **NOTE:** League representatives from public schools and private schools must be designated representatives of the school's governing boards in order to be eligible to serve on the section and state governance bodies.

Superintendent's or Principal's Name Dorma Baker Signature

Address 294 Green Valley Rd. City Watsonville Zip 95076

Phone 831-786-2100 ext. 2135 Fax 831-761-6010

**PLEASE MAIL OR FAX THIS FORM DIRECTLY TO THE CIF SECTION OFFICE.
SEE REVERSE SIDE FOR CIF SECTION OFFICE ADDRESSES.**



PAJARO VALLEY UNIFIED SCHOOL DISTRICT



Board Agenda Backup

Item No: 11.4

Date: May 22, 2013

Item: Resolution #12-13-24 - Establishing the Measure L School Bond Citizens' Oversight Committee

Overview: This item corrects an administrative oversight by staff. The Board of Trustees established the Measure L School Bond Citizens' Oversight Committee and appointed members according to law on March 13, 2013. The district fulfilled its legal requirements in establishing and appointing the committee. However, the official resolution establishing the committee was inadvertently left out of the board's agenda packet. This action corrects that oversight and adopts the formal resolution for the record. The resolution is attached.

This is the only action to be taken. No other changes are recommended to the committee, its members, or other related matters. The committee is duly appointed and held its first meeting without a hitch in early April. The minutes of this meeting and information about the COC is available on the district's website.

There is no direct fiscal impact to the district's General Fund resulting from this action. In addition, no Measure L bond funding is being applied for this action.

Recommendation: Adopt Resolution #12-13-24 as submitted.

Prepared By: Brett W. McFadden, Chief Business Officer

Superintendent's Signature:

Dorma Baker (AA)

PAJARO VALLEY UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 12-13-24

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE PAJARO VALLEY
UNIFIED SCHOOL DISTRICT ESTABLISHING A CITIZENS' BOND
OVERSIGHT COMMITTEE**

WHEREAS, the Board of Trustees of the Pajaro Valley Unified School District (the "District") previously adopted a resolution requesting each of Santa Cruz County ("Santa Cruz County") and Monterey County ("Monterey County") (together, the "Counties") to call an election for general obligation bonds (the "Bond Election") to be held on November 6, 2012; and

WHEREAS, notice of the Bond Election was duly given, and on November 6, 2012 the Bond Election was duly held and conducted for the purpose of voting a measure for the issuance of bonds of the District in the amount of \$150,000,000 ("Measure L"); and

WHEREAS, based on the Canvass and Statement of Results for the Counties, more than fifty-five percent of the votes cast on the Measure L were in favor of issuing the aforementioned bonds; and

WHEREAS, the Board of Trustees of the District wishes hereby to establish an independent citizens' bond oversight committee in connection with any issuance of bonds under Measure L and to approve Bylaws governing such committee.

NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE PAJARO VALLEY UNIFIED SCHOOL DISTRICT DOES HEREBY FIND, DETERMINE AND CERTIFY AS FOLLOWS:

Section 1. Authorization. Measure L was authorized pursuant to paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution and subdivision (b) of Section 18 of Article XVI of the California Constitution in accordance with the requirements of the Strict Accountability In Local School Construction Bonds Act of 2000 (the "Act").

Section 2. Establishment of Committee. An independent citizens' bond oversight committee (the "Committee") is hereby established for the purposes set forth in the Act.

Section 3. Bylaws. The Committee shall operate pursuant to the Board approved Bylaws. The Committee shall have only those responsibilities granted to them in the Act and in the Bylaws. The Bylaws will be taken up and approved by the Board in a separate action.

Section 4. Other Actions. Officers of the Board and members of the Committee established hereunder are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to give effect to and comply with the terms and intent of this Resolution. Such actions heretofore taken by such officers, officials and staff are hereby ratified, confirmed and approved.

ADOPTED, SIGNED AND APPROVED this 22nd day of May, 2013.

BOARD OF TRUSTEES OF THE PAJARO
VALLEY UNIFIED SCHOOL DISTRICT

President

ATTEST:

Secretary

STATE OF CALIFORNIA)
)ss
SANTA CRUZ COUNTY)

I, Dorma Baker, do hereby certify that the foregoing Resolution No. 12-13-24 was duly adopted by the Board of Trustees of the Pajaro Valley Unified School District at a meeting thereof held on 22nd day of May, 2013 and that it was so adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

By: _____
Secretary



Board Agenda Backup

Item No: 11.5

Date: May 22, 2013

Item: Aptos High School – Stadium Visitor Bleachers and Sound System Project

Overview: In November of 2011 the visitor bleachers at Aptos High School Stadium were deemed unsafe. In March 2012 the bleachers were removed. LCA Architects were hired to provide plans for new bleachers and a new sound system. In August 2012 DSA reviewed the plans and the architect made the requested changes. In April 2013 the completed plans were reviewed by local; Fire and DSA. Staff worked with the architect and has requested bids for the work to be done this summer. This job was advertised in The Sentinel and The Pajaronian as well as the 5 local builder's exchanges. Three general contractors pulled plans and attended the job walk.

The District opened bids May 14, 2013 at 02:00 PM. The apparent low bidder is Earthworks Construction out of Capitola with a bid of \$412,000.00 out of 1 bid submitted.

1. Earthworks Construction, Inc. - \$412,000.00
2. Knowlton Construction – No bid presented
3. A/C Paving Contractors – No bid presented

Staff has reviewed the bid and has determined the pricing is in line with the work required to complete the project. Staff recommends accepting the Earthworks bid proposal.

Recommendation: It is recommended that the Board accept and award this project to Earthworks Construction, Inc., the apparent low bidder and enter into contract with the District for this Project in the amount of \$420,000.00. In addition Staff recommends the Board approve the Project and the overall budget for the project (which includes the Earthworks' contract).

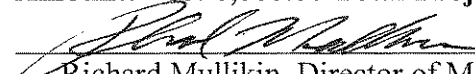
Budget Considerations:

Funding Source: Measure L Bond Funds, Aptos High School Sports Foundation and Deferred Maintenance

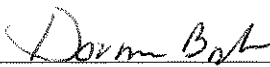
Budgeted: Yes: ☒ No: ☐

Amount: \$590,000.00 Total Project Budget

Prepared By:


Richard Mullikin, Director of Maintenance, Operations & Facilities

Superintendent's Signature:


Dorma Baker

BID FORM

May 14, 2013 before 2:00 pm
Pajaro Valley Unified School District
Maintenance, Operations & Facilities Department
294 Green Valley Road, Watsonville, CA 95076

Dear Board Members:

The undersigned doing business under the firm name of:

Earthworks Paving Contractors, Inc
hereby propose and agree to enter into a Contract, to furnish any and all labor, materials,
applicable taxes, equipment and services for the completion of Work described
hereinafter and in the Contract Documents:

Aptos High School
Bleacher & Sound System Replacement Project

Prepared by:

LCA Architects
245 Ygnacio Valley Road, Walnut Creek, CA 94596

BASE BID

Four hundred twelve thousand Dollars
(\$ 412,000.⁰⁰)

If written notice of the Award of Contract is mailed, faxed, or delivered to the undersigned at any time before this bid is withdrawn, the undersigned shall, within ten (10) days after the date of such mailing, faxing, or delivering of such notice, execute and deliver an agreement in the form of agreement present in these Contract Documents and give Performance and Payment Bonds in accordance with the specifications and bid as accepted.

The undersigned hereby designates as the office to which such Notice of Award of Contract may be mailed, telegraphed, or delivered:

Earthworks Paving Contractors, Inc
310 A Kennedy Dr
Capitola, CA 95010

Our Public Liability and Property Damage Insurance is placed with:

Travelers Insurance

Our Workers' Compensation Insurance is placed with:

Travelers Insurance

Circular letters, bulletins, addenda, etc., bound with the specifications or issued during the time of bidding are included in the bid, and, in completing the Contract, they are to become a part thereof.

The receipt of the following addenda to the specifications is acknowledged:

Addendum No. _____ Date _____ Addendum No. _____ Date _____

Addendum No. _____ Date _____ Addendum No. _____ Date _____

Addendum No. _____ Date _____ Addendum No. _____ Date _____

This bid may be withdrawn at any time prior to the scheduled time for the opening of bids or any authorized postponement thereof.

A bidder shall not submit a bid unless the bidder's contractor's license number appears clearly on the bid, the license expiration date and class are stated, and the bid contains a statement that the representations made therein are made under penalty of perjury. Any bid submitted by a contractor who is not licensed pursuant to Business and Professions Code section 7028.15 shall be considered nonresponsive and shall be rejected. Any bid not containing the above information, or a bid containing information which is subsequently proven false, may be considered nonresponsive and may be rejected.

NOTE: Each bid must give the full business address of the bidder and be signed by bidder with bidder's usual signature. Bids by partnerships must furnish the full name of all partners and must be signed in the partnership name by a general partner with authority to bind the partnership in such matters, followed by the signature and designation of the person signing. The name of the person signing shall also be typed or printed below the signature. Bids by corporations must be signed with the legal name of the corporation, followed by the name of the state of incorporation and by the signature and designation of the chairman of the board, president or any vice president, and then followed by a second signature by the secretary, assistant secretary, the chief financial officer or assistant treasurer. All persons signing must be authorized to bind the corporation in the matter. The name of each person signing shall also be typed or printed below the signature. Satisfactory evidence of the authority of the officer signing on behalf of a corporation shall be furnished.

The undersigned declares under penalty of perjury under the laws of the State of California that the representations made in this bid are true and correct.

Print or Type Name Stephanie Straus
Title President
Name of Company as Licensed Earthworks Paving Contractors, Inc
Business Address 310A Kennedy Dr
Capitol CA 95010
Telephone Number 831-475-1223

Contractor License No. 807689

Class and Expiration Date A 5/31/14

State of Incorporation, if Applicable CA

() Evidence of authority to bind corporation is attached.

Dated: May 13, 2013

Signed Stephanie Straus



Board Agenda Backup

Item No: 11.6

Date: May 22, 2013

Item: Amesti Elementary School – Additional Modular Classroom Project

Overview: In Amesti Elementary School's neighborhood there is a new development being built. Schapiro Knolls is an 88-unit apartment complex. When it opens in fall of 2013, the complex will provide 22 one-bedroom units, 31 two-bedroom units, 28 three-bedroom units, and 7 four-bedroom units. Staff is estimating there could be up to 100 additional students attending Amesti Elementary School from this development. After careful review of the current space inventory for the school staff determined there is a need for one more additional classroom building. Staff is preparing a RFP for one 24X40 modular classroom building.

On March 27, 2013 the Board approved the Architectural Master Agreement Contracts NTD Architecture from Salinas. This project falls in NTD's geographic area and Staff has obtained a proposal from NTD for Architectural services for this project.

The attached document shows the overall project budget and the amendment amount to be approved.

Recommendation: It is recommended that the Board approve the Project and the Project Budget related to this amendment. In addition it is recommended that the Board approve the Amendment to the Architectural Contract related to this project as indicated on the attached documents.


Budget Considerations:

Funding Source: Developer Fees

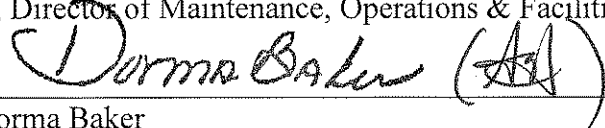
Budgeted: Yes: ☒ No: ☐

Amount: \$130,000.00 Total Project Budget

Prepared By:


Richard Mullikin, Director of Maintenance, Operations & Facilities

Superintendent's Signature:


Dorma Baker

Attachment to Board Agenda Item Number:

Board Meeting Date May 22, 2013

It is recommended that the Board approve the Amendment to the Architectural Contract as indicated below. There will not be a The Construction Management Contract Amendment for this project. In addition it is recommended that the Board approve the Projects and the Project Budgets related to this amendment. The total estimated cost of the project includes all cost to complete the project including the Architect amendment as well as the construction cost.

| Area | Pajaro Valley High School Area Team | | | | | | |
|----------------|---|----------------|--------|------------------------------|-----------------------------|---------------------------|---|
| Project Team | NTD Architecture and Cumming Corporation | | | | | | |
| Project Number | Project Description | Funding Source | Series | Total Estimated Project Cost | Estimated Construction Cost | Architect Addendum Amount | Construction Management Addendum Amount |
| B04- | Amesti Elementary School Modular Project | Developer Fees | N/A | \$130,000.00 | \$99,000.00 | \$11,880.00 | \$0.00 |
| Project Notes | A new Modular classroom will be installed on the site | | | | | | |
| Totals | | | | \$130,000.00 | | \$11,880.00 | \$0.00 |

Total Impact of the Board Item \$130,000.00

**Architect's Master Agreement Amendment
Planning Construction Program**

Project Location/School: Amesti Elementary School
Project Name: Modular Classroom New
Project Number (Not a bond project): Bid # B03-0513

Exhibit B to Master Agreement for Architectural Services

Project Schedule Milestones

Start of Design: May 27, 2013
DSA Submittal: June 15, 2013
Project Bid Date: July 15, 2013

Exhibit C to Master Agreement for Architectural Services

Project Scope, Budget, and Compensation

Project Scope Narrative: The Architect shall be responsible for site verification of existing conditions of the project site including meeting with the Site Staff to fully understand the nature of the work being contemplated, the physical conditions of the area of the work, and the nature of adjacent surroundings. The scope of this project will include installation of one 24x40 modular classroom located to the right of Building 32. The project scope will include providing an accessible entry to the classroom and required site improvements for Electrical, Fire Alarm and Data. It is anticipated that this project will be an over the counter review process with DSA.

Project Budget: \$99,000

Pending site verification of scope by the Design Team, project budgets are defined as Bid Day Total Construction Costs, escalated to the mid-point of the anticipated construction duration.

Project Compensation: \$11,880

Based on the project budgets, compensation for Basic Services, as defined by Articles 1 and 5 of the Master Agreement shall not exceed 9% of the Project Budget for New Construction, nor 12% of the Project Budget for Modernization and other projects.

**Architect's Master Agreement Amendment
Measure L Bond Construction Program**

Project Location/School: Amesti Elementary School
Project Name: Modular Classroom New
Project Number (District's 4 digit code): **Bid # B03-0513**

SIGNED:



ARCHITECT:

Godwin Osifeso

Date: 5-8-13 C-22239

NTD Architects
380 Main Street, 2nd Floor
Salinas, CA 93901
(831) 422-8000
cvicencio@ntd.com

DISTRICT:

Date: _____

Pajaro Valley USD
294 Green Valley Road
Watsonville, CA 95076
(831) 786 - 2190



Board Agenda Backup

Item No: 11.7

Date: May 22, 2013

Item: Aptos High School – Water Tank Replacement Project – Package #1

Overview: Aptos High has two water tanks which service the domestic and fire water needs for the campus. One tank holds 265,000 gallons; this one was replaced and upgraded in 2008. The other tank was built around 1967 and is a 450,000 Gallon redwood tank which is leaking and cannot be repaired. The project will be bid in two phases. Phase one will be for the procurement of the water tank, foundation design and erection. Phase two will be for the demolition, site work and final connections. We had 6 tank companies pull plans for this project.

The District opened bids for Package #1 for this project on May 16, 2013 at 10:00 AM. The apparent low bidder is Superior Tank Co. Inc. with a bid of \$280,000.00 out of the 3 bids submitted.

1. Superior Tank Co. Inc. - \$280,000.00
2. Darrell Thompson Tanks and Construction, Inc. - \$295,092.38
3. CST Storage - \$352,560.00

Due to the emergency nature (water leakage) of this contract and bid package, Gov. Contract Code, Section #20113 was utilized.

Recommendation: It is recommended that the Board accept and award Phase 1 of this project to Superior Tank Company, Inc., the apparent low bidder and enter into contract with the District for this Project in the amount of \$280,000.00. In addition Staff recommends the Board approve the Project and the overall budget for the project. (which includes the Superior Tank's contract)

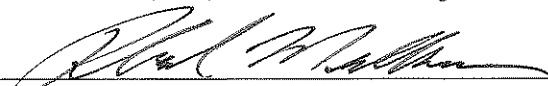
Budget Considerations:

Funding Source: Measure L Bond Funds

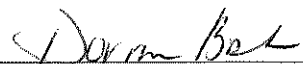
Budgeted: Yes: ☒ No: ☐

Amount: \$1,130,000.00 Total Project Budget

Prepared By:


Richard Mullikin, Director of Maintenance, Operations & Facilities

Superintendent's Signature:


Dorma Baker

2013 MAY 16 AM 9:54

BID FORM

May 16, 2013 before 10:00 am
Pajaro Valley Unified School District
Maintenance, Operations & Facilities Department
294 Green Valley Road, Watsonville, CA 95076

Dear Board Members:

The undersigned doing business under the firm name of:

Superior Tank Co., Inc.
hereby propose and agree to enter into a Contract, to furnish any and all labor, materials,
applicable taxes, equipment and services for the completion of Work described
hereinafter and in the Contract Documents:

**Aptos High School
Water Tank Replacement Project, Package 1**

Prepared by:

SANDIS Civil Engineers Surveyors Planners
636 9th Street, Oakland, CA 94607

BASE BID

Two hundred eighty thousand Dollars
(\$280,000)

If written notice of the Award of Contract is mailed, faxed, or delivered to the undersigned at any time before this bid is withdrawn, the undersigned shall, within seven (7) days after the date of such mailing, faxing, or delivering of such notice, execute and deliver an agreement in the form of agreement present in these Contract Documents and give Performance and Payment Bonds in accordance with the specifications and bid as accepted.

The undersigned hereby designates as the office to which such Notice of Award of Contract may be mailed, telegraphed, or delivered:

9500 Lucas Ranch Rd.
Rancho Cucamonga, CA 91730

Our Public Liability and Property Damage Insurance is placed with:

Chartis Insurance & AGCS
Marine Insurance

Our Workers' Compensation Insurance is placed with:

TRAVELERS Insurance

Circular letters, bulletins, addenda, etc., bound with the specifications or issued during the time of bidding are included in the bid, and, in completing the Contract, they are to become a part thereof.

The receipt of the following addenda to the specifications is acknowledged:

Addendum No. 1 Date 5/10/13 Addendum No. _____ Date _____

Addendum No. _____ Date _____ Addendum No. _____ Date _____

Addendum No. _____ Date _____ Addendum No. _____ Date _____

This bid may be withdrawn at any time prior to the scheduled time for the opening of bids or any authorized postponement thereof.

A bidder shall not submit a bid unless the bidder's contractor's license number appears clearly on the bid, the license expiration date and class are stated, and the bid contains a statement that the representations made therein are made under penalty of perjury. Any bid submitted by a contractor who is not licensed pursuant to Business and Professions Code section 7028.15 shall be considered nonresponsive and shall be rejected. Any bid not containing the above information, or a bid containing information which is subsequently proven false, may be considered nonresponsive and may be rejected.

NOTE: Each bid must give the full business address of the bidder and be signed by bidder with bidder's usual signature. Bids by partnerships must furnish the full name of all partners and must be signed in the partnership name by a general partner with authority to bind the partnership in such matters, followed by the signature and designation of the person signing. The name of the person signing shall also be typed or printed below the signature. Bids by corporations must be signed with the legal name of the corporation, followed by the name of the state of incorporation and by the signature and designation of the chairman of the board, president or any vice president, and then followed by a second signature by the secretary, assistant secretary, the chief financial officer or assistant treasurer. All persons signing must be authorized to bind the corporation in the matter. The name of each person signing shall also be typed or printed below the signature. Satisfactory evidence of the authority of the officer signing on behalf of a corporation shall be furnished.

The undersigned declares under penalty of perjury under the laws of the State of California that the representations made in this bid are true and correct.

Print or Type Name George Marquez
Title SECRETARY
Name of Company as Licensed Superior Task Co., Inc.
Business Address 9500 Lucas Ranch Rd.
Rancho Cucamonga, CA 91730
Telephone Number 909 912 0588
Contractor License No. 472119
Class and Expiration Date "A", 4/30/15
State of Incorporation, if Applicable CALIFORNIA

☒ Evidence of authority to bind corporation is attached.

Dated: 5/15/2013

Signed George Marquez



Board Agenda Backup

Item No: 11.8

Date: May 22, 2013

Item: Approval of Construction Management Amendments

Overview: On April 10, 2013 the Board approved the Construction Management Master Agreement Contracts of Blach Construction from Monterey, Kitchell from San Jose and Cummings Corporation from San Jose. These firms will be working on various capital projects funded by Measure L bond funds as well as other funding sources. The teams have been assigned to geographic areas of the district.

Aptos High Area Team- Kasavan Architects and Kitchell Construction Management. Pajaro Valley High Area Team- NTD Architecture and Cummings Corporation. Watsonville High Area Team- HMC Architects and Blach Construction Management.

Staff and the Program Management Team from Total School Solutions are assigning projects to the teams by amendments to their master agreements. Also approved at the April 10, 2013 board meeting the Board approve the Projects, the Project Budgets and the Amendments to the Architectural Contracts related to these projects as indicated on the attached documents. The CM Amendments related to these projects have been added for approval.

Recommendation: It is recommended the Board approve the CM Amendments related to these projects as indicated on the attached document.

Budget Considerations:

Funding Source: Measure L Bond Funds

Budgeted: Yes: ☒ No: ☐

Amount: Combined decrease of \$46,499 to overall budgets for these projects.

Prepared By: Richard Mullikin
Richard Mullikin, Director of Maintenance, Operations & Facilities

Superintendent's Signature: Dorma Baker
Dorma Baker

Attachment to Board Agenda Item Number: _____

Board Meeting Date _____ May 22, 2013

It is recommended that the Board approve the Amendments to the Construction Management (CM) Contracts as indicated below. On April 10, 2013 the Board approved the Projects, the Project Budgets and the Architectural Amendment's related to these projects. Tonight staff is recommending approval of the CM's Amendment's for these projects and adjustments to the Total Estimated Project Cost. The Total Estimated Cost of the project includes all cost to complete the project including the Architect and the Construction Management amendments as well as the construction cost.

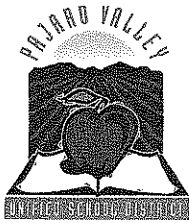
| Area | Aptos High School Area Team | | | | | | |
|----------------|--|----------------|--------|------------------------------|-----------------------------|---------------------------|---|
| Project Team | Kasavan Architects and Kitchell Construction Management | | | | | | |
| Project Number | Project Description | Funding Source | Series | Total Estimated Project Cost | Estimated Construction Cost | Architect Addendum Amount | Construction Management Addendum Amount |
| 8121-1 | Bradley Elementary School Playground Structure | Measure L | A | \$135,450.00 | \$90,300.00 | \$10,836.00 | \$7,224.00 |
| Project Notes | A new play structure will be installed and all site work associated with the installation. | | | | | | |
| 8135-1 | Mar Vista Elementary School Playground Structure | Measure L | A | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Project Notes | Project cancelled. Scope to be included in campus modernization project. | | | | | | |
| Totals | | | | \$135,450.00 | | \$10,836.00 | \$7,224.00 |

| Area | Pajaro Valley High School Area Team | | | | | | |
|----------------|--|----------------|--------|------------------------------|-----------------------------|---------------------------|---|
| Project Team | NTD Architecture and Cumming Corporation | | | | | | |
| Project Number | Project Description | Funding Source | Series | Total Estimated Project Cost | Estimated Construction Cost | Architect Addendum Amount | Construction Management Addendum Amount |
| 8372-1 | Freedom Elementary School Playground Structure | Measure L | A | \$68,401.00 | \$45,600.00 | \$5,472.00 | \$3,648.00 |
| Project Notes | A new play structure will be installed and all site work associated with the installation. | | | | | | |
| 8391-1 | Radcliff Elementary School Playground Structure | Measure L | A | \$77,400.00 | \$51,600.00 | \$6,192.00 | \$4,128.00 |
| Project Notes | A new play structure will be installed and all site work associated with the installation. | | | | | | |
| 8381-1 | H.A Hyde Elementary School Playground Structure | Measure L | A | \$68,401.00 | \$45,600.00 | \$5,472.00 | \$3,648.00 |
| Project Notes | A new play structure will be installed and all site work associated with the installation. | | | | | | |
| 8361-1 | Calabasas Elementary School Playground Structure | Measure L | A | \$47,999.00 | \$32,000.00 | \$3,840.00 | \$2,560.00 |
| Project Notes | A new play structure will be installed and all site work associated with the installation. | | | | | | |
| 8341-1 | Amesti Elementary School Playground Structure | Measure L | A | \$135,450.00 | \$90,300.00 | \$10,836.00 | \$7,224.00 |
| Project Notes | A new play structure will be installed and all site work associated with the installation. | | | | | | |
| 8401-1 | Starlight Elementary School Playground Structure | Measure L | A | \$136,500.00 | \$91,000.00 | \$10,920.00 | \$7,280.00 |
| Project Notes | A new play structure will be installed and all site work associated with the installation. | | | | | | |
| Totals | | | | \$534,151.00 | | \$42,732.00 | \$28,488.00 |

| Area | The Watsonville High Area Team | | | | | | |
|----------------|--|----------------|--------|------------------------------|-----------------------------|---------------------------|---|
| Project Team | HMC Architects and Blach Construction Management | | | | | | |
| Project Number | Project Description | Funding Source | Series | Total Estimated Project Cost | Estimated Construction Cost | Architect Addendum Amount | Construction Management Addendum Amount |
| 8531-1 | Hall District Elementary School Playground Structure | Measure L | A | \$191,101.00 | \$127,400.00 | \$15,288.00 | \$10,192.00 |
| Project Notes | A new play structure will be installed and all site work associated with the installation. | | | | | | |
| 8551-1 | Ohlone Elementary School Playground Structure | Measure L | A | \$68,251.00 | \$45,500.00 | \$5,460.00 | \$3,640.00 |
| Project Notes | A new play structure will be installed and all site work associated with the installation. | | | | | | |
| 8541-1 | MacQuiddy Elementary School Playground Structure | Measure L | A | \$270,000.00 | \$180,000.00 | \$21,600.00 | \$14,400.00 |
| Project Notes | A new play structure will be installed and all site work associated with the installation. | | | | | | |
| Totals | | | | \$529,352.00 | | \$42,348.00 | \$28,232.00 |

Total Impact of the Board Item **\$1,198,953.00**

Costs/estimates previously approved
Amended or new estimated costs



Board Agenda Backup

Item No: 11.9

Date: May 22, 2013

Item: CAHSEE Passage Waiver
Math (WHS 12-13-20)

Overview: Per Education Code 60851 (c) the parent/guardian of a student who has taken any section of the exam with one or more modifications and has received the equivalent of a passing score may request that his/her child receive a waiver of the requirement to successfully pass the exam. Upon receipt of such request, the principal shall submit to the Governing Board a request for a waiver.

The attached documentation as required by Education Code demonstrates that the identified special education student has earned "the equivalent of a passing score" (350 or more points) on the exit exam using modifications identified in the student's IEP.

Required documentation includes a) Notification to Parent regarding students eligibility for waiver b) Parent's written request for a waiver c) Documentation of passing score with the use of a modification d) Documentation of the disability which required the modification e) IEP authorizing use of the modification and f) Transcript identifying current academic progress.

Recommendation: Approve

Budget Considerations: None

Funding Source:

Budgeted: Yes: ☐ No: ☐

Amount: \$

Prepared By: Denise Banghart-Bragg, Program Director Special Services

Superintendent's Signature:

Dorma Baker (AA)

PAJARO VALLEY UNIFIED SCHOOL DISTRICT

Parent/Guardian Request for Waiver of the High School Exit Examination
Requirement for Students with Disabilities

Date: MAY 9, 2013

To The Parent/Guardian of: _____

Beginning with the 2005-06 school year, all California public school students, including students with disabilities, are required to pass the California High School Exit Examination (CAHSEE) to receive a high school diploma.

This letter is to inform you that your child took one or more subject matter parts of the CAHSEE with a modification prescribed in his/her current individualized education program (IEP).

At your written request, The PVUSD Board of Education may waive the requirement to successfully pass one or both subject matter parts of the CAHSEE in order to receive a diploma. You may submit this request by completing the information below and returning this form to the principal of your child's high school.

Signature of Principal: Elaine Aguirre Date: 5/10/13

I request that my child, _____ as tested with a modification and earned the equivalent
of a passing score one (1) _____ EE, be granted a waiver of this California graduation
requirement.

I understand that in order to receive such a waiver, state law requires that my child have all of the following:

1. An IEP that specifies the use of modification(s) on the exit examination, standardized testing, or classroom instruction and assessments.
2. Sufficient high school level coursework either satisfactorily completed or a progress in the high school level curriculum sufficient to have attained the skills and knowledge otherwise needed to pass the CAHSEE.
3. An individual score report showing that my child has received the equivalent of a passing score on the CAHSEE while using a modification that fundamentally alters what the high school examination measures as determined by the State Board of Education.

Signature of Parent _____

5-10-13

FOR SITE USE ONLY

Date Received by Principal: _____

Student Identification Number: _____

PAJARO VALLEY UNIFIED SCHOOL DISTRICT

Principal's Certification and Request for the Governing Board to Waive the High School
Exit Examination Requirement for Students with Disabilities.

Student's Name:

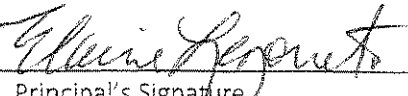
's ID Number

Pursuant to Education Code 6051, the parent/guardian of _____ with disabilities, has requested that the Governing board waive the requirement that he/she successfully pass the high school exit exam in order to receive a diploma. This student has taken the high school exit examination with one or more modifications that fundamentally alter what the test measures as determined by the State Board of Education, and has achieved the equivalent of a passing score one or both parts of the examination.

I certify that the student qualifies for a waiver because he/she satisfies all of the following conditions:

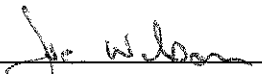
1. Has an individualized education program (IEP) adopted pursuant to the Individuals with Disabilities Education Act that specifies the use of the modification(s) on the exit examination, standardized testing, or classroom instruction and assessments. *Attach the section of the IEP that specifies the modification.)*
 - a. Describe the nature of the student's disability as identified on the IEP (please note if this will result in overt identification of the student). *Severe limited movement of limbs, joints, and muscles. She requires assistive Technology in all her daily activities*
 - b. Describe any modification used on the ☐ English/language arts or ☒ math section of the exam (separate form must be filled out for each section): *use of Computer and screen necessary to manipulate equations etc., in order to solve math problems.*
 - c. State the rationale for applying the modification(s) used to achieve an equivalent passing score on the CAHSEE for this student. *is assistive Technology to demonstrate her knowledge and ability to solve math problems. without Technology she cannot demonstrate her abilities.*
 - d. Describe the modification(s) that the student regularly uses in the classroom and on other assessments. *Besides Computer, Touchpad, she has a mini computer that she can operate with her finger nails that in turn activates and accesses her main computer.*

2. Has sufficient high school coursework either satisfactorily completed or in progress in the high school level curriculum sufficient to have attained the skills and knowledge otherwise needed to pass the CAHSEE. *(Attach transcripts showing coursework completed).*
3. An individual score report showing that my child has received the equivalent of a passing score on the CAHSEE while using a modification that fundamentally alters what the high school examination measures as determined by the State of Board of Education. *(Attach a copy of the exit exam Student and Parent Report showing "equivalent of a passing score" in the English/language arts and/or the mathematics portion of the exam.)*

Certified by: 
Principal's Signature

5/10/13
Date

I agree that the information on this Waiver Request Sheet accurately describes the modifications that this student regularly uses as identified in the IEP.


Signature of Student's Special Education Teacher

May 9, 2013
Date

Joe Wilson
Print Name of Student's Special Education Teacher

I agree that the information on this Waiver Request Sheet accurately states that the coursework this student has satisfactorily completed or is in the process of completing in the high school curriculum is sufficient to have obtained the skills and knowledge otherwise to pass the California High School Exit Examination.


Signature of Student's Academic Counselor

5-10-13

Federico Castañeda
Printed Name of Student's Academic Counselor



**Pajaro Valley Unified School District Special Education Local Plan Area
INDIVIDUALIZED EDUCATION PROGRAM
Placement and Services**

Student _____

Date of Birth _____

IEP Meeting Date 10/16/12

SPECIAL EDUCATION PLACEMENT AND RELATED SERVICES

| Service | Responsible Agency/Personnel | Location/Delivery Model (ex: pull-out/1:1, reg class/inclusion) | Frequency/Intensity (ex: 2X/wk, 30 min ea) | Duration (ex: 1 yr) | Start/End Date* |
|---|-------------------------------------|--|---|------------------------|-----------------|
| Specialized Academic Instruction | DIST SERVICE RS | Regular Classroom/Public Day School Pull Out - Small Group | 2 X/Weekly 111 min. ea. | 1 year | Start: 10/16/12 |
| | | | | | End: |
| Assistive Technology Services | DIST SERVICE AT | Regular Classroom/Public Day Pull Out - Individual | 1 X/Monthly 30 min. ea. | 1 year | Start: 10/16/12 |
| | | | | | End: |
| Specialized Ser. for Low Incidence Disability | DIST SERVICE Assistant, IA Level II | Regular Classroom/Public Day School Push In - Individual | 1 X/Daily 285 min. ea. | 1 year | Start: 10/16/12 |
| | | | | | End: |
| Specialized Orthopedic Services | DIST SERVICE OI | Regular Classroom/Public Day School Pull Out - Individual | 1 X/Monthly 30 min. ea. | 1 year | Start: 10/16/12 |
| | | | | | End: |
| Specialized Academic Instruction | DIST SERVICE RS | Regular Classroom/Public Day School Pull Out - Small Group | 1 X/Weekly 47 min. ea. | 1 year | Start: 10/16/12 |
| | | | | | End: |
| | | | | | Start: |
| | | | | | End: |

* If a placement or service is ending, give reason _____

☒ The IEP Team discussed all possible placement options at the meeting.

Transition Plan Attached: ☐ Preschool to Elementary ☐ Special to General Education ☒ Post Secondary Activities

Note: Services will not be made-up when student is absent or when normally scheduled session falls on a non-student day unless otherwise agreed upon. Services will not be provided during school holidays and breaks except for services provided to students attending extended year programs. RSP and DIS services may not be provided during the first week of school to allow service provider to meet students and establish schedules or the last week of school to allow for completion of assessments/related reports.

OTHER RELATED SERVICES

| | | |
|---|---|--|
| Special Education Transportation: | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes (Check Reason Below) |
| <input type="checkbox"/> IEP placement/services not available at neighborhood school | <input type="checkbox"/> Severity of disability requires door to door | |
| <input type="checkbox"/> Other _____ | | |
| Extended Year: | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes |
| If student will be provided with extended school year, IEP 01C-ESY must be completed. | | |
| Physical Education: | <input type="checkbox"/> Regular | <input type="checkbox"/> Modified <input type="checkbox"/> Adapted (list above) <input checked="" type="checkbox"/> Not Applicable |

PARTICIPATION IN GENERAL EDUCATION/ACTIVITIES

| | |
|---|--|
| Percentage of time in General Education: <u>75</u> | Percentage of time in Special Education: <u>25</u> |
| Description of General Education activities student will not participate in: <u>PE Electives</u> | |
| Reason student will not participate in the above activities: <u>Cannot physically participate due to severity of disability Needs tutorial class</u> | |



Pajaro Valley Unified School District Special Education Local Plan Area
INDIVIDUALIZED EDUCATION PROGRAM
Supplementary & Specialized Support/Promotion

S _____

Date of Birth _____

IEP Meeting Date 10/16/12

SUPPLEMENTARY/SPECIALIZED SUPPORT

Student requires supplementary aids and services or specialized materials/equipment as specified below.

☐ Supports for school personnel

☒ Specialized aids/materials/equipment (Assistive Technology)

☐ Program modifications

☐ None

| Description | Responsible Agency/Personnel | Location | Frequency/Intensity | Duration | Start/End Date* |
|---|---|------------------------|----------------------------|----------|-----------------|
| Access to adaptive computer hardware, adaptive computer software, and assistive technology. | DIST SERVICE AT, Assistant, OI, IA Level II | All classroom settings | 1 X /Daily 285 min. ea. | 1 year | Start: 10/16/12 |
| | | | | | End: |
| | | | | | Start: |
| | | | | | End: |
| | | | | | Start: |
| | | | | | End: |
| | | | | | Start: |
| | | | | | End: |
| | | | | | Start: |
| | | | | | End: |
| | | | | | Start: |
| | | | | | End: |

* If a placement or service is ending, give reason _____

PROMOTION STANDARDS

☒ Student is working towards a diploma and will be promoted based upon district curriculum standards ☐ without accommodations or ☒ with accommodations.

☐ Student is working towards a certificate and will be promoted based upon alternative curriculum standards and/or substantial progress towards goals.

CALIFORNIA HIGH SCHOOL EXIT EXAMINATION (CAHSEE)

☐ No accommodations or modifications

☐ Exempt due to eligibility for participation in CAPA

☒ Modifications (specify) calculator

☐ Grade Exempt (below grade 10)

☐ Accommodations (specify) _____

☐ Passed both subtests of the CAHSEE



**Pajaro Valley Unified School District Special Education Local Plan Area
INDIVIDUALIZED EDUCATION PROGRAM
Demographics and Eligibility**

IEP Meeting Date 10/16/12

STUDENT

| | | | |
|---|--|---|--|
| Student _____ | Birth _____ | 18 _____ | Grade <u>12</u> |
| School of Attendance <u>WATSONVILLE HS</u> | | School of Residence <u>WATSONVILLE HS</u> | |
| If not attending neighborhood school, give reason _____ | | | |
| Student ID <u>1065</u> | Gender | <input type="checkbox"/> Male | <input checked="" type="checkbox"/> Female |
| Ethnicity: (Select One) <input checked="" type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Not Hispanic/Latino | | | |
| Race: 1. <u>White</u> 2. _____ 3. _____ 4. _____ | | | |
| ELL? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Primary Language: | Family <u>Spanish</u> | Student <u>Spanish</u> |
| Student live <input checked="" type="checkbox"/> Parent/Guardian <input type="checkbox"/> Foster Family Home <input type="checkbox"/> Licensed Children's Institute | | | |
| Educational | ntative <input type="checkbox"/> Surrogate Parent <input type="checkbox"/> Adult Student | | |
| Parent/Guar | Santa Cruz | | |
| Address <u>22</u> | | | |
| Educational | | | |
| Address <u>22</u> | | | |

MEETING/CASE MANAGER INFORMATION

| |
|---|
| Meeting Type: <input type="checkbox"/> Initial <input checked="" type="checkbox"/> Annual Review <input type="checkbox"/> Triennial Reassessment <input type="checkbox"/> Other _____ |
| SPED Entry Date <u>05/30/95</u> Next Review <u>10/16/13</u> Next Triennial Reassessment <u>09/23/14</u> |
| Case Manager <u>Joe Wilson</u> |
| Position <u>Resource teacher</u> Phone <u>(831) 728-6390 ext. 6325</u> |

ELIGIBILITY/RATIONALE FOR PLACEMENT

| | |
|--|---|
| Eligibility criteria have been met: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Primary Disability <u>Orthopedic Impairment *</u> |
| | Secondary Disability <u>None</u> |
| Student is eligible for low incidence funds? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | |
| Does the student require assistive technology devices and/or services? <input type="checkbox"/> No (explain) _____ | |
| <input checked="" type="checkbox"/> Yes (specify content area) <u>Adaptive equipment in all content areas</u> | |

EFFECT OF DISABILITY

This student's disability causes difficulty developing skills in the areas checked below which might affect his or her ability to participate and progress in the general curriculum or (for preschoolers) participate in appropriate activities:

| | | |
|---|---|---|
| <input type="checkbox"/> Functional Academics | <input type="checkbox"/> Understanding Written Instructions | <input type="checkbox"/> Community |
| <input type="checkbox"/> Decoding Skills | <input type="checkbox"/> Understanding Verbal Instructions | <input checked="" type="checkbox"/> Vocational Skills |
| <input type="checkbox"/> Reading Comprehension | <input type="checkbox"/> Receptive Language | <input type="checkbox"/> Recreation/Leisure Skills |
| <input type="checkbox"/> Math Calculation Skills | <input type="checkbox"/> Expressive Language | <input type="checkbox"/> Self-Care/Domestic |
| <input checked="" type="checkbox"/> Applied Math Skills | <input type="checkbox"/> Speaking Clearly/Articulation | <input type="checkbox"/> Mobility |
| <input type="checkbox"/> Pre-Academic Readiness Skills | <input type="checkbox"/> Study/Organization Skills | <input type="checkbox"/> Other _____ |
| <input checked="" type="checkbox"/> Written Language Skills | <input type="checkbox"/> Social/Behavioral Skills | <input type="checkbox"/> Other _____ |



Pajaro Valley Unified School District Special Education Local Plan Area
INDIVIDUALIZED EDUCATION PROGRAM
Specialized Instruction

Student _____

Date of Birth _____

IEP Meeting Date 10/16/12

INSTRUCTIONAL ACCOMMODATIONS

| Area of Difficulty | Accommodation | Responsible Agency/Personnel | Start Date |
|--|---|---|------------|
| Fine Motor Skills, Gross Motor Skills, Mobility, Self-Care | Extra Time: Assignments/Tests (2.0), Extra Time: Navigating Campus, Frequent Breaks, May arrive late, leave early to/from class, Preferential Seating, Provide with Notes, Shortened Assignments, Speech to Text Word Processor, Take Tests in Alternate Setting, Tests in Short Segments | District of Service, AT, Assistant, Gen. Ed. Teacher, OI, IA Level II, RS | 10/16/12 |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |



Pajaro Valley Unified School District Special Education Local Plan Area
INDIVIDUALIZED EDUCATION PROGRAM
Present Levels of Academic Achievement and Functional Performance

Student _____

Date of Birth _____

IEP Meeting Date 10/16/12

PRESENT LEVELS OF ACADEMIC ACHIEVEMENT AND FUNCTIONAL PERFORMANCE

Strengths/Preferences/Interests

Brenda is very interested in becoming an interpreter once she graduates from school. Her physical limitations limit her activities. She enjoys working, watching TV, and listening to music.

Concerns of parent relevant to educational progress and how the concerns will be addressed

Parents concerned with Brenda's health and ability to attend classes. They need make up work when Brenda's health makes it not possible to attend class.

How does a student's disability affect their involvement and progress in the general curriculum

Brenda has chosen to limit her day to four periods. She has trouble sleeping due to the pain caused by her fibromyalgia. She has a flexible time schedule which allows her to come late, leave in the middle of, or leave her from her classes. She has a personal aid and the use of computer technology for all classes.

Preacademic/Academic/Functional Skills

Although Brenda has severe orthopedic impairment her cognitive abilities are normal.

Communication Development

Brenda communicates effectively with adults. With her peers she is an effective communicator when she gets the chance to communicate with them. Many students still avoid her. Her written communication is very slow due to her physical impairments, but she uses dragon software for classroom communication when the background noise is not too loud.

Gross/Fine Motor Development

Her motor development is severely impaired. She needs a wheel chair for mobility. Her writing is done by balancing the pencil or pen between her thumb and forefinger. She is stretched out and massaged once a day for an hour as her exercise. Brenda also uses adaptive computer hardware and adaptive computer software to assist her with her fine motor needs while in the classroom.

Social Emotional/Behavioral

Brenda has normal teenage desires but due to her physical disabilities, most of her social emotion development is through her family and adults at school. She is cheerful and always has a smile for anyone who wants one.

Vocational

Brenda has selected a fine career path. She is going to be an interpreter. She has had part time job experience in answering phones and translating between Spanish and English.

Adaptive/Daily Living Skills

Brenda will need full time care the rest of her life but she will be able to find employment with her skills she is learning. She will probably be transitioned to the San Andreas Foundation. While at school, Brenda requires the assistance of a 1-to-1 aide to assist her with fine and gross motor tasks.

Health

Her health appears better this year. She has fewer absences. Besides the effects of her fibromyalgia, she generally is fragile and tends to get respiratory diseases and sometimes it is difficult for her to keep food and water in her system. She is good about making up missed assignments when she is out because of illness.

Pajaro Valley Unified School District

Enter Date: 8/12/2009

Graduated:

Class Of: 2013

School Name/Address

Watsonville High School
250 East Beach St
Watsonville, CA 95076

Tel: (831)728-6390

Fax: (831)761-6013

Counselor:

SSID:

Community

| CrsID | Course Title | Mark | Credit | CrsID | Course Title | Mark | Credit | CrsID | Course Title | Mark | Credit |
|--|-------------------------|------|--------|--|----------------------|------|--------|-------|--------------|------|--------|
| Watsonville High School Grd 09 12/2009 | | | | 2410 | P Algebra 1A/B | B | 5.000 | | | | |
| 9240 | Advisory 9th | A+ | 0.500 | 8370 | Directed Study (ACM) | B+ | 5.000 | | | | |
| 2435 | Algebra Readiness | B+ | 5.000 | 1330 | P English 3 | B | 5.000 | | | | |
| 1130 | P English 1 | B+ | 5.000 | 7210 | P US History | B | 5.000 | | | | |
| 3605 | P Integ Science I | B | 5.000 | Crs Att: 20.000 Cmp: 20.000 Total GPA: 3.000 | | | | | | | |
| 5051 | Intro Computers | A+ | 5.000 | | | | | | | | |
| 4210 | P Spanish 1 SS | A | 5.000 | | | | | | | | |
| 8365 | Tutorial 9-12 | A | 5.000 | | | | | | | | |
| Crs Att: 30.500 Cmp: 30.500 | | | | | | | | | | | |
| Watsonville High Ind Study Grd 09 12/2009 | | | | | | | | | | | |
| 4510 | N FE 9 | P | 2.500 | | | | | | | | |
| Crs Att: 2.500 Cmp: 2.500 Total GPA: 3.508 | | | | | | | | | | | |
| Watsonville High School Grd 09 6/2010 | | | | | | | | | | | |
| 9240 | Advisory 9th | A+ | 0.500 | | | | | | | | |
| 2435 | Algebra Readiness | C | 5.000 | | | | | | | | |
| 1130 | P English 1 | C | 5.000 | | | | | | | | |
| 3910 | Health | A | 5.000 | | | | | | | | |
| 3605 | P Integ Science I | C | 5.000 | | | | | | | | |
| 4210 | P Spanish 1 SS | A- | 5.000 | | | | | | | | |
| 8365 | Tutorial 9-12 | A+ | 5.000 | | | | | | | | |
| Crs Att: 30.500 Cmp: 30.500 Total GPA: 3.016 | | | | | | | | | | | |
| Watsonville High School Grd 10 12/2010 | | | | | | | | | | | |
| 9241 | Advisory 10th | NM | 0.000 | | | | | | | | |
| 2416 | P Algebra 1A/B (9th) | F | 0.000 | | | | | | | | |
| 1065 | BER3 /Read 180 | A | 5.000 | | | | | | | | |
| 3210 | P Biology | D | 5.000 | | | | | | | | |
| 6072 | Digital Media Arts VA | C | 5.000 | | | | | | | | |
| 1230 | P English 2 | D | 5.000 | | | | | | | | |
| 8364 | Math Tutorial | P | 5.000 | | | | | | | | |
| Crs Att: 30.500 Cmp: 25.000 Total GPA: 1.600 | | | | | | | | | | | |
| Watsonville High School Grd 10 6/2011 | | | | | | | | | | | |
| 9241 | Advisory 10th | A | 0.500 | | | | | | | | |
| 1230 | P English 2 | B | 5.000 | | | | | | | | |
| 8353 | Math Modified | B | 5.000 | | | | | | | | |
| 5480 | ROP Careers With Childr | B | 5.000 | | | | | | | | |
| Crs Att: 15.500 Cmp: 15.500 Total GPA: 3.032 | | | | | | | | | | | |
| Watsonville High School Grd 11 12/2011 | | | | | | | | | | | |
| 9242 | Advisory 11th | A | 0.500 | | | | | | | | |
| 2410 | P Algebra 1A/B | C | 5.000 | | | | | | | | |
| 8370 | Directed Study (ACM) | A | 5.000 | | | | | | | | |
| 1330 | P English 3 | C | 5.000 | | | | | | | | |
| 7210 | P US History | B | 5.000 | | | | | | | | |
| Crs Att: 20.500 Cmp: 20.500 Total GPA: 2.780 | | | | | | | | | | | |
| Watsonville High School Grd 11 6/2012 | | | | | | | | | | | |

| Credit Summary - High School | | | |
|------------------------------|---------------------------|-----------|--------------|
| Subject Area | Req | Cmp | Def |
| A English | 40.00 | 35.00 | 5.00 |
| B Math | 20.00 | 15.00 | 5.00 |
| C Biological Science | 10.00 | 5.00 | 5.00 |
| D Physical Science | 10.00 | 10.00 | |
| E Health | 5.00 | 5.00 | |
| F Fine Arts / Foreign L | 10.00 | 10.00 | |
| G Physical Education | 20.00 | 2.50 | 17.50 |
| H Applied Arts | 10.00 | 10.00 | |
| I World Civilization | 10.00 | 0.00 | 10.00 |
| J US History | 10.00 | 10.00 | |
| K Federal Government | 5.00 | 5.00 | |
| L Economics | 5.00 | 0.00 | 5.00 |
| M Electives | 45.00 | 40.00 | 5.00 |
| N Algebra | 10.00 | 10.00 | |
| O Science | 10.00 | 0.00 | 10.00 |
| X Electives 2 | 0.00 | 2.00 | |
| ---Total Credits--- | | 220.00 | 159.50 62.50 |
| GPA Summary | | | |
| Academic GPA: | 2.981 Rank 119 out of 440 | | |
| Total GPA: | 2.981 Rank 129 out of 440 | | |
| UC/CSU GPA: | 2.130 | | |
| Testing Information | | | |
| CAHSEE_ELA-i-1 | | | |
| CA HSEE ELA | P | 5/10/2011 | |
| CAHSEE_Math-1-1 | | | |
| CA HSEE Math | F | 5/9/2012 | |

Credit Summary - High School

| Subject Area | Req | Cmp | Def |
|-------------------------|-------|-------|-------|
| A English | 40.00 | 35.00 | 5.00 |
| B Math | 20.00 | 15.00 | 5.00 |
| C Biological Science | 10.00 | 5.00 | 5.00 |
| D Physical Science | 10.00 | 10.00 | |
| E Health | 5.00 | 5.00 | |
| F Fine Arts / Foreign L | 10.00 | 10.00 | |
| G Physical Education | 20.00 | 2.50 | 17.50 |
| H Applied Arts | 10.00 | 10.00 | |
| I World Civilization | 10.00 | 0.00 | 10.00 |
| J US History | 10.00 | 10.00 | |
| K Federal Government | 5.00 | 5.00 | |
| L Economics | 5.00 | 0.00 | 5.00 |
| M Electives | 45.00 | 40.00 | 5.00 |
| N Algebra | 10.00 | 10.00 | |
| O Science | 10.00 | 0.00 | 10.00 |
| X Electives 2 | 0.00 | 2.00 | |

---Total Credits--- 220.00 159.50 62.50

GPA Summary

Academic GPA: 2.981 Rank 119 out of 440
Total GPA: 2.981 Rank 129 out of 440
UC/CSU GPA: 2.100

Testing Information

CAHSEE ELA-i-1
CA HSEE ELA P 5/10/2011
CAHSEE Math-i-1
CA HSEE Math F 5/9/2012

H = Honors A = Advanced Placement P = College Prep N = Non-Academic R = Repeated Course
One GPA is provided per semester.

I per Eric Olsen

Polio 7/29/1994 10/6/1994 12/19/1994 12/11/1998
DTP 7/29/1994 10/6/1994 12/19/1994 8/11/1995 12/11/1998
MMR 6/27/1995 12/11/1998
HEP B 5/15/1995 6/27/1995 3/12/1998
Varicella 8/11/1995

Transcript is unofficial unless signed by a school official
School Officials
Signature

Date: 3/5/2013



California High School Exit Examination

Security Guard
See back for details

Student and Parent Report

7-5-12

District: 69799 - Pajaro Valley Unified

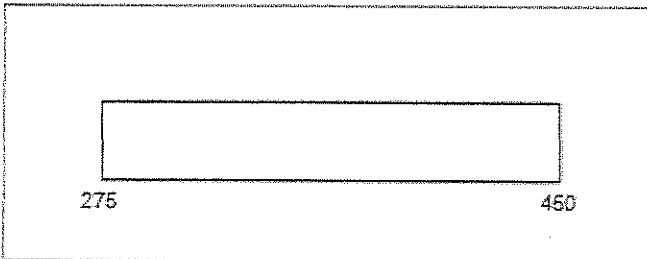
County: 44 - Santa Cruz

English-Language Arts

Test Date: 05/08/2012

| Your Total Score | Score Required to Pass | Status |
|------------------|------------------------|---------------|
| | | SATISFIED REQ |

The district reported that your student previously satisfied the requirement to successfully pass this portion of the CAHSEE. This report is not proof of a passing score.



Strands for English-Language Arts

READING

Number of Questions Number Correct

Word Analysis
Reading Comprehension
Literary Response & Analysis

WRITING

Writing Strategies
Writing Conventions

Writing Applications*

Your Score

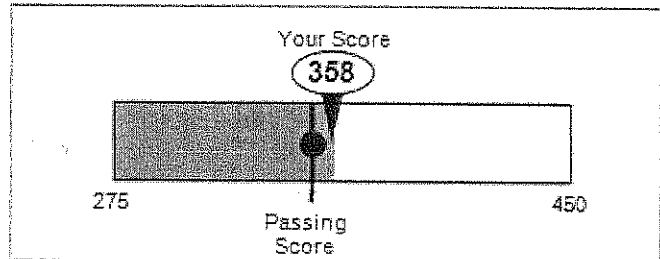
Essay

Mathematics

Test Date: 05/09/2012

| Your Total Score | Score Required to Pass | Status |
|------------------|------------------------|----------|
| 358 | 350 | MODIFIED |

Your student took this test using modifications as specified in his or her IEP or Section 504 plan. See "Taking the CAHSEE with Modifications" on the back of this report.



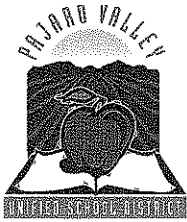
Strands for Mathematics

Number of Questions Number Correct

| | | |
|--------------------------|----|----|
| Probability & Statistics | 13 | 10 |
| Number Sense | 17 | 8 |
| Algebra & Functions | 20 | 13 |
| Measurement & Geometry | 18 | 12 |
| Algebra I | 12 | 4 |

* Each student essay receives two scores that range from 1 (lowest) to 4 (highest) or non-scorable (NS). The average of these two scores is listed above under the heading "Your Score". The Writing Applications score counts as 20% of the total English-Language Arts score.

A student must only retake the subject area examination (English-Language Arts and/or Mathematics) that was not passed.



Board Agenda Backup

Item No: 11.10

Date: May 22, 2013

Item: CAHSEE Passage Waiver
English Language Arts (PVHS 12-13-21)

Overview: Per Education Code 60851 (c) the parent/guardian of a student who has taken any section of the exam with one or more modifications and has received the equivalent of a passing score may request that his/her child receive a waiver of the requirement to successfully pass the exam. Upon receipt of such request, the principal shall submit to the Governing Board a request for a waiver.

The attached documentation as required by Education Code demonstrates that the identified special education student has earned "the equivalent of a passing score" (350 or more points) on the exit exam using modifications identified in the student's IEP.

Required documentation includes a) Notification to Parent regarding students eligibility for waiver b) Parent's written request for a waiver c) Documentation of passing score with the use of a modification d) Documentation of the disability which required the modification e) IEP authorizing use of the modification and f) Transcript identifying current academic progress.

Recommendation: Approve

Budget Considerations: None

Funding Source:

Budgeted: Yes: ☐ No: ☐

Amount: \$

Prepared By: Denise Banghart-Bragg, Program Director, Special Services

Superintendent's Signature:

Dorinda Baker (AA)

PAJARO VALLEY UNIFIED SCHOOL DISTRICT

Parent/Guardian Request for Waiver of the High School Exit Examination
Requirement for Students with Disabilities

Date: 5-6-13

To The Parent/Guardian of

Beginning with the 2005-06 school year, all California public school students, including students with disabilities, are required to pass the California High School Exit Examination (CAHSEE) to receive a high school diploma.

This letter is to inform you that your child took one or more subject matter parts of the CAHSEE with a modification prescribed in his/her current individualized education program (IEP

At your written request, The PVUSD Board of Education may waive the requirement to successfully pass one or both subject matter parts of the CAHSEE in order to receive a diploma. You may submit this request by completing the information below and returning this form to the principal of your child's high school.

Signature of Principal: _____

Date: _____

I request that my child
passing score one or
graduation requirement.

with a modification and earned the equivalent of a
passing score, be granted a waiver of this California

I understand that, in order to receive such a waiver, state law requires that my child have all of the following:

1. An IEP that specifies the use of modification(s) on the exit examination, standardized testing, or classroom instruction and assessments.
2. Sufficient high school level coursework either satisfactorily completed or in progress in the high school level curriculum sufficient to have attained the skills and knowledge otherwise needed to pass the CAHSEE.
3. An individual score report showing that my child has received the equivalent of a passing score on the CAHSEE while using a modification that fundamentally alters what the high school examination measures as determined by the State Board of Education.

Signature of Parent _____

Date: 5/6/13

FOR SITE USE ONLY

Date Received by Principal: _____

Student Identification Number: _____

PAJARO VALLEY UNIFIED SCHOOL DISTRICT

**Principal's Certification and Request for the Governing Board to Waive the High School
Exit Examination Requirement for Students with Disabilities**

Student's Name

Student's ID Number:

Pursuant to Education Code 6051, the parent/guardian of _____ disabilities, has requested that the Governing Board waive the requirement that he/she successfully pass the high school exit examination in order to receive a diploma. This student has taken the high school exit examination with one or more modifications that fundamentally alter what the test measures as determined by the State Board of Education, and has achieved the equivalent of a passing score on one or both parts of the examination.

I certify that the student qualifies for a waiver because he/she satisfies all of the following conditions:

1. Has an individualized education program (IEP) adopted pursuant to the Individuals with Disabilities Education Act that specifies the use of the modification(s) on the exit examination, standardized testing, or classroom instruction and assessments.
(Attach the section of the IEP that specifies the modifications.)
 - a. Describe the nature of the student's disability as identified on the IEP (please note if this will result in overt identification of the student).
 - b. Describe any modification used on the ☒ English/language arts or ☐ math section of the exam (separate form must be filled out for each section):
 - c. State the rationale for applying the modification(s) used to achieve an equivalent passing score on the CAHSEE for this student.
 - d. Describe the modification(s) that the student regularly uses in the classroom and on other assessments.

2. Has sufficient high school coursework either satisfactorily completed or in progress in the high school level curriculum sufficient to have attained the skills and knowledge otherwise needed to pass the CAHSEE. (*Attach transcripts showing coursework completed.*)
3. An individual score report showing that my child has received the equivalent of a passing score on the CAHSEE while using a modification that fundamentally alters what the high school examination measures as determined by the State Board of Education. (*Attach a copy of the exit exam Student and Parent Report showing "equivalent of a passing score" in the English/language arts and/or the mathematics portion of the exam.*)

Certified by: _____

Principal's Signature

5/7/13
Date

I agree that the information on this Waiver Request Sheet accurately describes the modifications that this student regularly uses as identified in the IEP.

Nikola E. Ballag

Signature of Student's Special Education Teacher

5-6-13

Date

Nicholas E. Ballag

Print Name of Student's Special Education Teacher

I agree that the information on this Waiver Request Sheet accurately states that the coursework this student has satisfactorily completed or is in the process of completing in the high school curriculum is sufficient to have obtained the skills and knowledge otherwise to pass the California High School Exit Examination.

Ximena Ospina

Signature of Student's Academic Counselor

5/6/13

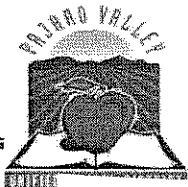
Date

Ximena Ospina

Printed Name of Student's Academic Counselor

Student ID:

1. This student has delays in processing speed and auditory memory both create difficulty for her in the areas of reading comprehension, written language skills and study/organization skills. She is a slow reader and would not do well with a timed test.
2. During the ELA portion of the test she was given two days or more to complete the test and was offered the modification of having test questions read aloud.
3. This student's reading comprehension, reading fluency and word recognition skills are below grade level because of her auditory memory and processing speed deficits. Since she is a slow reader the extra time allotted to her helped her manage her time better in a way that increased her chances of being more successful. Also, since her word recognition and reading comprehension scores are below grade level the oral reading of test questions helped to increase her understanding of the questions.
4. This student receives a number of instructional accommodations on a daily basis which include; double time to complete assignments and tests, can take tests in an alternate setting, directions aloud, can take tests in short segments, can use a calculator if necessary, use notes on testy and is provided with visual models and a visual schedule as well. All of her general education teachers have been provided with a copy of her IEP goals and instructional accommodations in order to provide her with the least restricted environment.



**Pajaro Valley Unified School District Special Education Local Plan Area
INDIVIDUALIZED EDUCATION PROGRAM
Supplementary & Specialized Support/Promotion**

Student _____

Date of Birth _____

IEP Meeting Date 04/12/13

SUPPLEMENTARY/SPECIALIZED SUPPORT

Student requires supplementary aids and services or specialized materials/equipment as specified below.

☐ Supports for school personnel

☐ Specialized aids/materials/equipment (Assistive Technology)

☐ Program modifications

☒ None

| Description | Responsible Agency/Personnel | Location | Frequency/Intensity | Duration | Start/End Date* |
|-------------|------------------------------|----------|---------------------|----------|-----------------|
| | | | | | Start: |
| | | | | | End: |
| | | | | | Start: |
| | | | | | End: |
| | | | | | Start: |
| | | | | | End: |
| | | | | | Start: |
| | | | | | End: |

* If a placement or service is ending, give reason _____

PROMOTION STANDARDS

☒ Student is working towards a diploma and will be promoted based upon district curriculum standards ☐ without accommodations or ☒ with accommodations.

☐ Student is working towards a certificate and will be promoted based upon alternative curriculum standards and/or substantial progress towards goals.

CALIFORNIA HIGH SCHOOL EXIT EXAMINATION (CAHSEE)

☐ No accommodations or modifications

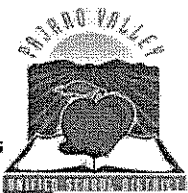
☐ Exempt due to eligibility for participation in CAPA

☒ Modifications (specify) ELA Q's Read aloud; ELA Test + 1 Day

☐ Grade Exempt (below grade 10)

☐ Accommodations (specify) _____

☐ Passed both subtests of the CAHSEE



Pajaro Valley Unified School District Special Education Local Plan Area
INDIVIDUALIZED EDUCATION PROGRAM
Specialized Instruction

Student _____

Date of Birth _____

IEP Meeting Date 04/12/13

INSTRUCTIONAL ACCOMMODATIONS

| Area of Difficulty | Accommodation | Responsible Agency/Personnel | Start Date |
|--------------------|---|--|------------|
| Auditory Memory | use notes on test, Visual Models, Visual Schedule | District of Service, Assistant, Gen. Ed. Teacher, RS | 04/12/13 |
| Processing Speed | Calculator, Directions Read Aloud, Extra Time: Assignments/Tests (2.0) | District of Service, Assistant, Gen. Ed. Teacher, RS | 04/12/13 |
| Processing Speed | Provide with Notes, Shortened Assignments, Take Tests in Alternate Setting, Tests in Short Segments | District of Service, Assistant, Gen. Ed. Teacher, RS | 04/12/13 |
| | | | |
| | | | |
| | | | |
| | | | |

Pajaro Valley Unified School District

er Date: 8/12/2009

uated:

ss Of: 2013

School Name/Address

Pajaro Valley High School
500 Harkins Slough
Watsonville, CA 95076

Tel: (831)728-8102

Fax: (831)728-6944

Counselor: Denise

SSID:

Community Service hours: 40

| CrsID | Course Title | Mark | Credit | CrsID | Course Title | Mark | Credit |
|--|---------------------------|------|--------|--|-----------------------------|--------|--------|
| Pajaro Valley High School Grd 09 12/2009 | | | | Pajaro Valley High School Grd 11 6/2012 | | | |
| 1042 | Adv ELD B | C- | 5.000 | 3310 | P Chemistry | D | 5.000 |
| 1042 | Adv ELD B | C- | 5.000 | 9270 | Directed Study | B+ | 5.000 |
| 2413 | P Algebra 1A/B (Support9T | C | 5.000 | 1220 | P English 2 (SDAIE) | D- | 5.000 |
| 3610 | P Integrated Science I | F | 0.000 | 5455 | Health Careers/Technolo | C- | 5.000 |
| 5051 | Intro Computers | D+ | 5.000 | 7220 | P US History (SDAIE) | C | 5.000 |
| 2976 | Math B (9th) | C+ | 5.000 | 7110 | P World Civ | C- | 5.000 |
| 4510 | N Physical Education 9 | B | 5.000 | Crs Att: 30.000 Cmp: 30.000 Total GPA: 1.933 | | | |
| Crs Att: 35.000 Cmp: 30.000 Total GPA: 1.714 | | | | Pajaro Valley High School Grd 11 7/2012 | | | |
| Pajaro Valley High School Grd 09 6/2010 | | | | SS2510 | P GEOMETRY- 1st Semester | B | 5.000 |
| 1042 | Adv ELD B | D | 5.000 | SS2510 | P GEOMETRY- 2nd Semester | B | 5.000 |
| 1042 | Adv ELD B | D | 5.000 | Crs Att: 10.000 Cmp: 10.000 Total GPA: 3.000 | | | |
| 2413 | P Algebra 1A/B (Support9T | D | 5.000 | Pajaro Valley High School Grd 12 12/2012 | | | |
| 3910 | Health | B- | 5.000 | 9292 | Basic Skills CA Exit Ex B | | 5.000 |
| 3610 | P Integrated Science I | C- | 5.000 | 3310 | P Chemistry | F | 0.000 |
| 2976 | Math B (9th) | B | 5.000 | 1330 | P English 3: American Lit | B- | 5.000 |
| 4510 | N Physical Education 9 | C- | 5.000 | 7310 | P Federal Government/US G | D+ | 5.000 |
| Crs Att: 35.000 Cmp: 35.000 Total GPA: 1.857 | | | | 3611 | P Integrated Science I (S D | | 5.000 |
| Pajaro Valley High School Grd 10 12/2010 | | | | Crs Att: 25.000 Cmp: 20.000 Total GPA: 1.600 | | | |
| 4610 | N Adv PE | C | 5.000 | Credit Summary - High School | | | |
| 6010 | P Art 1 | B+ | 5.000 | | | | |
| 3210 | P Biology | D- | 5.000 | Subject Area | Req | Cmp | Def |
| 1120 | P English 1 (SDAIE) | A | 5.000 | A English | 40.00 | 30.00 | 10.00 |
| 2520 | P Geometry (SDAIE) | RF | 0.000 | B Math | 20.00 | 20.00 | |
| 7120 | P World Civilization (SDA | C | 5.000 | C Biological Science | 10.00 | 5.00 | 5.00 |
| Crs Att: 30.000 Cmp: 25.000 Total GPA: 2.400 | | | | D Physical Science | 10.00 | 10.00 | |
| Pajaro Valley High School Grd 10 6/2011 | | | | E Health | 5.00 | 5.00 | |
| 4610 | N Adv PE | C+ | 5.000 | F Fine Arts / Foreign L | 10.00 | 10.00 | |
| 3210 | P Biology | F | 0.000 | G Physical Education | 20.00 | 20.00 | |
| 9270 | Directed Study | A | 5.000 | H Applied Arts | 10.00 | 10.00 | |
| 1120 | P English 1 (SDAIE) | D | 5.000 | I World Civilization | 10.00 | 10.00 | |
| 2510 | P Geometry | RF | 0.000 | J US History | 10.00 | 10.00 | |
| 7120 | P World Civilization (SDA | F | 0.000 | K Federal Government | 5.00 | 5.00 | |
| Crs Att: 30.000 Cmp: 15.000 Total GPA: 1.400 | | | | L Economics | 5.00 | 0.00 | 5.00 |
| Pajaro Valley High School Grd 11 12/2011 | | | | M Electives | 45.00 | 40.00 | 5.00 |
| 3310 | P Chemistry | F | 0.000 | N Algebra | 10.00 | 10.00 | |
| 9270 | Directed Study | A- | 5.000 | O Science | 10.00 | 0.00 | 10.00 |
| 1220 | P English 2 (SDAIE) | D | 5.000 | X Electives 2 | 0.00 | 0.00 | |
| 5455 | Health Careers/Technolo | C- | 5.000 | ---Total Credits--- | | | |
| 4210 | P Spanish 1 SS | C- | 5.000 | | 220.00 | 185.00 | 35.00 |
| 7220 | P US History (SDAIE) | D+ | 5.000 | | | | |
| Crs Att: 30.000 Cmp: 25.000 Total GPA: 1.667 | | | | | | | |

H = Honors A = Advanced Placement P = College Prep N = Non-Academic
One GPA is provided per semester.

| | | | | |
|-----------|-----------|-----------|-----------|-----------------------|
| Polio | 1/22/1996 | 3/22/1996 | 5/22/1996 | 2/20/1998 |
| DTB | 1/22/1996 | 3/22/1996 | 5/22/1996 | 11/21/1997 12/28/1999 |
| MMR | 3/21/2004 | 1/5/2007 | 2/5/2007 | |
| HEP B | 3/21/1999 | 4/2/1999 | 7/10/2001 | |
| Varicella | | | | |

Transcript is unofficial unless signed by a school official
School Officials
Signature _____

Date: 5/3/2013



California High School Exit Examination

See back for details

Student and Parent Report

District: 69799 - Pajaro Valley Unified

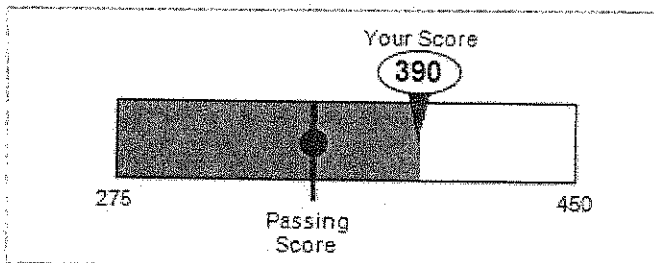
County: 44 - Santa Cruz Coun

English-Language Arts

Test Date: 03/12/2013

| Your Total Score | Score Required to Pass | Status |
|------------------|------------------------|----------|
| 390 | 350 | MODIFIED |

Your student took this test using modifications as specified in his or her IEP or Section 504 plan. See "Taking the CAHSEE with Modifications" on the back of this report.



Strands for English-Language Arts

| READING | Number of Questions | Number Correct |
|------------------------------|---------------------|----------------|
| Word Analysis | 7 | 6 |
| Reading Comprehension | 18 | 17 |
| Literary Response & Analysis | 20 | 18 |
| WRITING | | |
| Writing Strategies | 12 | 6 |
| Writing Conventions | 15 | 15 |

Writing Applications

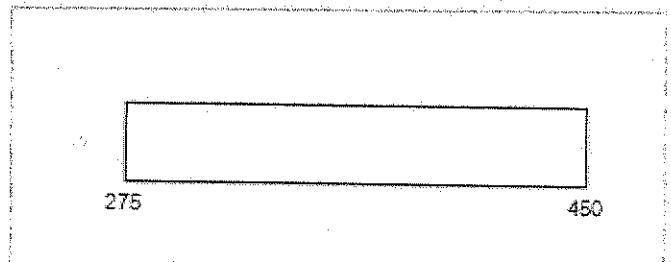
| | Your Score |
|-------|------------|
| Essay | 2.0 |

Mathematics

Test Date: 03/13/2013

| Your Total Score | Score Required to Pass | Status |
|------------------|------------------------|---------------|
| | | SATISFIED REQ |

The district reported that your student previously satisfied the requirement to successfully pass this portion of the CAHSEE. This report is not proof of a passing score.



Strands for Mathematics

| | Number of Questions | Number Correct |
|--------------------------|---------------------|----------------|
| Probability & Statistics | | |
| Number Sense | | |
| Algebra & Functions | | |
| Measurement & Geometry | | |
| Algebra I | | |

* Each student's essay receives two scores that range from 1 (lowest) to 4 (highest) or non-scorable (NS). The average of these two scores is listed above under the heading "Your Score". The Writing Applications score counts as 20% of the total English-Language Arts score.

A student must only retake the subject area examination (English-Language Arts and/or Mathematics) that was not passed.



Board Agenda Backup

Item No: 11.11

Date: May 22, 2013

Item: CAHSEE Passage Waiver
English Language Arts (WHS 12-13-22)

Overview: Per Education Code 60851 (c) the parent/guardian of a student who has taken any section of the exam with one or more modifications and has received the equivalent of a passing score may request that his/her child receive a waiver of the requirement to successfully pass the exam. Upon receipt of such request, the principal shall submit to the Governing Board a request for a waiver.

The attached documentation as required by Education Code demonstrates that the identified special education student has earned "the equivalent of a passing score" (350 or more points) on the exit exam using modifications identified in the student's IEP.

Required documentation includes a) Notification to Parent regarding students eligibility for waiver b) Parent's written request for a waiver c) Documentation of passing score with the use of a modification d) Documentation of the disability which required the modification e) IEP authorizing use of the modification and f) Transcript identifying current academic progress.

Recommendation: Approve

Budget Considerations: None

Funding Source:

Budgeted: Yes: ☐ No: ☐

Amount: \$

Denise Banghart Bragg

Prepared By: Denise Banghart-Bragg, Program Director, Special Services

Superintendent's Signature:

Dorinda Baker (AA)

PAJARO VALLEY UNIFIED SCHOOL DISTRICT

Parent/Guardian for Waiver of the High School Exit Examination
Requirement for Students with Disabilities

Date: 04/22/13

To The Parent/Guardian of: _____

Beginning with the 2005-06 school year, all California public school students, including students with disabilities, are required to pass the California High School Exit Examination (CAHSEE) to receive a high school diploma.

This letter is to inform you that your child took one or more subject matter parts of the CAHSEE with a modification prescribed in his/her current individualized education program (IEP).

As your written request, The PVUSD Board of Education may waive the requirement to successfully pass one or both subject matter parts of the CAHSEE in order to receive a diploma. You may submit this request by completing the information below and returning this form to the principal of your child's high school.

Signature of Principal: *Elaine Segura* Date: 5/2/13

I request that my child _____ with a
modification and earned the equivalent of a passing score one or more parts of the
CAHSEE, be granted a waiver of this California graduation requirement.

I understand that, in order to receive such a waiver, state law requires that my child
have all of the following:

1. An IEP that specifies the use of modification(s) on the exit examination, standardized testing, or classroom instruction and assessments.
2. Sufficient high school level coursework either satisfactorily completed or in progress in the high school level curriculum sufficient to have attained the skills and knowledge otherwise needed to pass the CAHSEE.
3. An individual score report showing that my child has received the equivalent of a passing score on the CAHSEE while using a modification that fundamentally alters what the high school examination measures as determined by the State Board of Education.

Signature of Parent: _____

Date: 5/2/13

FOR SITE USE ONLY

Date Received by Principal: _____

Student Identification Number: _____

PAJARO VALLEY UNIFIED SCHOOL DISTRICT

Principal's Certification and Request for the Governing Board to Waive the High School
Exit Examination Requirement for Students with Disabilities.

Student's Name: _____

Pursuant to Education Code 6051, the parent/guardian student with disabilities, has requested that the Governing board waive the requirement that he/she successfully pass the high school exit exam in order to receive a diploma. This student has taken the high school exit examination with one or more modifications that fundamentally alter what the test measures as determined by the State Board of Education, and has achieved the equivalent of a passing score one or both parts of the examination.

I certify that the student qualifies for a waiver because he/she satisfies all of the following conditions:

1. Has an individualized education program (IEP) adopted pursuant to the Individuals with Disabilities Education Act that specifies the use of the modification(s) on the exit examination, standardized testing, or classroom instruction and assessments. *Attach the section of the IEP that specifies the modification.)*
 - a. Describe the nature of the student's disability as identified on the IEP (please note if this will result in overt identification of the student.
Samuel has an identified Specific Learning Disability in the area of visual-motor integration and attention which affect his ability in reading, math calculation, and writing as documented in his most recent evaluation dated 10/19/12.
 - b. Describe any modification used on the ☒ English/language arts or ☐ math section of the exam (separate form must be filled out for each section):
Samuel was allowed to have test questions read to him as a modification to the ELA section of the CAHSEE.
 - c. State the rationale for applying the modification(s) used to achieve an equivalent passing score on the CAHSEE for this student.
Samuel's difficulties with attention and visual-motor integration make it difficult for him to maintain a pace that would show his true ability. Having the test questions read aloud helped him maintain focus on the task.
 - d. Describe the modification(s) that the student regularly uses in the classroom and on other assessments.
Samuel is allowed to have instructions and clarified. He allowed to test in an alternate setting to reduce distracting stimuli.

2. Sufficient high school level coursework either satisfactorily completed or in progress in the high school level curriculum sufficient to have attained the skills and knowledge otherwise needed to pass the CAHSEE. (*Attach transcripts showing coursework completed.*)
3. An individual score report showing that my child has received the equivalent of a passing score on the CAHSEE while using a modification that fundamentally alters what the high school examination measures as determined by the State Board of Education. (*Attach a copy of the exit exam Student and Parent Report showing "equivalent of a passing score" in the English/language arts and/or the mathematics portion of the exam.*)

Certified by:  Date: 5/3/13
Principal's Signature

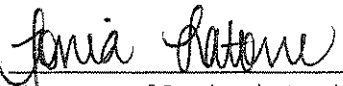
I agree that the information on this Waiver Request Sheet accurately describes the modification that this student regularly uses as identified in the IEP.


Signature of Student's Special Education Teacher

5/2/13
Date

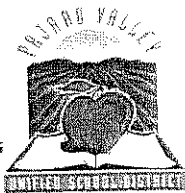
VICTOR M. NOVASCO
Print Name of Student's Special Education Teacher

I agree that the information on this Waiver Request Sheet accurately states that the coursework this Student has satisfactorily completed or is in the process of completing in the high school curriculum is sufficient to have obtained the skills and knowledge otherwise to pass the California High School Exit Examination.


Signature of Student's Academic Counselor

5/2/13
Date

Tonia Latorre
Printed Name of Student's Academic Counselor



Pajaro Valley Unified School District Special Education Local Plan Area
INDIVIDUALIZED EDUCATION PROGRAM
Supplementary & Specialized Support/Promotion

Student _____

Date of Birth _____

IEP Meeting Date ~~10/22/12~~ 1/22/13

SUPPLEMENTARY

Student requires supplementary aids and services or specialized materials/equipment as specified below.

☐ Supports for school personnel

☐ Specialized aids/materials/equipment (Assistive Technology)

☐ Program modifications

☒ None

| Description | Responsible Agency/Personnel | Location | Frequency/Intensity | Duration | Start/End Date* |
|-------------|------------------------------|----------|---------------------|----------|-----------------|
| | | | | | Start: |
| | | | | | End: |
| | | | | | Start: |
| | | | | | End: |
| | | | | | Start: |
| | | | | | End: |
| | | | | | Start: |
| | | | | | End: |

* If a placement or service is ending, give reason _____

PROMOTION STANDARDS

☒ Student is working towards a diploma and will be promoted based upon district curriculum standards ☐ without accommodations or ☒ with accommodations.

☐ Student is working towards a certificate and will be promoted based upon alternative curriculum standards and/or substantial progress towards goals.

CALIFORNIA HIGH SCHOOL EXIT EXAMINATION (CAHSEE)

☐ No accommodations or modifications

☐ Exempt due to eligibility for participation in CAPA

☒ Modifications (specify) CALCULATOR, TEST ITEMS REPHRASED ☒ Grade Exempt (below grade 10)

☒ Accommodations (specify) Extended time/Flexible setting ☐ Passed both subtests of the CAHSEE

Pajaro Valley Unified School District

Register Date: 8/12/2009

Graduated:

Class Of: 2013

School Name/Address

Watsonville High School
250 East Beach St
Watsonville, CA 95076

Tel: (831)728-6390

Fax: (831)761-6013

Counselor: Latorre, Tonia

SSID: 1733

Community

| CrSID | Course Title | Mark | Credit | CrSID | Course Title | Mark | Credit | Credit Summary - High School | | | |
|--|-------------------------|------|--------|--|---------------------------|------|--------|------------------------------|-------|---------------------|-------|
| Watsonville High School Grd 09 7/2009 | | | | Watsonville High School Grd 10 7/2011 | | | | Subject Area | Req | Cmp | Def |
| SS9254 | LANG PREPARATION | A | 5.000 | SS3910 | HEALTH-2nd Sem | D | 5.000 | A English | 40.00 | 30.00 | 10.00 |
| Crs Att: 5.000 Cmp: 5.000 Total GPA: 4.000 | | | | SS7110 | P WORLD CIV-1st Sem | C+ | 5.000 | B Math | 20.00 | 15.00 | 5.00 |
| Watsonville High School Grd 09 12/2009 | | | | Crs Att: 10.000 Cmp: 10.000 Total GPA: 1.500 | | | | C Biological Science | 10.00 | 10.00 | |
| 9240 | Advisory 9th | A | 0.500 | Watsonville High School Grd 11 12/2011 | | | | D Physical Science | 10.00 | 10.00 | |
| 2435 | Algebra Readiness | D- | 5.000 | 4610 | N Adv PE | B- | 5.000 | E Health | 5.00 | 5.00 | |
| 1130 | P English 1 | F | 0.000 | 9242 | Advisory 11th | A | 0.500 | F Fine Arts / Foreign L | 10.00 | 5.00 | 5.00 |
| 3605 | P Integ Science I | C- | 5.000 | 2512 | Bridge to Geo 1A | D | 5.000 | G Physical Education | 20.00 | 20.00 | |
| 5051 | Intro Computers | NM | 0.000 | 8370 | Directed Study (ACM) | B | 5.000 | H Applied Arts | 10.00 | 5.00 | 5.00 |
| 4510 | N PE 9 | A- | 5.000 | 1330 | P English 3 | D- | 5.000 | I World Civilization | 10.00 | 5.00 | 5.00 |
| 8365 | Tutorial 9-12 | C+ | 5.000 | 3050 | P Environmental Horticult | C | 5.000 | J US History | 10.00 | 5.00 | 5.00 |
| Crs Att: 30.500 Cmp: 20.500 Total GPA: 1.843 | | | | 7210 | P US History | F | 0.000 | K Federal Government | 5.00 | 5.00 | |
| Watsonville High School Grd 09 6/2010 | | | | Crs Att: 30.500 Cmp: 25.500 Total GPA: 1.705 | | | | L Economics | 5.00 | 0.00 | 5.00 |
| 9240 | Advisory 9th | C | 0.500 | Watsonville High School Grd 11 6/2012 | | | | M Electives | 45.00 | 43.00 | 2.00 |
| 2435 | Algebra Readiness | D | 5.000 | 4610 | N Adv PE | C | 5.000 | N Algebra | 10.00 | 10.00 | |
| 1130 | P English 1 | F | 0.000 | 9242 | Advisory 11th | A | 0.500 | O Science | 10.00 | 10.00 | |
| 3605 | P Integ Science I | D- | 5.000 | 2512 | Bridge to Geo 1A | C | 5.000 | X Electives 2 | 0.00 | 0.50 | |
| 5051 | Intro Computers | P | 5.000 | 8370 | Directed Study (ACM) | B+ | 5.000 | ---Total Credits--- | | | |
| 4510 | N PE 9 | C- | 5.000 | 1330 | P English 3 | F | 0.000 | | | | |
| 8365 | Tutorial 9-12 | B- | 5.000 | 3050 | P Environmental Horticult | B+ | 5.000 | GPA Summary | | | |
| Crs Att: 30.500 Cmp: 25.500 Total GPA: 1.412 | | | | 7210 | P US History | D | 5.000 | Academic GPA: | 1.432 | Rank 408 out of 431 | |
| Watsonville High School Grd 09 7/2010 | | | | Crs Att: 30.500 Cmp: 25.500 Total GPA: 1.869 | | | | Total GPA: | 1.555 | Rank 409 out of 431 | |
| SS1130 | P ENGLISH 1 - 1st Sem | NM | 0.000 | Watsonville High School Grd 12 12/2012 | | | | UC/CSU GPA: | 1.000 | | |
| Crs Att: 5.000 Cmp: 0.000 Total GPA: 0.000 | | | | 9245 | Advisory IEP | C | 0.500 | Testing Information | | | |
| Watsonville High School Grd 10 12/2010 | | | | 9292 | CANSEE Tutorial English | D | 5.000 | CARSEE ELA-1-1 | | | |
| 9242 | Advisory 11th | A | 0.500 | 6050 | P Ceramics | B- | 5.000 | CA HSEE ELA | F | 3/12/2013 | |
| 5638 | Agriculture/Natural Res | F | 0.000 | 1430 | P English 4 | D | 5.000 | CARSEE Math-1-1 | | | |
| 2410 | P Algebra 1A/B | C | 5.000 | 8373 | IS Program (SpEd) | P | 5.000 | CA HSEE Math | P | 2/6/2013 | |
| 1065 | BER3 /Read 180 | B+ | 5.000 | 5150 | ROP Construction Techno | F | 0.000 | | | | |
| 3220 | P Biology(SDAIE) | D | 5.000 | 7310 | P US Government | D | 5.000 | | | | |
| 1230 | P English 2 | D | 5.000 | Crs Att: 30.500 Cmp: 25.500 Total GPA: 1.216 | | | | | | | |
| 7110 | P World Civ | RF | 0.000 | | | | | | | | |
| Crs Att: 30.500 Cmp: 20.500 Total GPA: 1.213 | | | | | | | | | | | |
| Watsonville High School Grd 10 6/2011 | | | | | | | | | | | |
| 9242 | Advisory 11th | A+ | 0.500 | | | | | | | | |
| 5638 | Agriculture/Natural Res | C | 5.000 | | | | | | | | |
| 2410 | P Algebra 1A/B | F | 0.000 | | | | | | | | |
| 1065 | BER3 /Read 180 | B | 5.000 | | | | | | | | |
| 3220 | P Biology(SDAIE) | D | 5.000 | | | | | | | | |
| 1230 | P English 2 | D | 5.000 | | | | | | | | |
| 7110 | P World Civ | F | 0.000 | | | | | | | | |
| Crs Att: 30.500 Cmp: 20.500 Total GPA: 1.213 | | | | | | | | | | | |

H = Honors A+ = A+ Placement P = College Prep N = Non-Academic R = Repeated Course
One GPA is provided per semester.

1

| | | | | |
|-----------|------------|-----------|-----------|---------------------|
| Polio | 12/28/1994 | 2/28/1995 | 4/28/1995 | 5/12/1999 |
| DTP | 12/28/1994 | 2/28/1995 | 4/28/1995 | 11/9/1995 5/12/1999 |
| MMR | 11/9/1995 | 5/12/1999 | | |
| HEP B | 11/17/1994 | 11/9/1995 | 4/4/1996 | |
| Varicella | | | | |

Transcript is unofficial unless signed by a school official
School Officials
Signature _____

Date: 5/16/2013

California High School Exit Examination

See back for details

Student and Parent Report

District: 69799 - Pajaro Valley Unified

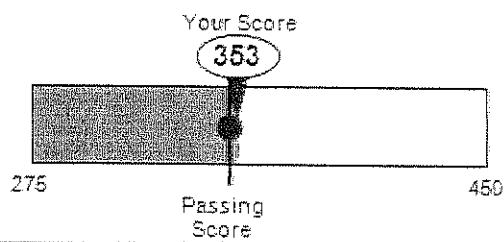
County: 44 - Santa Cruz Coun

English Language Arts

Test Date: 02/05/2013

| Your Total Score | Score Required to Pass | Status |
|------------------|------------------------|----------|
| 353 | 350 | MODIFIED |

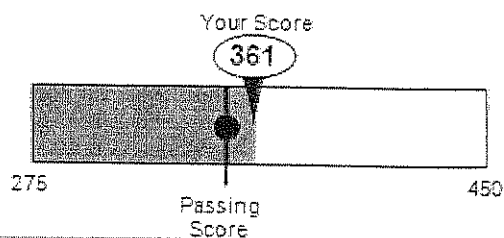
Your student took this test using modifications as specified in his or her IEP or Section 504 plan. See "Taking the CAHSEE with Modifications" on the back of this report.



Mathematics

Test Date: 02/06/2013

| Your Total Score | Score Required to Pass | Status |
|------------------|------------------------|--------|
| 361 | 350 | PASSED |



READING

| | Number of Questions | Number Correct |
|------------------------------|---------------------|----------------|
| Word Analysis | 7 | 6 |
| Reading Comprehension | 18 | 13 |
| Literary Response & Analysis | 20 | 11 |
| WRITING | | |
| Writing Strategies | 12 | 7 |
| Writing Conventions | 15 | 10 |

Essay

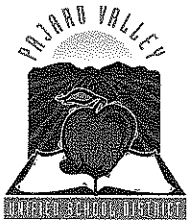
2.0

Answers for Reading

| | Number of Questions | Number Correct |
|--------------------------|---------------------|----------------|
| Probability & Statistics | 13 | 8 |
| Number Sense | 17 | 7 |
| Algebra & Functions | 20 | 13 |
| Measurement & Geometry | 18 | 12 |
| Algebra I | 12 | 8 |

Each student will receive a score for each of the four subject areas (English Language Arts, Mathematics, Science, and Social Studies). The average of these two scores is listed above under the Reading Total Score. The average of these two scores is listed above under the Mathematics Total Score.

Students who do not pass the English Language Arts and/or Mathematics test will receive a score of 0.0 for that subject area.



Board Agenda Backup

Item No: 11.12

Date: May 22, 2013

Item: CAHSEE Passage Waiver
Math (WHS 12-13-23)

Overview: Per Education Code 60851 (c) the parent/guardian of a student who has taken any section of the exam with one or more modifications and has received the equivalent of a passing score may request that his/her child receive a waiver of the requirement to successfully pass the exam. Upon receipt of such request, the principal shall submit to the Governing Board a request for a waiver.

The attached documentation as required by Education Code demonstrates that the identified special education student has earned "the equivalent of a passing score" (350 or more points) on the exit exam using modifications identified in the student's IEP.

Required documentation includes a) Notification to Parent regarding students eligibility for waiver b) Parent's written request for a waiver c) Documentation of passing score with the use of a modification d) Documentation of the disability which required the modification e) IEP authorizing use of the modification and f) Transcript identifying current academic progress.

Recommendation: Approve

Budget Considerations: None

Funding Source:

Budgeted: Yes: ☐ No: ☐

Amount: \$

Prepared By: Denise Banghart-Bragg, Program Director Special Services

Superintendent's Signature:

Denise Banghart Bragg
Dorma Baker (H)

PAJARO VALLEY UNIFIED SCHOOL DISTRICT

Parent/Guardian for Waiver of the High School Exit Examination
Requirement for Students with Disabilities

Date: 05/06/13

To The Parent/Guardian of: _____

Beginning with the 2005-06 school year, all California public school students, including students with disabilities, are required to pass the California High School Exit Examination (CAHSEE) to receive a high school diploma.

This letter is to inform you that your child took one or more subject matter parts of the CAHSEE with a modification prescribed in his/her current individualized education program (IEP).

As your written request, The PVUSD Board of Education may waive the requirement to successfully pass one or both subject matter parts of the CAHSEE in order to receive a diploma. You may submit this request by completing the information below and returning this form to the principal of your child's high school.

Signature of Principal: Elaine Regalado Date: 5/9/13

I request that my child, _____ a modification
and earned the equivalent of a passing _____ CAHSEE, be
granted a waiver of this California graduation requirement.

I understand that, in order to receive such a waiver, state law requires that my child have all of the following:

1. An IEP that specifies the use of modification(s) on the exit examination, standardized testing, or classroom instruction and assessments.
2. Sufficient high school level coursework either satisfactorily completed or in progress in the high school level curriculum sufficient to have attained the skills and knowledge otherwise needed to pass the CAHSEE.
3. An individual score report showing that my child has received the equivalent of a passing score on the CAHSEE while using a modification that fundamentally alters what the high school exit examination measures as determined by the State Board of Education.

Signature of Parent: _____

Date: 5/9/13
T

FOR SITE USE ONLY

Date Received by Principal: _____

Student Identification Number: _____

Principal's Certification and Request for the Governing Board to Waive the High School Exit Examination Requirement for Students with Disabilities.

Pursuant to Education Code 6051, the parent/guardian of _____ a student
with disabilities, has requested that the Governing board w_____ that he/she
successfully pass the high school exit exam in order to receive a diploma. This student has
taken the high school exit examination with one or more modifications that fundamentally
alter what the test measures as determined by the State Board of Education, and has
achieved the equivalent of a passing score one or both parts of the examination.

1. Has an individualized education program (IEP) adopted pursuant to the Individuals with Disabilities Education Act that specifies the use of the modification(s) on the exit examination, standardized testing, or classroom instruction and assessments. *Attach the section of the IEP that specifies the modification.*

- Ryan has an identified Specific Learning Disability in the areas of attention and auditory memory. Ryan has a secondary disability of Speech and Language Impairment. His identified processing deficits affect his performance with understanding written direction directions, learning and applying new vocabulary, reading comprehension, and math calculations as reported in his triennial assessment dated 02/14/13.

- Ryan used a calculator.

- The use of the calculator allowed Ryan to maintain attention to the tasks and focus on understanding the test questions.

- Ryan is allowed to use a calculator in his math classes as a modification or accommodation per his IEP dated 2/14/13.



Pajaro Valley Unified School District Special Education Local Plan Area
INDIVIDUALIZED EDUCATION PROGRAM
Specialized Instruction

Student _____

Date of Birth _____

IEP Meeting Date 02/14/13

INSTRUCTIONAL ACCOMMODATIONS

| Area of Difficulty | Accommodation | Responsible Agency/Personnel | Start Date |
|--------------------|---|--|------------|
| Auditory Memory | Extra Time: Assignments/Tests (1.5), Take Tests in Alternate Setting, Tests in Short Segments | District of Service, Gen. Ed. Teacher, LSH, RS | 02/14/13 |
| Attending Skills | Make eye contact to check for understanding | District of Service, Gen. Ed. Teacher, LSH, RS | 02/14/13 |
| Attending Skills | Have Ryan Paraphrase or repeat lengthy directions | District of Service, Gen. Ed. Teacher, LSH, RS | 02/14/13 |
| Auditory Memory | Calculator, Provide with Notes, Visual Models | District of Service, Gen. Ed. Teacher, LSH, RS | 02/14/13 |
| Auditory Memory | Frequent Breaks, Preferential Seating, Study Buddy | District of Service, Gen. Ed. Teacher, LSH, RS | 02/14/13 |
| | | | |
| | | | |



**Pajaro Valley Unified School District Special Education Local Plan Area
INDIVIDUALIZED EDUCATION PROGRAM
Supplementary & Specialized Support/Promotion**

Studer _____

SUPPLEMENTARY

Student requires supplementary aids and services or specialized materials/equipment as specified below.

- ☐ Supports for school personnel ☐ Specialized aids/materials/equipment (Assistive Technology)
☐ Program modifications ☒ None

| Description | Responsible Agency/Personnel | Location | Frequency/Intensity | Duration | Start/End Date* |
|-------------|------------------------------|----------|---------------------|----------|-----------------|
| | | | | | Start: |
| | | | | | End: |
| | | | | | Start: |
| | | | | | End: |
| | | | | | Start: |
| | | | | | End: |
| | | | | | Start: |
| | | | | | End: |
| | | | | | Start: |
| | | | | | End: |

* If a placement or service is ending, give reason _____

PROMOTION STANDARDS

- ☒ Student is working towards a diploma and will be promoted based upon district curriculum standards ☐ without accommodations or ☒ with accommodations.
☐ Student is working towards a certificate and will be promoted based upon alternative curriculum standards and/or substantial progress towards goals.

CALIFORNIA HIGH SCHOOL EXIT EXAMINATION (CAHSEE)

- ☐ No accommodations or modifications ☐ Exempt due to eligibility for participation in CAPA
☒ Modifications (specify) calculator, test items read aloud ☐ Grade Exempt (below grade 10)
☒ Accommodations (specify) Extended time/Flexible setting ☐ Passed both subtests of the CAHSEE

Watsonville High School

Date: 8/19/2009

ated:

Of: 2013

School Name/Address

Watsonville High School
250 East Beach St
Watsonville, CA 95076

Tel: (831)728-6390 Fax: (831)761-6013

Counselor: I atorre, Tonia

SSID:

Community

| CrsID | Course Title | Mark | Credit | CrsID | Course Title | Mark | Credit | Work In Progress | | |
|--|-----------------------|------|--------|--|---------------------------|------|--------|------------------------------|-------------------------|---------------------|
| Watsonville High School Grd 09 12/2009 | | | | Watsonville High School Grd 10 7/2011 | | | | 8373 | IS Program (SpEd) | 0.000 |
| 9240 | Advisory 9th | | 0.000 | SS3211 P | BIOLOGY-2nd Sem | B- | 5.000 | 9251 | Advisory 12 | 0.000 |
| 9240 | Advisory 9th | A | 0.500 | SS7110 P | WORLD CIV-1st Sem | NM | 0.000 | 9292 | CAHSEE Tutorial English | 0.000 |
| 2416 P | Algebra 1A/B (9th) | D | 5.000 | Crs Att: 10.000 Cmp: 5.000 Total GPA: 3.000 | | | | 9294 | CAHSEE Tutorial Math | 0.000 |
| 1130 P | English 1 | RF | 0.000 | Watsonville High School Grd 11 12/2011 | | | | 7410 P | Economics | 0.000 |
| 3910 | Health | F | 0.000 | 9242 | Advisory 11th | B | 0.500 | 1430 P | English 4 | 0.000 |
| 3605 P | Integ Science I | F | 0.000 | 8370 | Directed Study (ACM) | A- | 5.000 | 8373 | IS Program (SpEd) | 0.000 |
| 4510 N | PE 9 | B | 5.000 | 1330 P | English 3 | D | 5.000 | 6070 P | ROP Video Productions | 0.000 |
| 8365 | Tutorial 9-12 | A | 5.000 | 2510 P | Geometry | RF | 0.000 | Credit Summary - High School | | |
| Crs Att: 31.000 Cmp: 15.500 Total GPA: 1.377 | | | | 3251 P | Marine Biology | D | 5.000 | Subject Area | Req | Cmp |
| Watsonville High School Grd 09 6/2010 | | | | 5730 | ROP Video Broadcast | C- | 5.000 | A English | 40.00 | 35.00 |
| 9240 | Advisory 9th | A | 0.500 | 7210 P | US History | D | 5.000 | B Math | 20.00 | 15.00 |
| 2416 P | Algebra 1A/B (9th) | F | 0.000 | Crs Att: 30.500 Cmp: 25.500 Total GPA: 1.824 | | | | C Biological Science | 10.00 | 10.00 |
| 1130 P | English 1 | D | 5.000 | Watsonville High School Grd 11 6/2012 | | | | D Physical Science | 10.00 | 10.00 |
| 3605 P | Integ Science I | D | 5.000 | 9242 | Advisory 11th | A | 0.500 | E Health | 5.00 | 5.00 |
| 5051 | Intro Computers | A | 5.000 | 8370 | Directed Study (ACM) | A- | 5.000 | F Fine Arts / Foreign L | 10.00 | 10.00 |
| 4510 N | PE 9 | B- | 5.000 | 1330 P | English 3 | F | 0.000 | G Physical Education | 20.00 | 20.00 |
| 8365 | Tutorial 9-12 | A | 5.000 | 2510 P | Geometry | F | 0.000 | H Applied Arts | 10.00 | 15.00 |
| Crs Att: 30.500 Cmp: 25.500 | | | | 3251 P | Marine Biology | C | 5.000 | I World Civilization | 10.00 | 10.00 |
| After School Watsonville High Grd 09 6/2010 | | | | 5730 | ROP Video Broadcast | C- | 5.000 | J US History | 10.00 | 10.00 |
| AS8365 | AS TUTORIAL 9-12 | | 0.000 | 7210 P | US History | D | 5.000 | K Federal Government | 5.00 | 5.00 |
| Crs Att: 0.000 Cmp: 0.000 Total GPA: 2.197 | | | | Crs Att: 30.500 Cmp: 20.500 Total GPA: 1.541 | | | | L Economics | 5.00 | 0.00 |
| Watsonville High School Grd 09 7/2010 | | | | Watsonville High School Grd 11 7/2012 | | | | M Electives | 45.00 | 28.00 |
| SS2610 P | ALGEBRA II | D- | 5.000 | SS1330 P | ENGLISH 3-2nd Sem Credi | C | 5.000 | N Algebra | 10.00 | 10.00 |
| SS1130 P | ENGLISH 1 | B | 5.000 | SS2510 P | GEOMETRY - 1st Sem Cred | C- | 5.000 | O Science | 10.00 | 5.00 |
| Crs Att: 10.000 Cmp: 10.000 Total GPA: 2.000 | | | | Crs Att: 10.000 Cmp: 10.000 Total GPA: 2.000 | | | | X Electives 2 | 0.00 | 0.50 |
| Watsonville High School Grd 10 12/2010 | | | | Watsonville High School Grd 12 12/2012 | | | | ---Total Credits--- | | |
| 4610 N | Adv PE | B+ | 5.000 | 9245 | Advisory IEP | A | 0.500 | | 220.00 | 188.50 |
| 9241 | Advisory 10th | C | 0.500 | 9292 | CAHSEE Tutorial English B | | 5.000 | | | |
| 3210 P | Biology | F | 0.000 | 9294 | CAHSEE Tutorial Math | B | 5.000 | GPA Summary | | |
| 2512 | Bridge to Geo 1A | F | 0.000 | 1430 P | English 4 | C | 5.000 | Academic GPA: | 1.571 | Rank 392 out of 431 |
| 6072 | Digital Media Arts VA | D+ | 5.000 | 8373 | IS Program (SpEd) | | 0.000 | Total GPA: | 1.718 | Rank 385 out of 431 |
| 1230 P | English 2 | C | 5.000 | 5150 | ROP Construction Techno | C | 5.000 | UC/CSU GPA: | 0.000 | |
| 7110 P | World Civ | F | 0.000 | 7310 P | US Government | C- | 5.000 | Testing Information | | |
| Crs Att: 30.500 Cmp: 15.500 Total GPA: 1.016 | | | | Crs Att: 30.500 Cmp: 25.500 | | | | CAHSEE ELA-1-1 | | |
| Watsonville High School Grd 10 6/2011 | | | | WHS IS Grd 12 12/2012 | | | | CA HSEE ELA | F | 3/12/2013 |
| 4610 N | Adv PE | A- | 5.000 | 3910 | Health | P | 5.000 | CAHSEE Math-1-1 | | |
| 9241 | Advisory 10th | A | 0.500 | 3110 | Physical Sci | P | 5.000 | CA HSEE Math | F | 3/13/2013 |
| 3210 P | Biology | F | 0.000 | 7108 | World Civ | P | 5.000 | | | |
| 2512 | Bridge to Geo 1A | F | 0.000 | Crs Att: 15.000 Cmp: 15.000 Total GPA: 2.431 | | | | | | |
| 6072 | Digital Media Arts VA | D | 5.000 | | | | | | | |
| 1230 P | English 2 | D | 5.000 | | | | | | | |
| 7110 P | World Civ | C | 5.000 | | | | | | | |
| Crs Att: 30.500 Cmp: 20.500 Total GPA: 1.377 | | | | | | | | | | |

H = Honors A = Advanced Placement P = College Prep N = Non-Academic R = Repeated Course
One GPA is provided per semester.

Polio
DTP
MMR
HEP B
Varicella

Transcript is unofficial unless signed by a school official
School Officials
Signature

Date: 5/16/2013



California High School Exit Examination

See back for details

Student Report

5-13-13

District: 69799 - Pajaro Valley Unified

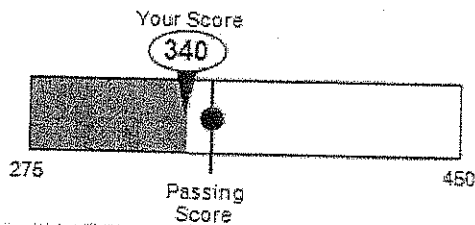
County: 44 - Santa Cruz Coun

English Language Arts

Test Date: 03/12/2013

| Your Total Score | Score Required to Pass | Status |
|---------------------|---------------------------|----------|
| 340 | 350 | MODIFIED |

Your student took this test using modifications as specified in his or her IEP or Section 504 plan. See "Taking the CAHSEE with Modifications" on the back of this report.



READING

| | Number of Questions | Number Correct |
|------------------------------|------------------------|-------------------|
| Word Analysis | 7 | 3 |
| Reading Comprehension | 18 | 8 |
| Literary Response & Analysis | 20 | 11 |

WRITING

| | | |
|---------------------|----|----|
| Writing Strategies | 12 | 9 |
| Writing Conventions | 15 | 10 |

Essay

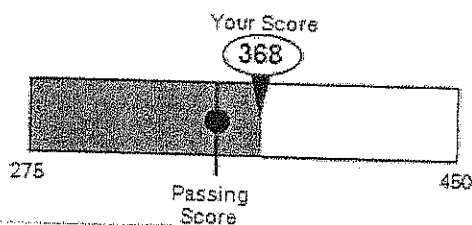
2.0

Mathematics

Test Date: 03/13/2013

| Your Total Score | Score Required to Pass | Status |
|---------------------|---------------------------|----------|
| 368 | 350 | MODIFIED |

Your student took this test using modifications as specified in his or her IEP or Section 504 plan. See "Taking the CAHSEE with Modifications" on the back of this report.



Topics for Mathematics

| | Number of Questions | Number Correct |
|--------------------------|------------------------|-------------------|
| Probability & Statistics | 13 | 9 |
| Number Sense | 17 | 11 |
| Algebra & Functions | 20 | 16 |
| Measurement & Geometry | 18 | 10 |
| Algebra I | 12 | 6 |

* Some students may take the CAHSEE with modifications. If a student takes the CAHSEE with modifications, the student's score will be reported as "MODIFIED" and the student's score will be reported as "MODIFIED".

PAJARO VALLEY UNIFIED SCHOOL DISTRICT



Board Agenda Backup

Item No: 11.13

Date: May 22, 2013

Item: Approval of Student Data Management System Contract

Overview: PVUSD maintains a contract with a Student Data Management System to house local and state assessment data, student demographic information, and student accountability report cards. Our previous three-year contract with Riverside Publishing expires June 30, 2013. We are recommending that the Board approve the attached contract with Illuminate Education for the 2013-2016 school years. The contract will be provided to the Board at the meeting.

Recommendation: It is recommended that the Board approve the contract with Illuminate Education.

Budget Considerations: N/A

Funding Source:

Budgeted: Yes: ☐

No: ☒

Amount:

Prepared By: Susan Pérez, Director of Educational and English Learner Services

Superintendent's Signature:

Dorma Baker (AA)



PAJARO VALLEY UNIFIED SCHOOL DISTRICT



Board Agenda Backup

Item No: 13.1

Date: May 22, 2013

Item: Update on Governor's May Revision and District Budget.

Overview: District staff will provide an update on the governor's 2013-14 May Budget Revision and district fiscal position relative to the May Revision.

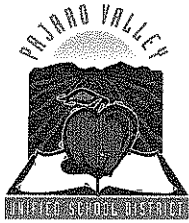
Recommendation: Report and Discussion Item only.

Prepared By: Brett McFadden, CBO

Superintendent's Signature:

Dorinda Baker (AY)

PAJARO VALLEY UNIFIED SCHOOL DISTRICT



Board Agenda Backup

Item No: 13.2

Date: May 22, 2013

Item: Early Childhood Education Department Preparing English Language Learners for Language and Literacy Success

Overview: This presentation will provide PVUSD School Board information on English Language Development goals and outcomes for state funded Child Development and federally funded Migrant Seasonal Head Start preschool centers. Data from Desired Results Developmental Assessment Rubric in the areas of language and literacy development for English Learners in early childhood preschool programs will be shared. These successful program efforts are preparing large numbers of low income students for enhanced school success upon Kindergarten Entry and beyond.

Recommendation:

Budget Considerations: N/A

Funding Source:

Budgeted: Yes: ☐

No: ☐

Amount: \$

Prepared By: Kathy Lathrop, Director, Child Development Department

Superintendent's Signature:

Dorinda Baker (Signature)

PAJARO VALLEY UNIFIED SCHOOL DISTRICT



Board Agenda Backup

Item No: 13.3

Date: May 22, 2013

Item: District-wide Benchmark Assessments

Overview: We currently use district-wide Benchmark assessments in language arts and mathematics. These assessments are given periodically throughout the year to monitor progress toward the mastery of grade-level power standards. Staff from the Educational and English Learner Services Department will provide an overview of the district benchmark process and an analysis of benchmark results for the past three years.

Recommendation: This is a report and discussion item only.

Budget Considerations: N/A

Funding Source:

Budgeted: Yes: ☐ No: ☐

Amount:

Prepared By: Susan Pérez, Director of Educational and English Learner Services

Superintendent's Signature:

Dorma Baker (AA)

PAJARO VALLEY UNIFIED SCHOOL DISTRICT



Board Agenda Backup

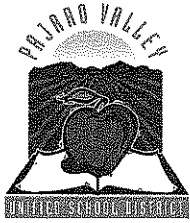
Item No: 14.1

| | |
|------------------------|---|
| Date: | May 22, 2013 |
| Item: | Resolution #12-13-25, Declaring May 19-25, 2013 as Classified Employees Week |
| Overview: | This resolution highlights the importance of recognizing classified employees of Pajaro Valley Unified School District and their valuable work. PVUSD believes the contribution of classified employees is crucial and values the great work and positive impact they have on the lives of the students of our community. |
| Recommendation: | Approve resolution #12-13-25. |

Prepared By: Sharon Roddick, Assistant Superintendent, Human Resources

Superintendent's Signature:

Dorinda Baker (AA)



PAJARO VALLEY UNIFIED SCHOOL DISTRICT

District Resolution No.: 12-13-25
On the motion of:
Duly seconded by:

Resolution Declaring May 19-25, 2013 as Classified Employees Week

WHEREAS, the classified employees of the District support a positive instructional environment in a variety of ways each day; and

WHEREAS, the contributions of classified staff are invaluable to the PVUSD;

WHEREAS, almost half of the employees of the Pajaro Valley Unified School District are classified workers;

WHEREAS, the PVUSD has almost 1,000 dedicated and hard working classified employees;

NOW, THEREFORE BE IT RESOLVED that the Pajaro Valley Unified School District salutes its classified employees and declares May 19 – 25, 2013 as Classified Employees Week.

AND BE IT FURTHER RESOLVED, that the Board of Trustees of the Pajaro Valley Unified School District urges students, parents, and community members to take measures to give special meaning to this significant celebration.

PASSED AND ADOPTED this 22nd day of May, 2013, by the Governing Board of Pajaro Valley Unified School District, County of Santa Cruz, State of California, by the following vote:

AYES:

NOES:

ABSENT:

The foregoing resolution is hereby adopted.

Willie Yahiro, Board President

Dorma Baker, Superintendent



Board Agenda Backup

Item No: 14.2

Date: May 22, 2013

Item: Adoption of Resolution #12-13-18 to index Level 1 Developer Fees pursuant to state law

Overview: Earlier this meeting, the board held a public hearing to discuss imposing updated Level 2, and 3 developer fees as authorized by state law. This action item pertains to the updating Level 1 resolution language. The developer fees in the amounts of \$3.20 per square foot for residential construction and \$0.51 per square foot for commercial/industrial/agricultural construction are unchanged from 2012-2013 fiscal year for the 2013-2014 fiscal year.

Section 5 Subsection E-2. Has been updated to make it clear agricultural buildings will be at the same level as commercial/industrial.

Section 12 Refunds has been updated to include an Administrative cost for refunds.

Recommendation: Approve Resolution #12-13-18 to index Level 1 developer fees pursuant to state law at the amounts recommended by district staff.

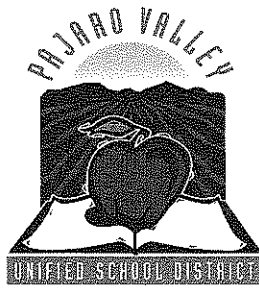
Prepared By:

Brett McFadden, CBO

Richard Mullikin, Director of Maintenance, Operations & Facilities

Superintendent's Signature:

Dorma Baker



RESOLUTION NO. 12-13-18
OF THE GOVERNING BOARD OF
THE PAJARO VALLEY UNIFIED SCHOOL DISTRICT,
REGARDING THE LEVY AND COLLECTION
OF LEVEL 1 SCHOOL FACILITIES FEES

WHEREAS, the California Legislature has authorized individual school districts to impose School Facility Fees which may be used to construct or reconstruct school facilities to provide adequate schools to serve new development projects; and

WHEREAS, the Governing Board of the Pajaro Valley Unified School District ("Board") has determined that school facilities will be needed to serve the growing community as new development occurs; and

WHEREAS, the State Allocation Board has recently adjusted the maximum allowable fees per square foot on construction pursuant to Government Code Section 65995(b) (3) as follows:

| | |
|-----------------------|-------------|
| Residential | \$3.20 |
| Commercial/Industrial | \$0.51; and |

WHEREAS, the Board has collected, examined, and analyzed written evidence, and has heard and considered evidence and testimony at a duly-noticed public hearing regarding the levy and collection of School Facilities Fees; and

WHEREAS, the Board has in all respects complied with legal requirements concerning establishing and imposing the fees; and

WHEREAS, the Board reviewed a Justification Document that determined that the Pajaro Valley Unified School District could justify and levy a fee of \$3.20 per square foot for residential construction, and a fee of at least \$0.51 per square foot for commercial and industrial construction; and

WHEREAS, the District seeks to impose the maximum rate allowable under Level I fees in those situations where the District will collect Level 1 fees;

NOW, THEREFORE, the Board finds and directs as follows:

1. Justification Report:

The Board has conducted a duly-noticed public hearing at which it has received and examined the written evidence listed and referred to as the Justification Document and thereby incorporated herein by reference. The Board has also considered any additional oral and written evidence and testimony presented at the hearing. The evidence and testimony support the findings herein.

2. School Facilities Fees are Necessary and Reasonable:

Based on any findings and evidence contained in the Board's earlier resolutions on this subject, as well as the evidence presented to this Board at the hearing, this Board reaffirms its earlier resolutions, adopts the findings and conclusions set forth as its own, and finds each of the following:

A. The purpose of levying such fees, charges, dedications or other requirements is to finance the construction and/or reconstruction of school facilities. The proceeds shall also be used for reimbursement of the administrative costs incurred in collecting and repaying fees, charges, dedications, and other requirements; and for the costs of performing any study and otherwise making the findings and determinations required by law; as well as any other use permitted by law. The public facilities to be financed hereby are as defined in Section 1 above.

B. These fees will be used to fund the construction or reconstruction of school facilities needed to reduce overcrowding which exists or will exist in the district and impairs or will impair the normal functioning of educational programs.

C. The overcrowding to be reduced by use of these fees exists or will exist because the enrollment projected to result from continuing residential, commercial or industrial development exceeds the state-certified capacity of the district to provide adequate housing.

D. The amount of fees to be paid pursuant to this Resolution bears a reasonable relationship and is limited to the needs of the community for school facilities and is reasonably related and limited to the need for schools caused by residential, commercial or industrial development.

E. The amount of fees to be paid pursuant to the Resolution does not exceed the estimated reasonable costs of providing for the construction or reconstruction of school facilities necessitated by the development projects from which the fees are to be collected.

F. As determined in the written and oral evidence and testimony, there is a reasonable relationship between the use of the fees, charges, dedications, and other requirements and the impacts from the development project on which the fees are imposed; there is a reasonable relationship between the need for the above described school facilities and the impact arising from the type of development project on which the fees, charges, dedications and other requirements are imposed; and there is a reasonable relationship between the amount of the fees, charges, dedications and other requirements and the cost of the public facilities or portion of the public facilities attributable to the development.

G. The uses of the fees proposed and implemented pursuant to this Resolution are reasonably related to the types of development projects on which the fees are imposed.

H. The reference to fees herein refers to both the fees collected under Government Code Section 65995 and fees collected as a mitigation measure or condition of a development project involving approvals by governmental agencies.

3. Exemptions from Fees:

This Board recognizes that various categories of residential, commercial, or industrial development, as well as individual development projects, are or will be exempted from fees imposed under Education Code Section 17620 by such statutory provisions as Education Code Sections 17620, 17622, 17625, 17626, Government Code Sections 65995, 65995.1, 65995.2, 66000, 66001, and judicial decisions.

4. Compliance with Law:

All terms in this Resolution shall be given the definition provided by applicable law. It is the Board's intent that this Resolution comply with Education Code Sections 17620-17626 inclusive; Government Code Sections 65995-66009, inclusive; and other applicable law.

5. Adoption of Fees:

A. Based upon all of the findings contained in this Resolution and the evidence presented to the Board at the hearing," this Board increases the previously levied fee upon any development project within the boundaries of the District to the following amounts:

1. \$3.20 per square foot of "assessable space" of all new residential construction, except adults only housing as required by law; and
2. \$3.20 per square foot of "assessable space" of all other residential construction to the extent of any resulting increase in assessable space in excess of 500 square feet; and
3. \$0.51 per square foot of all chargeable and enclosed space in the case of any new commercial or industrial construction.

B. This Board determines that the fees to be levied will be collected for public improvements or facilities for which an account has been established and funds appropriated, and for which the Board has adopted a proposed construction schedule or plan. Based on this determination, and pursuant to Section 66007(b) of the Government Code, this Board orders that payment of the fees specified above will be required prior to issuance of a building permit.

C. This Board will deposit, invest and account for the fees as required by law and shall periodically review the facilities fee account pursuant to Government Code Sections 66011 and 66006 and other applicable law and will either make the findings required by Government Code Sections 66001 and 66006 or direct the refund of the fees.

D. With respect to commercial and industrial development, the Board finds as follows:

1. Based upon the Board's earlier resolutions, the findings and the evidence presented to this Board at the hearing on this Resolution, the Board finds that, in general, the various categories of commercial and industrial development, should and shall be included within the assessment on commercial and industrial projects.
2. A Justification Document prepared by the District, determined the impact of the increased number of employees anticipated to result from the commercial and industrial development pursuant to Education Code 17621 (e)(I)(B) and this Board has considered the results of such study in making its findings herein. This Board further adopts the appeal procedure attached as Exhibit "A."

E. With respect to space that is covered or enclosed for agricultural purposes, and based upon the Board's earlier resolutions, the findings and the evidence presented to this Board at the hearing on this resolution, the Board finds that:

1. In general, the fees for commercial and industrial projects as imposed on agricultural projects bear a reasonable relationship and are limited to the needs to the community for elementary or high school facilities caused by the development.
2. The amount of the fees does not exceed the estimated reasonable cost of providing for the construction or reconstruction of the school facilities necessitated by the development projects from which the fees are to be collected. Therefore the fees for agricultural will be the same as commercial and industrial projects.

6. Impact of Level 2 Fees and Mira Fees

Nothing herein shall preclude the District from collecting Level 2 fees or from collecting fees pursuant to existing negotiated agreements or project conditions that were imposed under the County General Plan ("Mira Fees") in lieu of the Level 1 fees provided herein. The Level 1 fee shall only be levied in those instances where the District cannot, or elects not to collect the Level 2 fees or the Mira fees.

7. Transmittal of Resolution

A copy of this Resolution shall be transmitted forthwith to the City of Watsonville and Santa Cruz County accompanied by all relevant supporting documents and a map clearly indicating the boundaries of the area subject to the fees, charges, dedications and other requirements.

8. Prohibition Against Permit Issuance Absent Compliance with This Resolution:

Pursuant to Education Code Section 71620(b), no city or county may issue a building permit for any residential, commercial or industrial construction, as defined by law, absent certification by the Superintendent or his/her designee of (1) compliance by that project with any fee, charge, dedication, or other requirement under this Resolution or (2) his/her determination that the fee, charge, dedication, or other requirement does not apply to the construction.

9. Superintendent Authorized to Take Necessary and Appropriate Action:

The Board further directs and authorizes the Superintendent to take on its behalf such further action as may be necessary and appropriate to effectuate this Resolution, including entering into an Agreement with the County of Santa Cruz or the County Office of Education for the collection of such fees.

10. Resolution Does Not Limit Board Authority:

Nothing herein shall preclude satisfaction of the requirement of payment of the amount set forth above by dedication of land on terms acceptable to the Board; or preclude acceptance by the Board of fees charges, or land whose value exceeds that required by this Resolution. In the absence of any such agreement to accept a dedication of land, the above amounts shall be collected in the form of fees, charges, or other requirements. Nothing herein shall be interpreted to preclude the District from taking any other action, including but not limited to levying any other fee, charge or requirement of dedication or land, or from requesting the City or County from levying a fee, charge, mitigation measure or other requirement which the District determines is necessary to provide school facilities which meet the needs of the District, its students, and the community. Such additional requirement may also include participation in a Mello-Roos Community Facility District. The Superintendent or his/her designee is authorized to enter into negotiations with property owners regarding the substitution or charges, dedications, or other requirements in lieu of, or in addition to, the payment of fees as described herein; provided, however, that the value of such charges, dedications, or other requirements shall be greater than or comparable to the amounts specified herein. In no event shall the District's share of such fees exceed the maximum amount that can be justified under the study presented to the Board on May 23, 2012. The District expressly makes the findings set forth in Section 2 above for all additional fees, charges, mitigation measures or other requirements referenced herein.

11. Deposit in Fund:

All fees and charges, along with any interest income earned thereon, shall be deposited in a separate capital facilities fund in a manner to avoid any co-mingling of the fees and charges with other revenues and funds of the District, and shall be expended solely for the purposes for which the fees and charges are collected, which the Board hereby designates to be those purposes permitted by any applicable law.

12. Refunds:

In the event that a project qualifies for refund of the fee, charge, dedication, or other requirement under Education Code Section 17624, repayment shall be made, less the amount of the administrative costs incurred in collecting and repaying the fee, charge, dedication, or other requirement. Administrative costs are set at \$200.00 per refund.

13. Effective Date:

Pursuant to Education Code Section 17621(a), the adoption of, or increase in, the fee, charge, dedication, or other requirement shall be effective a minimum of sixty (60) days following the adoption of this Resolution on May 22, 2013. The new Level 1 fees shall take effect July 22, 2013.

14. Severability:

If any clause, phrase, sentence, or section in this Resolution is held invalid, the remaining clauses, phrases, and sections of the Resolution shall remain valid and shall be interpreted in the manner most consistent with deleting the invalid provision.

15. Certification of Resolution:

I, Derma Baker, Secretary of the Governing Board of the Pajaro Valley Unified School District of Santa Cruz County, State of California, do hereby certify that the forgoing Resolution proposed by _____, seconded by _____ ' was duly passed and adopted by said Board, at an official and public meeting thereof, this 22nd day of May 2013, the following vote, to wit:

AYES:

NOES:

ABSENT:

PAJARO VALLEY UNIFIED SCHOOL DISTRICT

By: _____
President, Governing Board of the
Pajaro Valley Unified School District

ATTEST:

Secretary of the Board of Education
Pajaro Valley Unified School District

EXHIBIT A

**PROCEDURE TO APPEAL IMPOSITION OF RESIDENTIAL,
COMMERCIAL OR INDUSTRIAL DEVELOPMENT FEE**

In accordance with Government Code Section 53080.1, subdivision (e)(2), the following appeals procedure is available to any developer who wishes to contest a fee imposed by the District on residential, commercial or industrial development.

A. Procedure to Appeal Fee Imposition

1. Written Statement of Appeal

- a. Any appeal of the administration's decision to impose fees on development must be presented to the District's Superintendent or his/her designee in writing.
- b. The developer's written statement of appeal shall be dated and include the specific grounds for the appeal and any information that supports the developer's contention that the fee imposition is improper.
- c. The written statement of appeal must be submitted by the developer to the Superintendent or his/her designee within five (5) days of the administration's determination to impose the fee.

2. Appeal to Superintendent or His/Her Designee

- a. The Superintendent or his/her designee shall have an opportunity to investigate the contentions made in the developer's statement of appeal. In conjunction with this investigation, the Superintendent or his/her designee may request to meet with the developer.
- b. Within seven (7) days from the date of receipt of the developer's statement of appeal, the Superintendent or his/her designee shall mail the developer a decision in writing either granting or denying the appeal.

3. Governing Board

- a. If the developer is dissatisfied with the decision of the Superintendent or his/her designee, the developer may request a hearing before the Governing Board.
- b. The developer's request for a hearing must be received in the District office within seven (7) days of the date of the Superintendent's decision upholding the fee imposition.
- c. The date for the hearing shall be established by the District as soon as practicable following receipt of the developer's request. It shall be the District's prerogative to decide whether the hearing will be conducted at a regular meeting of the governing board or at a special meeting.
- d. As soon as possible and in no event less than five (5) days before the date set for the hearing, the District shall send the developer a written notice including the time, date and place set for the hearing.

B. Conduct of the Hearing

- 1. At the hearing, the developer shall bear the burden of establishing that the fee is improper.

- a. The developer shall be allotted 15 minutes in which to present the information showing that the fee requirement is improper.
 - b. The District administration shall have 15 minute in which to present information rebutting the developer's contentions.
 - c. The Governing Board has the discretion to grant either party or both additional time in which to present information in further support of their contentions.
2. Within five (5) days of the hearing, the Governing Board or its designee shall mail the developer a notice in writing of its decision either granting the appeal or upholding the fee imposition.
 3. All hearings conducted pursuant to this section shall be informal in nature and be designed to determine the parties' contentions without unnecessary formality.

C. Miscellaneous

- I. Any failure on the part of the developer to pursue their appeal within the timelines stated in this procedure shall result in the developer's forfeiture of their opportunity for a hearing before the Governing Board.
2. The timelines contained in this procedure may be extended by mutual written agreement of all parties.
3. It will be sufficient in meeting any of the notice requirements contained in this procedure for the District to send such notices to the developer by regular mail at their last known address as listed on their statement of appeal.
4. Whenever the deadline for any act required under this procedure falls on a Saturday, Sunday or holiday, the time shall automatically be extended to the next business day.



Board Agenda Backup

Item No: 14.3

Date: May 22, 2013

Item: Adoption of Resolution #12-13-26 to levy Level 2 and 3 Developer Fees pursuant to state law

Overview: Earlier this meeting, the board held a public hearing to discuss imposing updated Level 1, 2, and 3 developer fees as authorized by state law. This action item pertains to the imposition of Level 2 and 3 developer fees. Although the district's justification study indicated the district should increase its Level 2 fee amount to \$5.91. The analysis for this recommendation was detailed in the public hearing item.


The district has not raised the justified amount the past two years in recognition of regional economic challenges in the building industry. Now that the regional economy has stabilized and is improving, the district should return back to the justified rate proscribed via statutory formula. A \$ 0.70 cent increase would be too much for local industry to handle in one year. The recommended approach is to gradually return to this rate over a two-year process, therefore we are increasing the 2013-2014 fee by half of the overall increase. Half of the recommended \$0.70 would be a \$0.35 increase for this year. Next year we will review and if warranted adjust the fee to the justified rate in 2014-2015 based of the study for that year.

Staff recommends a reduced increase for level 2 fees to \$5.56.

This action is effective from July 22, 2013 to June 30, 2014.

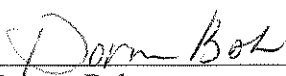
Recommendation: Approve Resolution #12-13-26 to levy 2013-14 Level 2 developer fees to the amount of \$5.56 per square foot with a Level 3 amount of \$11.82 per square foot

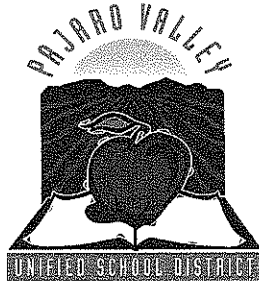
Prepared By:


Brett McFadden, CBO

Richard Mullikin, Director of Maintenance, Operations & Facilities

Superintendent's Signature:


Dorma Baker



RESOLUTION NO. 12-13-26
OF THE GOVERNING BOARD OF
THE PAJARO VALLEY UNIFIED SCHOOL DISTRICT,
REGARDING THE LEVY AND COLLECTION
OF LEVEL 2 AND 3 SCHOOL FACILITIES FEES

WHEREAS, under Government Code Section 65995.5, which was enacted pursuant to Chapter 40, Statutes of 1998 ("Senate Bill 50" or "SB 50"), and amended by Chapter 858, Statutes of 1999 ("Assembly Bill 695" or "AB 695"), a school district's governing board may establish fees to offset the cost of school facilities made necessary by new construction following the making of certain findings by such governing board; and

WHEREAS, the Pajaro Valley Unified School District ("District") has undertaken a review of its eligibility to establish fees under the provisions of SB 50; and

WHEREAS, separate and apart from determining its eligibility to establish such fees, the District has prepared an analysis entitled "Needs Analysis", dated March 14, 2013 (the "Needs Analysis") in accordance with the provisions of SB 50; and

WHEREAS, the District seeks to establish fees in accordance with and under the authority of Senate Bill 50 for the purpose of funding the construction and reconstruction of school facilities made necessary by development within the District's boundaries; and

WHEREAS, the District has submitted applications for new construction eligibility to the State Allocation Board of the State of California which have been approved, thereby meeting the eligibility requirements for such construction in accordance with the provisions of Government Code Section 65995.5(b) (1) after 120 days or approval by the State Allocation Board, whichever first occurs; and

WHEREAS, the District has outstanding debt that exceeds the statutory threshold as required by Government Code Section 65995.5(b) (3) (C); and

WHEREAS, at least 20% of the teaching stations of the District are relocatable classrooms pursuant to Government Code Section 65995.5(b) (3) (D); and

WHEREAS, in accordance with Government Code Section 65995.5, a purpose of this Resolution is to declare the District's eligibility for, and to establish fees under the provisions of SB 50 consistent with the information and data set forth in the Needs Analysis and upon such other information and documentation prepared by or on file with the District, as presented and described to the Board.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Governing Board of the Pajaro Valley Unified School District:

Section 1. Procedure: This Board hereby finds that prior to the adoption of this Resolution, the Board conducted a public hearing at its regular meeting at which oral and written presentations were made. Notice of the time and place of the public hearing, including a general explanation of the matter to be considered, has been published in a newspaper of general circulation in accordance with Government Code Section 65995.6(d), and a notice, including a statement that the Needs Analysis required by Government Code Section 65995.6 was available, was mailed at least 30 days prior to the public hearing to any interested party who had filed a written request with the District for mailed notice of the meeting on new or increased fees or service charges within the period specified by law. At least 30 days prior to the public hearing, the District made available to the public in its Needs Analysis, data indicating the amount of the cost, or estimated cost, required to provide the facilities for which the fee is to be levied pursuant to this Resolution, and the revenue sources anticipated to provide this service. By way of such public meeting, the Board received oral and written presentations by District staff which are summarized and contained in the District's Needs Analysis and the District's applications and related documents filed with the State Allocation Board pursuant to the State Facility Program (hereinafter collectively referred to as the "Plan") along with other materials which formed the basis for the action taken pursuant to this Resolution.

Section 2. Findings: The Board has reviewed the provisions of the Needs Analysis and the Plan as they relate to proposed and potential development, the resulting school facility's needs, the cost thereof, and the available sources of revenue including the fees provided by this Resolution and based thereon and upon all other written and oral presentations to the Board, the Board hereby approves and adopts the Needs Analysis and makes the following findings:

- (a) Enrollment at various schools of the District is presently at or exceeding capacity;
- (b) Additional residential development projects within the District will increase the need for school facilities;
- (c) Without the addition of new school facilities, further residential development projects within the District will result in a significant decrease in the quality of education presently offered by the District;
- (d) New residential development is projected within the District's boundaries and the enrollment produced thereby will exceed the capacity of the schools of the District. Projected development within the District, without additional school facilities, will result in conditions of overcrowding which will impair the normal functioning of the District's educational programs;
- (e) The fees proposed in the Needs Analysis and levied pursuant to this Resolution are for the purpose of providing adequate school facilities and related support facilities to maintain the quality of education offered by the District;
- (f) The fees proposed in the Needs Analysis and levied pursuant to this Resolution will be used for construction and reconstruction of school facilities and support facilities as identified in the Needs Analysis;
- (g) The uses of the fees proposed in the Needs Analysis and levied pursuant to this Resolution are reasonably related to the types of development projects on which the fees are imposed;
- (h) The fees proposed in the Needs Analysis and levied pursuant to this Resolution bear a reasonable relationship to the need for school and support facilities created by the types of development projects on which the fees are imposed;

(i) The fees proposed in the Needs Analysis and levied pursuant to this Resolution do not exceed the estimated amount required to provide funding for the construction or reconstruction of school and support facilities for which the fees are levied; and in making this finding, the Board declares that it has considered the availability of all revenue sources anticipated to provide such facilities, including general fund revenue;

j) The fees will be collected for school and support facilities for which an account has been established and funds appropriated and for which the District has adopted a construction schedule;

(k) The District has no other local sources of funds available to provide the funding for the school facilities provided in the school facilities plan.

Section 3: Fee: Based upon the findings contained in this Resolution and the evidence presented to the Board at the hearing, " this Board increases the previously levied fee upon any development project within the boundaries of the District to the following amounts:

(a) The Level 2 Fee for residential construction in 2013-14 a rate of \$5.56 per square foot of single-family detached, single-family attached, and multi-family residential development;

(b) In addition, the district will continue to levy fee amounts for 2013-14 for the following:

| | |
|------------------------------------|--------|
| Commercial/industrial/Agricultural | \$0.51 |
| Senior house development | \$0.47 |
| Self-storage facilities | \$0.30 |
| Parking structures | \$0.10 |

(c) The Level 2 Fee and other fees as detailed in (b) shall be collected as a precondition to the issuance of any building permit for construction within the District's boundaries.

(d) This resolution and its findings and declarations shall be effective July 1, 2013 to June 30, 2014.

Section 4: Determination of Eligibility:

(a) The District submitted a timely application to the State Allocation Board for new construction funding, and eligibility for such funding has been met in accordance with the provisions of Government Code Sections 65995.5(b)(1) after 120 days or approval by the State Allocation Board, whichever first occurs;

(b) The District has outstanding debt that exceeds the statutory threshold as required by Government Code Section 65995.5(b) (3) (C);

(c) At least 20% of the teaching stations of the District are relocatable classrooms pursuant to Government Code Section 65995.5(b) (3) (D);

(d) The Board has reviewed the Needs Analysis along with such oral and written information as has been presented by District staff and consultants and has determined that the Needs Analysis meets the requirements of Government Code Section 65995.6 and is a suitable basis for the establishment of Level 2 Fees in accordance with the provisions of Government Code Section 65995.5;

Section 5. Determination of "Level 3 Fee": In accordance with the provisions of Government Code Section 65995.7, the District's Board is authorized to establish a fee in an amount higher than the Level 1 Fee in the event the State Allocation Board is no longer approving apportionments for new construction in accordance with Education Code Section 17072.20 due to lack of funds and the State Allocation Board has notified the Secretary of the Senate and Chief Clerk of the Assembly, in writing, of the determination that such funds are no longer being allocated. In the event that on or before the Anniversary Date of this Resolution as defined below, the State Allocation Board is no longer approving apportionments due to inadequate funding and such fact is relayed to the appropriate state representatives, the Level 2 Fee may be supplemented with an additional fee amount which, when combined with the Level 2 Fee, shall be known as the "Level 3 Fee". The Level 3 Fee shall be established in the following amounts:

- (a) \$11.82 per square foot of single-family detached, single-family attached, and multi-family residential development.

Section 6. Fee Adjustment and Limitations: The fees established herewith shall be subject to the

- (a) The District's Level 2 Fee (or the Level 3 Fee in the event it is implemented by the Board) shall be effective for a period of one year following the commencement date in this Resolution as set forth below (the "Anniversary Date") and shall be reviewed on or before the Anniversary Date, and annually thereafter to determine if such fee is to be re-established or revised.

- (b) To the extent any other fees established by the District might be applied to property subject to the Level 2 Fee established herein, such as fees levied through the terms of any contract entered into between the District and a person prior to November 4, 1998, or any other fees that are levied by the District, the District may elect to levy and collect such alternative fee rather than the Level 2 Fee established herein. In no event shall the District charge both the Level 2 Fee and such alternative fee that might be collected by the District.

Section 7. Additional Mitigation Methods: The policies set forth in this Resolution are not exclusive, and the Board reserves the authority to undertake other or additional methods to finance school facilities including but not limited to the Mello-Roos Community Facilities Act of 1982 (Government Code Section 53311 et seq.) and such other funding mechanisms as are authorized by Government Code Section 65996. This Board reserves the authority to substitute the dedication of land or other property or other form of requirement in lieu of the fees levied by way of this Resolution at its discretion, so long as the reasonable value of land to be dedicated does not exceed the maximum fee amounts contained herein or modified pursuant hereto.

Section 8. Implementation: For construction projects within the District, the Superintendent, or the Superintendent's designee, is authorized to issue Certificates of Compliance upon payment of any fee levied under the authority of this Resolution.

Section 9. California Environmental Quality Act: The Board hereby finds that the fees established pursuant to this Resolution are exempt from the provisions of the California Environmental Quality Act ("CEQA").

Section 10. Commencement Date: The Board orders that the fees established hereby shall take effect immediately upon adoption.

Section 11. Notification of Local Agencies: The Secretary of the Board is hereby directed to forward copies of this Resolution along with a map of the District's boundaries to the Planning Departments of any applicable cities and counties having jurisdiction over territory within the District, and to file a Notice of Exemption from the California Environmental Quality Act with the County Clerk.

Section 12. Severability: If any portion of this Resolution is found by a Court of competent jurisdiction to be invalid, such finding shall not affect the validity of the remaining portions of this Resolution. The Board hereby declares its intent to adopt this Resolution irrespective of the fact that one or more of its provisions may be declared invalid subsequent hereto.

APPROVED, PASSED AND ADOPTED by the Governing Board of the Pajaro Valley Unified School District this 22nd day of May 2013, by the following vote:

AYES:
NOES:
ABSENT:

PAJARO VALLEY UNIFIED SCHOOL DISTRICT

By: _____
President, Governing Board of the
Pajaro Valley Unified School District

ATTEST:

Secretary of the Board of Education
Pajaro Valley Unified School District