



**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.

**August 10, 2011
REGULAR BOARD MEETING
CLOSED SESSION – 6:00 p.m. – 7:00 p.m.**

**PUBLIC SESSION – 7:00 p.m.
DISTRICT OFFICE
HUMAN RESOURCES CONFERENCE ROOM
292 Green Valley Road
Watsonville, CA 95076**

**Note
change of
location!**

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 1 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 Leslie De Rose, Kim De Serpa, Doug Keegan, Sandra Nichols, Karen Osmundson, Jeff Ursino, and President Willie Yahiro.
- 3.3 Superintendent Comments

4.0 APPROVAL OF THE AGENDA

5.0 APPROVAL OF MINUTES

- a) *Minutes for June 22, 2011*

6.0 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. (Please complete a card if you wish to speak.)

7.0 EMPLOYEE ORGANIZATIONS COMMENTS – PVFT, CSEA, PVAM, CWA 5 Min. Each

8.0 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).

- 8.1 Purchase Orders June 16 – August 3, 2011.

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

- 8.2 Warrants June 16 – August 3, 2011.
The warrants will be available in the Superintendent's Office.
- 8.3 Approve Resolution # 11-12-01, Child Development Contracts, Child Development Division Programs 2011-12 (CMG-1017, CMSS 1017, CSPP 1594, CPKS 1104, CCTR 1333).
- 8.4 Approve 2011-12 Consolidated Application, Part I for Funding Federal and State Programs.
- 8.5 Approve Williams Uniform Complaint Quarterly Report for April – June, 2011. Number of Complaints: Zero.

The administration recommends approval of the Consent Agenda.

9.0 DEFERRED CONSENT ITEMS

10.0 REPORT AND DISCUSSION ITEMS

- 10.1 Report and Discussion on District Fiscal Update: 2011-12 Adopted State Budget.
Report by Brett McFadden, CBO. 10 min.
- 10.2 Report and Discussion on the Request for Proposals (RFQ) Process for District Health and Care Consultant Contract.
Report by Brett McFadden, CBO. 10 min.

11.0 REPORT, DISCUSSION AND POSSIBLE ACTION ITEMS

- 11.1 Report, discussion and possible action on 2012 Trustee Area Redistricting.
Report by Brett McFadden, CBO. 5 min.
- 11.2 Report, discussion and possible action to approve Resolution #11-12-02, Santa Cruz County College Commitment.
Report by Murry Schekman, Assistant Superintendent. 5 min.
- 11.3 Report, discussion and possible action to approve Annual Declaration of Need for Fully Qualified Educators.
Report by Albert Roman, Assistant Superintendent, Human Resources. 2 min.
- 11.4 Report, discussion and possible action to approve Job Description: Migrant Outreach Specialist.
Report by Albert Roman, Assistant Superintendent, Human Resources. 2 min.
- 11.5 Report, discussion and possible action to approve Job Description: Guidance Specialist.
Report by Albert Roman, Assistant Superintendent, Human Resources. 2 min.
- 11.6 Report, discussion and possible action to approve Deletion of Policy and Administrative Regulation #0520.1m High Priority Schools Grant Program.
Report by Dorma Baker, Superintendent. 2 min.
- 11.7 Report, discussion and possible action to approve Updated Board Policies in the 1000, 5000, 6000, and 9000 Series:
- BP 1150 - Commendations and Awards
 - BP 1160 – Political Process
 - BP 1250 - Visitors/Outsiders
 - BP 5022 - Student and Family Privacy Rights
 - BP 5113.1 - Chronic Absence and Truancy
 - BP 5116.1 - Intradistrict Open Enrollment

- BP 5117 - Interdistrict Attendance
 - BP 5118 - Open Enrollment Act Transfers
 - BP 5131.62 – Tobacco
 - BP 5131.7 - Weapons and Dangerous Instruments
 - BP 5141.3 - Health Examinations
 - BP 5141.31 – Immunizations
 - BP 5144 – Discipline
 - BP 6011 - Academic Standards
 - BP 6161.1 - Selection and Evaluation of Instructional Materials
 - BP 6163.1 - Library Media Centers
 - BP 6163.2 - Animals at School
 - BP 9123 – Clerk
 - BB 9140 - Board Representatives
 - BB 9323.2 - Actions by the Board
- Report by Dorma Baker, Superintendent.*

2 min.

12.0 ACTION ON CLOSED SESSION

13.0 GOVERNING BOARD COMMENTS/REPORTS

14.0 UPCOMING BOARD MEETINGS/REMAINING BOARD MEETINGS FOR 2011

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
August	▪ 24	
September	▪ 14 ▪ 28	▪ Unaudited Actuals
October	▪ 12 ▪ 26	
November	▪ 16	▪
December	▪ 7 Annual Organization Mtg.	▪ Approve 1 st Interim Report

15.0 ADJOURNMENT

PAJARO VALLEY UNIFIED SCHOOL DISTRICT
 CLOSED SESSION AGENDA
 August 10, 2011

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

New Hires – Probationary	
	None
New Substitutes	
7	Teachers
New Hires	
1	After School Site Coordinator
1	Psychologist
1	Site Coordinator
Promotions	
	None
Rehires	
1	Assistant Teacher
1	MEST
1	Scholarship Coordinator
62	Teacher – Elementary
14	Teacher – Secondary
2	TOSA
Administrative Appointments	
2	Assistant Principal – High School
1	Coordinator – GATE
3	Coordinator – Site Academics
1	Coordinator – Special Projects
Transfers	
11	Teachers
Extra Pay Assignments	
1	Activities Director
2	Athletic Director
9	Coaches
11	Department Chairs
1	Drama Coach
1	Publications Adv.

Extra Period Assignments	
	None
Leaves of Absence	
8	Elementary Teachers
3	Secondary Teachers
1	Speech & Language Specialist
1	Textbook Media Specialist
2	Instructional Assistant II
1	Data Entry Specialist
1	Administrative Assistant
1	Behavior Technician
1	Custodian II
Retirements	
	None
Resignations/Terminations	
1	Counselor
10	Teachers
1	Academic Coordinator
1	Reading Specialist
Supplemental Service Agreements	
46	Elementary Teachers
7	Education Services Teachers
13	Secondary Teachers
4	Assistant Teachers
1	TOSA
Miscellaneous Actions	
2	Accounting Specialist II
4	Administrative Secretary II
2	Administrative Secretary III
1	Bus Driver
3	Custodian II
2	Registrars
2	Staff Accountants
Separations From Service	
1	Office Manager
1	Information Systems Support Technician

1	Coordinator MHS Family and Child
Limited Term – Projects	
2	Accounting Specialist II
1	Administrative Secretary I
2	Administrative Secretary III
1	Attendance Specialist
7	Campus Safety Coordinator
4	Community Service Liaison I
2	Community Service Liaison II
2	Custodian I
1	Custodian II
2	Enrichment Specialist
1	Groundskeeper I
3	Instructional Assistant – General Education
1	Language Support Liaison
2	Lead Custodian II
3	Library Media Techs
1	Office Assistant I
1	Office Assistant II
3	Office Assistant III
3	Office Managers – High School
2	Parent Education Specialist
1	Student Information System Support
1	Testing Specialist II
1	Trans Dispatcher
2	Translators
Limited Term – Substitute	
12	Custodian I
2	Custodian II
1	Executive Assistant to the Superintendent
1	Groundskeeper I
1	Instructional Assistant/Migrant Children Center
1	Workers Comp Coordinator
Exempt	
4	Childcare
24	PUPILS

14	Migrant OWE
13	Crossing Guards
6	Safety Monitors
19	Yard Duty
Provisional	
1	Behavior Technician
Summer School Program	
28	Behavior Technicians
46	Bus Drivers
16	Cafeteria Assistants
2	Cafeteria Manager I
3	Campus Safety Coordinator
1	Cafeteria Cook/Baker
17	Enrichment Specialist
3	Healthy Services Assistant
27	Instructional Assistant – General Education
9	Instructional Assistant I
64	Instructional Assistant II
13	Instructional Assistant – Migrant Children Center
1	Library Media Technician
1	Low Incidence Technician
15	Office Assistant III
1	Office Manager
5	Site Computer Support Technician
17	Student Helpers



June 22, 2011
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 6:02 pm at 292 Green Valley Road, Watsonville, CA.

1.2 Public comments on closed session agenda.

None.

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	
	None
New Substitutes	
	None
New Hires	
	None
Promotions	
	None
New Hires Probationary	
	None
Administrative Appointments	
1	Interim Principal
Transfers	
	None
Extra Pay Assignments	
2	Coaches
Extra Period Assignments	
	None
Leaves of Absence	

8	Elementary Teachers
6	Secondary Teachers
1	Instructional Assistant I
1	Instructional Assistant II
1	Workers Compensation Coordinator
1	<i>Lead Custodian</i>
Retirements	
1	Elementary Teacher
2	Secondary Teachers
Resignations/Terminations	
1	Elementary Teacher
2	Secondary Teacher
Supplemental Service Agreements	
	None
Miscellaneous Actions	
1	Lead Custodian II – Night
1	Lead Custodian III
1	Instructional Assistant I
1	Instructional Assistant II
1	Data Entry Specialist
Separations From Service	
1	Staff Accountant
2	Bus Driver
1	Instructional Assistant II
Limited Term – Projects	
4	Campus Safety Coordinators
1	Cafeteria Assistant
2	Career Development Specialist
2	Career Development Specialist II
1	Community Service Liaison I
5	Enrichment Specialist
6	Instructional Assistant/General Education
2	Office Assistant III
1	Registration Specialist I
1	Textbook Technician
Limited Term – Substitute	

1	Bus Driver
1	Cafeteria Assistant
1	Campus Safety Coordinator
1	Instructional Assistant I
1	Instructional Assistant/Migrant Children Center
1	Office Assistant III
Exempt	
6	Childcare
6	PUPILS
1	Migrant OWE
8	Student Helper
1	Workability

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 8 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 7:04 pm.

3.1 Pledge of Allegiance

Danny Zummeran, classified employee, led the Board in the Pledge of Allegiance.

3.2 Welcome by Board President

Trustees Leslie De Rose, Kim De Serpa, Doug Keegan, Sandra Nichols, Karen Osmundson, Jeff Ursino, and President Willie Yahiro were present.

3.2 a Posthumous Recognition of 1970 Graduate of Watsonville High School Mack McCrady.

Willie Yahiro reported on the recognition of Mack McCrady who was entered into the California's Wall of Fame as a national wrestling champion this year. Mr. Yahiro spoke of McCrady's many accomplishments, including placing fourth at the 1972 Olympic trials, being a National Judo Champion in 1974 and winning the 1975 National Sambo Championship.

In attendance for this recognition were staff members who worked with Mr. McCrady: Gus Paz, Gary Garcia, Steve Okamura and Brad Hubbard.

3.3 Superintendent Comments

Dorma Baker reported that the agenda did not include items that would require new budget reductions. The budget item encompasses actions that have already been taken by the board. Dorma announced that the Aptos High School Robotics Team took 1st place in the international robotics competition. She noted that the team has been representing the District very well.

Dorma mentioned the recent Queer Youth Leadership Awards ceremony and introduced Aptos Jr. High teacher Leslie Smith and Lakeview student Isaac Martinez. Leslie won the "Adult Ally" award because of her involvement with students, faculty and community members as to how to best serve the needs of students who are gay, lesbian, bisexual or transgender. Student Isaac has been a phenomenal advocate for his peers who has served in the Anti-Bullying/Gay Straight Alliance organization at his school. She congratulated both for the well deserved recognition.

4.0 APPROVAL OF THE AGENDA

Trustee DeRose moved to approve the agenda. Trustee Keegan seconded the motion. The motion passed unanimously.

5.0 APPROVAL OF MINUTES

a) Minutes for May 25, 2011

Trustee DeRose moved to approve the minutes for May 25, 2011. Trustee De Serpa seconded the motion. The motion passed 6/0/1 (Nichols abstained).

President Yahiro closed the regular board meeting and opened the public hearings.

6.0 PUBLIC HEARING ON DEVELOPER FEES

6.1 Report on Resolution #10-11-34, Approving Annual Developer Fee Justification Analysis and Adoption of Updated Level 2/3 Developer Fees Pursuant to Government Code Sections 65995.5 and 65995.7

Report by Brett McFadden, CBO

Brett McFadden gave a brief background on the item, noting that the state enacting legislation, SB50, provides a procedure for districts can adopt fees from new residential development higher than the established \$2.63 fee if the district meets specific criteria. There are three levels for fee justification: Level 1 is the \$2.63 fees, which is not sufficient to meet the facilities needs of the district; Level 3 fees are intended to constitute 100% of the district needs.

In accordance with the legislation, the district commissioned a school facilities needs analysis in April 2010. The conclusion from the study shows that the district can assess Level 2 fees up to \$5.21 per square foot, an increase from \$4.78 previously assessed. The resolution recommends adopting Level 2 fees but it also gives the Board the authority to assess Level 3 fees if there is a need. The fees are in effect for a period of one (1) year immediately following approval by the Board.

6.2 Public Comment

None.

6.3 Board Comments/Questions

The Board participated with comments and questions.

7.0 PUBLIC HEARING ON 2010-11 PROPOSED DISTRICT BUDGET

7.1 Report on Proposed District Budget for 2011-12 Fiscal Year

Report by Brett McFadden, CBO, and Helen Bellonzi, Director, Finance

Brett McFadden reported that law requires districts to have a balanced budget adopted no later than June 30 of each fiscal year. The budget is intended to be a dynamic fiscal roadmap for the upcoming

year. The document will change based on the State's budget developments. The budget is based on the governor's May revision. The budget includes the following major assumptions: no COLA, flat funding for revenue limit, 15% increase in health and welfare benefits, negotiated furlough agreements, step and column salary movement for employees, and an ongoing loss of student ADA due to Ceiba Charter School. Other major items on the budget include health and welfare for employees, one-time funding to support Library Media Techs, funding to ensure all schools are at a baseline for technology support and infrastructure, and state and federal categorical funding and grants for program improvement schools. The multi-year projection continues to show a negative unappropriated reserve of about \$10 million dollars in the year 12-13.

7.2 Public Comment

Bill Beecher, community member, stated that the fund balance at end of 3rd year seems to leave the district in good shape. There is tremendous control on expenses which helps the district. He noted that the presentation included only \$167 million out of the \$240 million, which is only the general fund.

Jack Carroll, teacher, noted that the finance department has done a good job explaining a lot of numbers that are very useful. He commented that the report is only as good as the numbers are accurate. Actuals for 10-11 \$4.5 million were an improvement from the \$5 million deficit presented in March. He asked if it was necessary to have eliminated so much from Adult Ed.

7.3 Board Comments/Questions

Board participated with questions and comments.

8.0 PUBLIC HEARING ON 2010-11 CATEGORICAL PROGRAM FLEXIBILITY TRANSFERS

8.1 Report on 2010-11 Categorical Program Flexibility Transfers

Report by Brett McFadden, CBO, and Helen Bellonzi, Finance Director

Brett McFadden noted that the law requires school districts to held a public hearing on the approved categorical program transfers included in the budget. The listing provided on the Tier III state categories includes the board-approved shifts. The transfers are a necessity to ensure that the district remains solvent and can maintain services during the current budget challenges.

8.2 Public Comment

Jack Carroll, teacher, commented on the proposed numbers noting that, while the COE requires a specific reserve and while there is still much financial uncertainty, it may not be necessary to sweep \$1.65 million from Adult Ed. He asked staff to revisit numbers and to be more realistic with the assumed health and welfare cost increase.

8.3 Board Comments/Questions

Board participated with questions and comments.

President Yahiro closed the public hearing and resumed the regular board meeting.

9.0 POSITIVE PROGRAM REPORT

9.1 Positive Program Report on School Bus Roadeo.

Report by Mary Hoagland, Director, Transportation.

Mary Hoagland presented the Roadeo Team. She commented on the competition, which began April 2nd with the local team where the team placed 3rd. The next competition was the Northern Roadeo in Gault where PVUSD received the award for the best represented team. When members of the team placed at this competition, they qualified to go to nationals where two members took 16th and 32nd places.

In attendance for the report were drivers Hector Perez Jr., Jorge Moreno, Juan Alvarez, Shawna Duggard, Mark Bertz, and Nancy James.

The Board and administration congratulated the team for their work and thanked them for representing the District well in these competitions.

10.0 VISITOR NON-AGENDA ITEMS

None.

11.0 EMPLOYEE ORGANIZATIONS COMMENTS – PVFT, CSEA, PVAM, CWA 5 Min. Each

Francisco Rodriguez, PVFT president, spoke about 14.2, trustee area realignment, noting that the union is interested in being active participants and working with the district. Regarding item 15.7, job description for the Associate Teacher for CDD, he asked that before any decisions are made to keep in mind that they are temporary employees without rehire rights. In reference to the budget, he said that there are several reasons why that the movement of \$1 million dollars from Adult Education may not be necessary.

12.0 CONSENT AGENDA

Lowell Hurst, community member, addressed item 12.8, CTE, and noted that it is discouraging that only \$5,000 is allocated to Agricultural and Natural Resources, a significant reduction from the \$19,000 allocated in the past.

Trustee Keegan moved to approve the consent agenda with thanks to Freedom Rotary Club for their support of Freedom Elementary School. He asked that a correction to the name of the Clerk of item 12.10 be made. Trustee De Serpa seconded the motion.

The board participated with comments and questions.

The motion passed unanimously.

12.1 Purchase Orders May 19 – June 15, 2011.

12.2 Warrants May 19 – June 15, 2011.

12.3 Acknowledge with Gratitude Donation of \$1,000 from Freedom Rotary Club for Freedom Elementary School.

12.4 Approve Contract for Athletic Supplies/Blanket BID #050311-03, for the District Warehouse/Stores.

12.5 Approve Contract for Custodial Supplies/Blanket BID #JL050311-02, for the District Warehouse/Stores.

12.6 Approve Contract for Health Supplies/Blanket BID #JL050311-04, for the District Warehouse/Stores.

12.7 Approve Notice of Completion for Watsonville High School's Mello Center Fire Restoration.

12.8 Approve Carl Perkins Application and Career Technical Education (CTE) Advisory Committee.

12.9 Approve Resolution #10-11-35, Support for Federal Fiscal Year 2012 Funding for the National Senior Service Corps (NSSC) - Foster Grandparent Program, Retired & Senior Volunteer Program & Senior Companion Program.

12.10 Approve Resolution #10-11-36, Updating District Authorized Signature List.

13.0 DEFERRED CONSENT ITEMS

None.

14.0 REPORT AND DISCUSSION ITEMS

14.1 Report and Discussion of Child Development Department's Goals.

Report by Kathy Lathrop, Director, Child Development Department.

Kathy Lathrop reported that the State requires an annual review, which includes review of parent surveys. She was excited to report that there was 100% of parents and 100% of programs were surveyed with very positive reviews. The goals for the self review include a comprehensive evaluation on 58 measures. The goals are based on mathematics, language and reasoning skills and the focus is driven by data collected.

Board participated with questions and comments

14.2 Report and Discussion on Redistricting.

Report by Brett McFadden, CBO.

Brett McFadden reported that it is a requirement of the State to re-draw trustee area boundaries following the results of the national census. There are specific guidelines to complete the process. The district is required to complete the process and update the maps no later than March 2012. It has to be submitted to the County Office of Education in Santa Cruz and Department of Justice in Monterey counties. Areas need to be equal based on population, not on voter registration. The process includes a requirement for consultant services, such as a topographer. He concluded by stating that staff have started to work on an initial analysis and any necessary action will be brought to the board at a later date.

Board participated with comments and questions.

15.0 REPORT, DISCUSSION AND POSSIBLE ACTION ITEMS

15.1 Possible action to approve Resolution #10-11-34, Approving Annual Developer Fee Justification Analysis and Adoption of Updated Level 2/3 Developer Fees Pursuant to Government Code Sections 65995.5 and 65995.7.

Report given under item 6.0.

Trustee Keegan moved to approve this item. Trustee De Serpa seconded the motion. The motion passed unanimously.

15.2 Possible action to approve 2010-11 Proposed District Budget.

Report by Brett McFadden, CBO, and Helen Bellonzi, Finance Director.

Report given under item 7.0.

Trustee DeRose moved to approve this item, correcting that the budget is for 2011-12. Trustee De Serpa seconded the motion.

Board participated with comments.

The motion passed 6/1/0 (Nichols dissented).

15.3 Possible action to approve 2011-12 Categorical Program Flexibility Transfers.

Report by Brett McFadden, CBO, and Helen Bellonzi, Finance Director.

Report given under item 8.0.

Trustee Keegan moved to approve this item. Trustee DeRose seconded the motion. The motion passed 5/2 (Nichols, Osmundson dissented).

15.4 Report, discussion and possible action to approve Resolution # 10-11-38, Commit Fund Balances for Adult Education (Fund 11) and Deferred Maintenance (Fund 14).

Report by Helen Bellonzi, Director, Finance.

Helen Bellonzi reported that the Governmental Accounting Standards Board (GASBE) issued Statement 54, which changes certain categorical and terminology used to describe the district's ending fund balance. The statement renders that Fund 11, Adult Education Fund, and Fund 14, Deferred

Maintenance Fund, do not meet the new definitions and the resolution would allow staff to properly report balances for Funds 11 and 14 and use those funds for the purposes of those two programs.

Trustee Keegan moved to approve this item. Trustee De Serpa seconded the motion. The motion passed 6/0/1 (Ursino away from his seat).

15.5 Report, discussion and possible action to approve Resolution #10-11-39 to Establish Fund Balance Policies.

Report by Helen Bellonzi, Director, Finance.

Helen Bellonzi reported that GASB's Statement 54 includes new regulations requiring the district to classify the General Fund ending fund balance in the following 5 categories: Nonspeandable, Restricted, Committed, Assigned and Unassigned. The resolution presented will allow staff to properly report the district's 2011 fund balance in accordance with GASB requirements.

Trustee Keegan moved to approve this item. Trustee DeRose seconded the motion.

Board participated with comments and questions.

The motion passed unanimously.

15.6 Report, discussion and possible action on Facilities Master Plan and Needs Assessment Contract, Facility Bond and Financing Contract and Facility Bond Counsel Contract.

Report by Brett McFadden, CBO.

Brett McFadden recapitulated the information given at the May 25 Board meeting on phase one of the district's facilities needs. At the meeting, the Board approved the staff's recommendation to go into phase two of the analysis, to enter into strategic planning to perform an analysis that would include community input, specific projects and timelines, and develop financing options. Phase two of the analysis will include updating the current facility master plan, identifying possible financing options, and seeking community input. The three elements will require seeking outside expertise to include bond underwriting, legal counsel, school facility planners, and school finance experts. There are specific board guidelines for phase two, including no general fund expenditures and to ensure a transparent process.

Brett recommended contractual agreements with the following firms: *Total School Services, Inc.* to conduct the Facility Master Plan and Needs Assessment; *Piper Jaffrey and Company* as the Financial advisor and bond underwriting; and *TBWB Strategies* to conduct the survey and seek community input. The three companies would work under the direction of the CBO. In addition, the staff would like to continue to retain the services of David Casnocha, a partner in the law firm *Yocca, Carlson, and Rauth*, as bond counsel. Mr. Casnocha is currently working with the district in other projects. Brett noted that an approximate cost is \$180,000.

Board participated with comments and questions.

Trustee De Serpa moved to approve this item. Trustee Keegan seconded the motion. The motion passed unanimously.

15.7 Report, discussion and possible action to approve Job Description for Associate Teacher for Child Development Department.

Report by Kathy Lathrop, Director, Child Development Department.

Albert Roman informed the board that they have been working with the union regarding salary schedule for this position as well as the one on the following item. Kathy Lathrop has done extensive work on comparing salaries and the schedule is competitive. Albert noted that this position would not be implemented until there is full approval from the union.

Kathy Lathrop explained that they would be implementing this new position with new level of responsibility; the district is looking to hire 5 positions when it is approved. All programs are categorical and are very specific for those services.

Trustee Keegan moved to approve this item. Trustee Ursino seconded the motion.

Board participated with questions.

The motion passed unanimously.

Trustee DeRose moved to extend the meeting to 10:45. Trustee Nichols seconded the motion. The motion passed unanimously.

15.8 Report, discussion and possible action to approve Position Job Description for Child Development Programs Coordinator.

Report by Kathy Lathrop, Director, Child Development Department.

Kathy Lathrop explained that the department has been making administrative changes through layoff in a higher range position and hiring coordinator at lower range. Kathy noted that this action represents an attempt to continue to meet the needs of the students.

Trustee Keegan moved to approve the job description as originally submitted (not the blue sheet item). Trustee De Serpa seconded the motion.

The board participated with comments and questions.

The motion passed 6/1 (Nichols dissented).

16.0 ACTION ON CLOSED SESSION

2.1 Public Employee Appointment/Employment, Government Code Section 54957

a. Certificated Employees

Trustee Nichols moved to approve the employee personnel report as presented with the addition of 1 secondary teacher under resignation/retirement, and 2 elementary teachers and 3 secondary teachers under leaves of absence. Trustee DeRose seconded the motion. The motion passed unanimously.

b. Classified Employees

Trustee Nichols moved to approve this item with the addition of 1 lead custodian under leaves of absence. Trustee DeRose seconded the motion. The motion passed unanimously.

2.8 8 Expulsions

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

10-11-103

Trustee Keegan seconded the motion. The motion passed unanimously.

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

10-11-118

Trustee Keegan seconded the motion. The motion passed unanimously.

Trustee Osmundson moved to approve the District Administration recommendation with the request to have special education staff review language of the manifestation determination to resolve wording regarding question #4 for the following expulsion case:

10-11-125

Trustee Ursino seconded the motion. The motion passed unanimously.

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

10-11-126

Trustee Keegan seconded the motion. The motion passed unanimously.

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

10-11-127

Trustee Keegan seconded the motion. The motion passed unanimously.

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

10-11-128

Trustee Keegan seconded the motion. The motion passed unanimously.

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

10-11-129

Trustee Keegan seconded the motion. The motion passed unanimously.

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

10-11-130

Trustee Keegan seconded the motion. The motion passed unanimously.

17.0 GOVERNING BOARD AND SUPERINTENDENT COMMENTS/REPORTS

Trustee DeRose commented that she was very excited about the success of the Aptos High Robotic team.

President Yahiro announced the 4th of July parade and invited all to participate. He also announced the Relay for Life event that will take place on July 9th and 10th. He said he appreciated the work of accounting and finance in putting together the budget.

18.0 UPCOMING BOARD MEETINGS/REMAINING BOARD MEETINGS FOR 2011

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
July	▪	▪ No Meetings Scheduled
August	▪ 10 ▪ 24	
September	▪ 14 ▪ 28	▪ Unaudited Actuals
October	▪ 12 ▪ 26	
November	▪ 16	▪
December	▪ 7 Annual Organization Mtg.	▪ Approve 1 st Interim Report

19.0 ADJOURNMENT

There being no further business to discuss, the Board adjourned the meeting at 10:40 pm.

Dorma Baker, Superintendent



Board Agenda Backup

Item No: 8.3

Date: August 10, 2011

Item: Resolution # 11-12-01
Child Development Contracts Child Development Division (CDD)
Programs 2011-2012 (CMIG-1017, CMSS 1017, CSPP-1594, CPKS-
1104, CCTR- 1333)

Overview: PVUSD is contracted with the State Department of Education/ Child Development Division for early care and education services across a variety of full day and part day programs serving low income families. These programs provide full day preschool to working families, part day preschool classrooms, early care and education for the infants and toddlers of teen parents, and care and education for migrant families. All programs promote family involvement and school readiness.

The attached contracts provide funding to operate these programs. All contracts received reduction due to budget reductions at state level for 2011-2012 school year

Recommendation: Approve Resolution # 11-12-01

Budget Considerations:

Funding Source: California Dept. of Education/ Child Development Division

Budgeted: Yes: No:

Amount: Total \$ 3,065,117.00

Prepared By: Kathy Lathrop Director, Child Development

Superintendent's Signature: Dorm Bob



CALIFORNIA DEPARTMENT OF EDUCATION

1430 N Street

Sacramento, CA 95814-5901

F.Y. 11 - 12

Amendment 01

LOCAL AGREEMENT FOR CHILD DEVELOPMENT SERVICES INCREASE/FT&C CHANGE

DATE: July 01, 2011

CONTRACT NUMBER: CMSS-1017

PROGRAM TYPE: MIGRANT SPECIALIZED SERVICES

PROJECT NUMBER: 44-6979-00-1

CONTRACTOR'S NAME: PAJARO VALLEY UNIFIED SCHOOL DISTRICT

This agreement with the State of California dated July 01, 2011 designated as number CMSS-1017, shall be amended in the following particulars but no others:

The Maximum Reimbursable Amount (MRA) payable pursuant to the provisions of this agreement shall be amended by deleting reference to \$75,776.00 and inserting \$77,986.00 in place thereof.

EXCEPT AS AMENDED HEREIN all terms and conditions of the original agreement shall remain unchanged and in full force and effect.

STATE OF CALIFORNIA		CONTRACTOR			
BY (AUTHORIZED SIGNATURE)		BY (AUTHORIZED SIGNATURE)			
PRINTED NAME OF PERSON SIGNING Margie Burke, Manager		PRINTED NAME AND TITLE OF PERSON SIGNING			
TITLE Contracts, Purchasing & Conference Services		ADDRESS			
AMOUNT ENCUMBERED BY THIS DOCUMENT \$ 2,210	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs (OPTIONAL USE) 0656 23360-6979		FUND TITLE General		Department of General Services use only
PRIOR AMOUNT ENCUMBERED FOR THIS CONTRACT \$ 75,776	ITEM 30.10.020.004 6110-194-0001	CHAPTER 33	STATUTE 2011	FISCAL YEAR 2011-2012	
TOTAL AMOUNT ENCUMBERED TO DATE \$ 77,986	OBJECT OF EXPENDITURE (CODE AND TITLE) 702 SACS: Res-6070 Rev-8530				
I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure stated above.		T.B.A. NO.	B.R. NO.		
SIGNATURE OF ACCOUNTING OFFICER		DATE			



CALIFORNIA DEPARTMENT OF EDUCATION

1430 N Street

Sacramento, CA 95814-5901

F. Y. 11 - 12

Amendment 01

DATE: July 01, 2011

CONTRACT NUMBER: CMIG-1017

PROGRAM TYPE: MIGRANT CHILD CARE

PROJECT NUMBER: 44-6979-00-1

**LOCAL AGREEMENT FOR CHILD DEVELOPMENT SERVICES
INCREASE/FT&C CHANGE**

CONTRACTOR'S NAME: PAJARO VALLEY UNIFIED SCHOOL DISTRICT

This agreement with the State of California dated July 01, 2011 designated as number CMIG-1017 shall be amended in the following particulars but no others:

The Maximum Rate per child day of enrollment payable pursuant to the provisions of this agreement shall be \$34.38 (no change).

The Maximum Reimbursable Amount (MRA) payable pursuant to the provisions of this agreement shall be amended by deleting reference to \$559,296.00 and inserting \$575,604.00 in place thereof.

Within the MRA, the allowable Start-up cost shall be amended by deleting reference to \$83,894.00 and inserting \$86,340.00 in place thereof.

SERVICE REQUIREMENTS

Minimum Child Days of Enrollment (CDE) Requirement shall be amended by deleting reference to 16,268.0 and inserting 16,742.0 in place thereof.

Minimum Days of Operation (MDO) Requirement shall be 128 (no change).

The 2011-12 Funding Terms and Conditions (FT&C) shall be amended in accordance with the attached 2011-12 amended FT&C Language (Attachment A) which by this reference is incorporated herein.

EXCEPT AS AMENDED HEREIN all terms and conditions of the original agreement shall remain unchanged and in full force and effect.

STATE OF CALIFORNIA		CONTRACTOR			
BY (AUTHORIZED SIGNATURE)		BY (AUTHORIZED SIGNATURE)			
PRINTED NAME OF PERSON SIGNING Margie Burke, Manager		PRINTED NAME AND TITLE OF PERSON SIGNING			
TITLE Contracts, Purchasing & Conference Services		ADDRESS			
AMOUNT ENCUMBERED BY THIS DOCUMENT \$ 16,308 PRIOR AMOUNT ENCUMBERED FOR THIS CONTRACT \$ 559,296 TOTAL AMOUNT ENCUMBERED TO DATE \$ 575,604	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs		FUND TITLE General		
	(OPTIONAL USE) 0656 23036-6979				
	ITEM 30.10.020.004 6110-194-0001	CHAPTER 33	STATUTE 2011	FISCAL YEAR 2011-2012	
OBJECT OF EXPENDITURE (CODE AND TITLE) 702 SACS: Res-6065 Rev-8530		Department of General Services use only			
I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure stated above.		T.B.A. NO.	B.R. NO.		
SIGNATURE OF ACCOUNTING OFFICER		DATE			

**CHILD CARE AND DEVELOPMENT
2011-12 LANGUAGE CHANGES TO
THE FUNDING TERMS AND CONDITIONS (FT&C)**

These changes apply to the FT&C for the following contract type: **CMIG**

Note: The page numbers cited may be a few pages off.

Amend Section I., DEFINITIONS as follows (p.5)

“Child care and development programs” means those programs that offer a full range of services for children from infancy to 13 years of age for any part of the day, by a public or private agency, in centers and family child care homes. These programs include, but are not limited to, all of the following:

- (1) General child care and development.
- (2) Migrant child care and development.
- (3) Child care provided by the California School Age Families Education Program (Article 7.1 (commencing with Section 54740) of Chapter 9 of Part 29 of Division 4 of Title 2).
- (4) California state preschool program.
- (5) Resource and referral.
- (6) Child care and development services for children with exceptional needs.
- (7) Family child care home education network.
- (8) Alternative payment.
- (9) Schoolage community child care.

~~“Child care and development programs” means those programs that offer a full range of services for any part of a day, by a public or private agency, in centers and family child care homes to children from infancy to 10 years of age or younger, children with exceptional needs to age 21, children 12 years of age or younger who are homeless, receiving child protective services or identified as at risk of abuse, neglect, or exploitation, children requiring at least one hour of care during non-traditional hours. Contractors shall only expend funds to provide services to those 11 and 12 year olds that meet the exceptions, unless the department determines and notifies contractors that funding is available. These programs include, but are not limited to, all of the following:~~

- ~~1. General child care and development.~~
- ~~2. Migrant child care and development.~~
- ~~3. Child care provided by the California School Age Families Education Program (Article 7.1 (commencing with Section 54740) of Chapter 9 of Part 29 of Division 4 of Title 2).~~
- ~~4. California state preschool program.~~
- ~~5. Resource and referral.~~
- ~~6. Child care and development services for children with exceptional needs.~~

- ~~7. Family child care home education network.~~
- ~~8. Alternative payment.~~
- ~~9. School age community child care.~~

Amend Section I.A, Eligibility and Need Criteria and Documentation, General Requirements as follows: (p.54):

Children who have reached their ~~eleven (11th)~~ thirteen (13th) birthday are ineligible for subsidized services except those children with exceptional needs and severely disabled children may be served to age twenty-one (21). Children with exceptional needs shall also meet the criteria for that age group specified in *EC* Section 56026 and California *Code of Regulations, 5CCR*, sections 3030 and 3031. ~~listed below as described in Section 4, Definitions:~~

- ~~1. Children with exceptional needs and severely disabled child may be served to age twenty-one (21).~~
- ~~2. Children receiving child protective services, identified as at risk or abuse, neglect or exploitation, or homeless may be served to age thirteen (13).~~
- ~~3. Children who require at least one hour of child care services during nontraditional hours may be served to age thirteen (13).~~

~~Contractors shall only expend funds to provide services to 11 and 12 year olds, with the exceptions noted above, when the Department determines and notifies contractors that funding is available.~~

Amend Section I.P, Eligibility and Need Criteria and Documentation, Documentation of the Child's Exceptional Needs as follows (p.70):

If the contractor is claiming adjustment factors pursuant to *Education Code* Section 8265.5(b)(4) or (b)(5), the child with exceptional needs is thirteen ~~eleven (13 14)~~ through twenty-one (21) years of age, or the contractor is operating a program pursuant to *Education Code* Section 8250(d). The documentation of exceptional needs shall include:

- 1. A copy of the portion of the active individual family service plan (IFSP) or the individualized education program (IEP) that includes the information as specified in *EC* Section 56026 and *5CCR* sections 3030 and 3031; and
- 2. A statement signed by a legally qualified professional that:
 - a. The child requires the special attention of adults in a child care setting; and
 - b. Includes the name, address, license number, and telephone number of the legally qualified professional who is rendering the opinion

Amend Section X.A and B, Due Process Requirements, Notice of Action, Application for Services and Notice of Action, Recipient of Services as follows (p 82 & 83)

A. Notice of Action, Application for Services; Notice of Approval or Denial
(EC 8261, 8263; 5CCR 18094 and 18118)

The contractor's decision to approve or deny services shall be communicated to the applicant by mailing or delivering a completed written statement referred to as a Notice of Action, Application for Services within thirty (30) calendar days from the date the application is signed by the parent(s). The contractor shall maintain copies of the Notice of Action, Application for Services in the family data file.

The Notice of Action, Application for Services shall include:

1. The applicant's name and address
2. The contractor's name and address
3. The name and telephone number of the contractor's authorized representative who made the decision
4. The date of the notice
5. The method of distribution of the notice

If services are approved, the notice shall also contain:

1. Basis of eligibility
2. Daily/hourly fee, if applicable
3. Duration of the eligibility
4. Names of children approved to receive services
5. Hours of service approved for each day

If the services are denied, the notice shall contain:

1. The basis of denial
2. Instructions for the parent(s) on how to request a hearing if they do not agree with the contractor's decision in accordance with procedures specified in Sections IX.D and IX.E below
3. If termination is due to a child reaching his 11th birthday, the contractor shall:

~~a. Information to parents that their child can receive first priority for enrollment in an Afterschool Education and Safety (ASES) program or 21st Century Community Learning Centers at the child's school of attendance, and may be able to receive services in a program located at another school in the district. If programs are full, these children will be given first priority on the waiting list for these programs.~~

~~b. A statement advising parent(s) that in order to receive first priority for services, a copy of the NOA must be provided to the ASES or 21st Century program at the time of enrollment.~~

B. Notice of Action, Recipient of Services (EC 8261 and 8263; 5CCR 18095)

If upon re-certification or update of the application, the contractor determines that the need or eligibility requirements are no longer being met, or the fee or amount of service needs to be modified, the contractor shall notify the family through a written Notice of Action, Recipient of Services in accordance with Section XVII.C below. The contractor shall maintain copies of all Notices of Action, Recipient of Services in the family's family data file. The Notice of Action, Recipient of Services shall include:

1. The type of action being taken
2. The effective date of the action
3. The name and address of the recipient
4. The name and address of the contractor
5. The name and telephone number of the contractor's authorized representative who is taking the action
6. The date the notice is mailed or given to the recipient
7. The method of distribution to the recipient
8. A description of the action
9. A statement of the reason(s) for the changes
10. A statement of the reason(s) for termination, if applicable
11. Instructions for the parent(s) on how to request a hearing if they do not agree with the contractor's decisions in accordance with procedures specified in Section XVII.D and XVII.E below
12. ~~If termination is due to a child reaching his 11th birthday, the contractor shall:~~
 - a. ~~Information to parents that their child can receive first priority for enrollment in an Afterschool Education and Safety (ASES) program or 21st Century Community Learning Centers at the child's school of attendance, and may be able to receive services in a program located at another school in the district. If programs are full, these children will be given first priority on the waiting list for these programs.~~
 - b. ~~A statement advising parent(s) that in order to receive first priority for services; a copy of the NOA must be provided to the ASES or 21st Century program at the time of enrollment.~~
 - c. ~~A list of programs along with contact information for before and after school programs located in the family's community.~~



PAJARO VALLEY UNIFIED SCHOOL DISTRICT

Board Agenda Backup

Item No: 8.4

Date: August 10, 2011

Item: 2011- 2012 Consolidated Application, Part I for funding Federal and State Programs.

Overview: The Consolidated Application is submitted in two parts to the California Department of Education. Part I was due on June 30, 2011, and was submitted to the State, pending Board approval. After acquiring the PVUSD Board approval, any changes or revisions will be submitted to the state.

The contents of this document include:

Local Board approval date

- Program funds for which PVUSD is applying
- Legal Assurances
- Certification of participation of students enrolled in private, non-profit schools for Title I, II, III, IV, and V
- Ranking of Schools to receive Title I funds
- Annual reporting form for Title I schools
- UMIRS Data – Expulsion, suspension and truancy information
- NCLB Teacher and Paraprofessional requirements
- Title I Report of Program Improvement Activities

Approval by the PVUSD Governing Board will allow the Consolidated Application to be reviewed by the Department of Education. Approval by the State Board of Education will authorize the District to apply for categorical funds for the following programs:

- Title I, Part A, Basic Grant
- Title II, Part A, Improving Teacher Quality
- Title III, Limited English Proficient
- Economic Impact Aid/Limited English Proficient

The complete application is available for review in the Federal and State office or in the Office of the Superintendent.

Recommendation: Approve Part I of the 2011-2012 Consolidated Application for Funding Federal and State Programs.

Prepared By: Jessica Costa, Accountant Categorical Programs
Ylda Noguera, Assistant Superintendent of Elementary Schools and Support Services

**Superintendent's
Signature:**



2011-12 Consolidated Application for Funding Categorical Aid Programs (Part I)

California Department of Education

Consolidated Application

<p>Purpose: To declare the agency's intent to apply for 2011-12 funding of Consolidated Categorical Aid Programs.</p>	<p>Agency: Pajaro Valley Unified</p> <p>CD code: 4 4 6 9 7 9 9</p>
<p>CDE Contact: Anne Daniels 916-319-0295 ADaniels@cde.ca.gov LEA Plan Only: Cheryl Tiner 916-319-0414 CTiner@cde.ca.gov</p>	<p>Dates of project duration: July 1, 2011 -- June 30, 2012</p>
<p>Legal status of agency:</p> <p><input checked="" type="checkbox"/> School District <input type="checkbox"/> County Office of Education <input type="checkbox"/> Direct Funded Charter</p>	<p>Do not return the paper copy of this form to the California Department of Education.</p> <p>The ConApp must be submitted electronically using the ConApp Data System (CADS).</p>
<p>Date of approval by local governing board: 08/10/2011</p>	<p>Our LEA Plan is current and is linked to our web site located at:</p>
<p>Date of LEA Plan approval by State Board of Education: 07/11/2003</p>	<p>Advisory Committees: The undersigned certify that they have been given the opportunity to advise on the pages in this application related to compensatory education programs for English learners.</p>
<p>Signature-District Advisory Committee (DAC)* (Required if the LEA operates a state Compensatory Education program.)</p> <p>_____ Date 08/10/2011</p>	<p style="text-align: center;">OR</p> <p>_____ Date 08/10/2011</p> <p style="text-align: center;">for each committee, check the appropriate box to the right</p> <p>_____ Committee is N/A _____ Committee refused to sign</p> <p>_____ Committee is N/A _____ Committee refused to sign</p>
<p>Signature-District English Learner Advisory Committee (DELAC)* (Required if the LEA has 51 or more identified English learners.)</p> <p>_____ Date 08/10/2011</p>	<p>Certification: I hereby certify that all of the applicable state and federal rules and regulations will be observed by this applicant; that to the best of my knowledge the information contained in this application is correct and complete; and I agree to have the use of these funds reviewed and/or audited according to the standards and criteria set forth in the California Department of Education's Categorical Program Monitoring (CPM) Manual. Legal assurances for all programs are accepted as the basic legal condition for the operation of selected projects and programs and copies of assurances are retained on site. I certify that we accept all assurances except for those for which a waiver has been obtained or requested. A copy of all waivers or requests is on file. I certify that actual ink signatures for this page are on file.</p>
<p>Signature of authorized representative _____</p>	<p>Printed name of authorized representative <u>Dorma Baker</u> _____</p> <p style="text-align: right;">Title <u>Superintendent</u> _____ Date <u>08/10/2011</u></p>
<p><input checked="" type="checkbox"/> Electronic certification HAS been completed. <input type="checkbox"/> Electronic certification has NOT been completed.</p>	

* Signatures of appropriate committee chairpersons certifying opportunity to review and advise in the development of this application will be required in Part II.

Participation in 2011-12 Consolidated Programs

California Department of Education

Consolidated Application

<p>Purpose: To declare that the LEA is applying for specified categorical funds for the 2011-12 school year.</p>		<p>Agency: Pajaro Valley Unified</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20px; text-align: center;">4</td> <td style="width: 20px; text-align: center;">4</td> <td style="width: 20px; text-align: center;">6</td> <td style="width: 20px; text-align: center;">9</td> <td style="width: 20px; text-align: center;">7</td> <td style="width: 20px; text-align: center;">9</td> <td style="width: 20px; text-align: center;">9</td> </tr> </table>	4	4	6	9	7	9	9
4	4	6	9	7	9	9				
<p>CDE Contact: Anne Daniels 916-319-0295 ADaniels@cde.ca.gov</p>		<p><i>Note: Shaded areas () indicate Federal programs.</i></p>								
1*	3010	3025	4035							
2*	Title I, Part A (Basic Grant) ESEA Sec.1111 et. seq.	Title I, Part D (Delinquent) ESEA Sec. 1401	Title II, Part A (Teacher Quality) ESEA Sec. 2101							
3*	YES	NO	YES							
1*	4201	4203								
2*	Title III, Part A (Immigrant) ESEA Sec. 3102	Title III, Part A (LEP Students) ESEA Sec. 3102	Title VI Subpart 1 REAP Flexibility ESEA Sec. 6211							
3*	NOT ELIGIBLE	YES	NOT ELIGIBLE							
1*	5810	4126	7090, 7091							
2*	Title VI, Subpart 1 Small Rural School Achievement ESEA Sec. 6211	Title VI, Subpart 2 Rural and Low-Income Grant ESEA Sec. 6221	Economic Impact Aid EC 54000							
3*	NOT ELIGIBLE	NOT ELIGIBLE	YES							

* Rows within each type of program: 1. SACS Resource Code 2. Program Title 3. "Yes" if participating, "No" if not participating



PAJARO VALLEY UNIFIED SCHOOL DISTRICT

Board Agenda Backup

Item No: 8.5

Date: August 10, 2011

Item: **Williams Uniform Complaint Quarterly Report
(April, May, June 2011)**

Overview and Rationale: All school districts have been required to adopt a complaint system as a part of the Williams Settlement.

On a quarterly basis, Williams' complaints must be reported to the board and the county superintendent. The report must include the number and types of complaints received and how they were corrected.

During this quarter there were zero Williams Complaints filed.

Recommendation: Approve Williams Quarterly Report as Submitted.

Budget Considerations:

Funding Source:

Budgeted:

Amount:

Prepared By: Albert Roman, Assistant Superintendent, HR

Superintendent's Signature: *Dom Bost*

**QUARTERLY DISTRICT STATUS REPORT OF UNIFORM COMPLAINTS
TO THE COUNTY SUPERINTENDENT OF SCHOOLS
QUARTER ENDED JUNE 2011**

DISTRICT: Pajaro Valley Unified School District Date Reported to District Governing Board: August 10, 2011

I. INSTRUCTIONAL MATERIALS

A) **Insufficient text books or instructional materials in classroom:**

# of Complaints	# of Complaints Resolved	# of Complaints Unresolved*
0		

• Explanation: _____

B) **Insufficient textbooks or instructional materials to take home:**

# of Complaints	# of Complaints Resolved	# of Complaints Unresolved*
0		

• Explanation: _____

C) **Textbooks or instructional materials in poor or unusable condition:**

# of Complaints	# of Complaints Resolved	# of Complaints Unresolved*
0		

• Explanation: _____

II. TEACHER VACANCY OR MISASSIGNMENT

A) **No assigned certified teacher at beginning of semester:**

# of Complaints	# of Complaints Resolved	# of Complaints Unresolved*
0		

• Explanation: _____

B) **Teacher lacking credentials or training to teach English Language Learners (ELL) with
More than 20% ELL in class:**

# of Complaints	# of Complaints Resolved	# of Complaints Unresolved*
0		

• Explanation: _____

D) **Teacher instructing class lacking subject matter competency:**

# of Complaints	# of Complaints Resolved	# of Complaints Unresolved*
0		

• Explanation: _____

III. FACILITIES

A) **Conditions pose an emergency or urgent threat to the health or safety of students/staff:**

# of Complaints	# of Complaints Resolved	# of Complaints Unresolved*
0		

PAJARO VALLEY UNIFIED SCHOOL DISTRICT



Board Agenda Backup

Item No: 10.1

Date: August 10, 2011

Item: District Fiscal Update: 2011-12 Adopted State Budget

Overview: On June 22, the board of trustees adopted the district's June 2011-12 budget according to current budgetary estimates and specific guidance from the Santa Cruz County Office of Education. In July, the governor and state Legislature adopted a final 2011-12 State Budget. Staff noted at the time that the subsequent adoption of a state budget could alter the assumptions utilized to develop the district's June budget.

The recently adopted state budget contains fiscal and statutory changes that will potentially impact the district's estimated revenues and multi-year fiscal projection. In addition, language adopted in the education budget trailer bill (AB 114) makes significant changes to school districts' budget reporting and accountability process and requirements.

Despite these changes, the Governor Brown's AB 114 signing message clearly stated that school boards continue to be charged with maintaining the ongoing fiscal integrity of their agencies. Statutory assumptions and changes made in the state budget in no way subjugate this principle responsibility of school boards.

District staff will provide the board the following:

- Update on specific K-Adult fiscal and statutory changes in the 2011-12 State Budget
- Analysis of potential impacts on the district as a result of these policy changes
- Provide perspectives and seek input from the board regarding next steps in the implementation of recent state policy changes

Recommendation: Review and discuss staff analysis and provide staff guidance on next steps for implementation of policy outcomes included in the 2011-12 State Budget.

Prepared By: Brett McFadden, CBO

Superintendent's Signature: *Dorinda Bal*


PAJARO VALLEY UNIFIED SCHOOL DISTRICT



Board Agenda Backup

Item No: 10.2

Date:	August 10, 2011
Item:	Overview of the request for proposals (RFP) process for district health care consultant contract
Overview:	<p>The district provides employee health benefits via an independent self funded system. Under this framework, the district directly oversees and administers its own set of health and dental benefit plans.</p> <p>This is unique when compared to other California school districts and local governments in the state. Most local government agencies are part of joint powers agreements and/or larger service pools of other similar agencies. Staff analysis did not identify any school district that has opted to go to a self-funded system in recent years. The majority of school districts have chosen instead to join larger pooled health management plans.</p> <p>The district's current self funded system necessitates securing consultation services by a qualified health care consultant to recommend effective health plan oversight and administration practices to district leadership. These services are provided by way of a consultant service contract approved by the Board of Trustees through an RFP process. The RFP process adheres to current state and federal public agency procurement regulations and statutes, as well as board-adopted policies.</p> <p>Keenan and Associates, Inc. has been the district's health care consultant under contract for more than ten years. The current two-year contract expires in October 2011.</p> <p>District staff has initiated an RFP process to formally review proposals and present the board a recommendation for future services. The bid process will close on August 10. Staff has sought and included the input of both employee unions in this process. Both organizations have served in an advisory capacity pursuant to current contractual stipulations.</p> <p>The district was recently subject to a review by the Santa Cruz County Grand Jury regarding its selection process for a health care consultant. Staff worked closely with the Grand Jury during its investigation. The Grand Jury issued several minor findings. The jury noted that the district adhered to all state and federal public procurement policies and regulations. In most instances, staff had already implemented the jury's findings or was adhering to them within its current board-approved policies and procurement practices.</p>



Staff will provide the board with an update on the current RFP process and detail steps taken to increase public transparency and stakeholder involvement during this contract evaluation process.

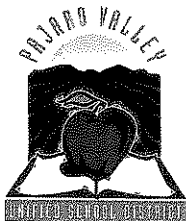
Recommendation: Discuss and review the state report.

Prepared By: Brett McFadden, CBO

Superintendent's Signature:

Dorinda Bask

PAJARO VALLEY UNIFIED SCHOOL DISTRICT



Board Agenda Backup

Item No: 11.1

Date: August 10, 2011

Item: 2012 Trustee Area Redistricting

Overview: Districts with governing boards elected by trustee areas are subject to redistricting after each decennial census. These districts are required per state statute to adhere to a redistricting process and submit their final maps to their local county office of education and county elections office no later than April 2012.

On June 22, staff provided the Board of Trustees an analysis of this process. Staff noted that the district's redistricting process and subsequent proposal will require "pre-clearance" from the U.S. Department of Justice. Monterey County is one of four California counties subject to specific findings under the federal Voting Rights Act requiring Department of Justice review of local election areas and boundaries. Since a portion of the district's jurisdiction includes Monterey County, the district is subject to these federal requirements.

Staff has conducted a thorough analysis of this matter. The board instructed staff at its June 22 meeting to return to the board in August with specific action recommendations. Staff will provide detail and recommend that the board approve the following actions:

- Acquire consultation services for demographic analysis and map drawing
- Establishment of a board appointed citizen advisory committee
- Appoint an independent facilitator for the committee process and subsequent policy recommendation to the board

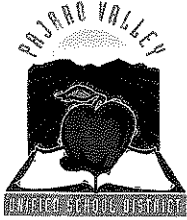
Staff notes that the redistricting process is important to assuring an effective governance structure for the district. It should not be performed "on the cheap" or in a haphazard way. Therefore, it is critical that the process be performed in an effective, accurate, and transparent manner that instills the trust and confidence of district constituents and stakeholders.

Recommendation: Adopt recommendations as presented by staff and instruct staff to begin the redistricting process immediately.

Prepared By: Brett McFadden, CBO

Superintendent's Signature: *Dormin*

PAJARO VALLEY UNIFIED SCHOOL DISTRICT



Board Agenda Backup

Item No: 11.2

Date: August 10, 2011

Item: Board Resolution #11-12-02 – Santa Cruz County College Commitment

Overview: All school districts in Santa Cruz County have agreed to form a partnership with the common goal of increasing all aspects of college going rates and college retention rates. Superintendents and other staff are working with representatives with Cabrillo College, UCSC, CSUMB and SJSU to plan the pathway to each college or Cabrillo and then one of the three 4 year universities. The Cabrillo Foundation will work to raise funds to provide a \$500.00 scholarship for qualifying students. Part of the qualification will be to use the Early Assessment Program data (based on 11th graders') performance to determine college readiness in English and Math. Students will need to enroll in remedial classes during the senior year in order to qualify for access to the SC County College Commitment program. This commitment also includes our efforts to reach out to our students in elementary school in order to inform and enlighten students and their parents.

Tonight's action is a resolution of support of the College Commitment program.

Recommendation: Approve Resolution #11-12-02

Budget Considerations: No Cost

Funding Source:

Budgeted: Yes: No:

Amount: \$

Prepared By: Murry Schekman, Assistant Superintendent

Superintendent's Signature: Dorinda Bal



PAJARO VALLEY UNIFIED SCHOOL DISTRICT

RESOLUTION # 11-12-02

SANTA CRUZ COUNTY COLLEGE COMMITMENT

We, the Pajaro Valley Unified School District, are committed to the opportunity of a college education and network of support to allow for success for every student in Santa Cruz County. To meet this commitment, the Santa Cruz County Education Partnership commits to the following goals over the next ten years:

- Increase the percentage of students from Santa Cruz County School Districts who are prepared for and attend college directly from high school;
- Increase the percentage of Santa Cruz County School District students who attend CSUMB, SJSU, UCSC and other four-year colleges and universities;
- Increase the percentage of Cabrillo College students who earn degrees and/or career and technical certificates;
- Increase the percentage of Cabrillo College students who successfully transfer to CSUMB, SJSU or UCSC; and
- Increase the percentage of CSUMB, SJSU and UCSC students who graduate with a bachelor's degree and/or advanced degrees.

Whereas, we commit to provide information, services, and resources to help Santa Cruz County students and their families prepare for college;

Whereas, we commit to a rigorous K-12 academic program and support to attend a higher education institution;

Whereas, we commit to help students successfully transition to and succeed in college and to provide opportunities in career and technical education;

Whereas, we commit to provide the opportunity to earn a bachelor's or advanced degree to all students of Santa Cruz County School Districts or Cabrillo College who successfully prepare for college; and

Whereas, we commit to work together to deliver these commitments for the young people and families of the Santa Cruz County area.

Therefore, let it be resolved that the Pajaro Valley Unified School District will work together with the Santa Cruz County Education Partnership on all activities that comprise the Santa Cruz County College Commitment. We will work together to support and encourage success for all students from preschool to graduate school. We will work together to provide, assess, improve, and expand high quality, world-class educational opportunities in Santa Cruz County.

PASSED AND ADOPTED ON WEDNESDAY, AUGUST 10, 2011 BY THE FOLLOWING VOTE: AYES:



____; NAYS: ____; ABSTENTIONS: ____; ABSENT: ____

Willie Yahiro, President of the Board

The Santa Cruz County College Commitment

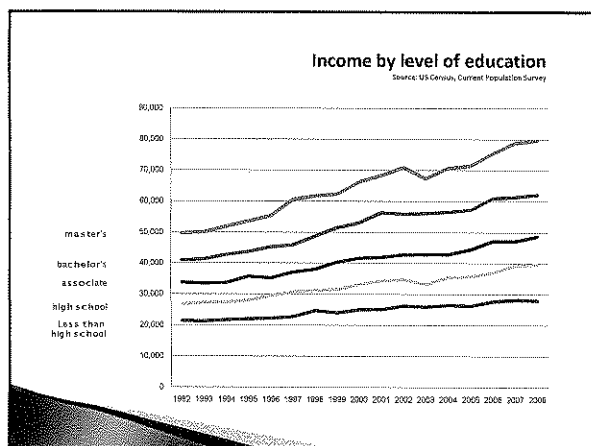
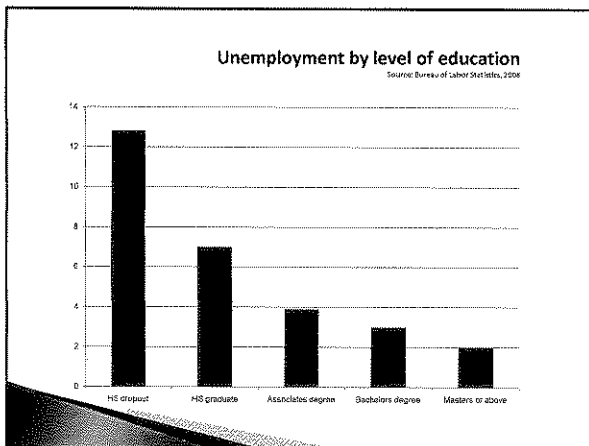
*Working Together to Prepare Students for College Success
Coming to the PVUSD!!!*

Why does college success matter?

The working poor

A living wage



The true value of a college education is priceless!

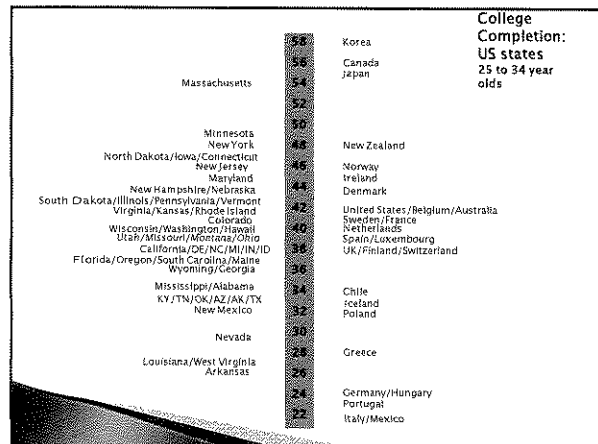
- ▶ Level of education is the best predictor of a long life
- ▶ People report higher levels of happiness with levels of education
- ▶ Educated people are much more likely to vote and participate in government

The Moral Imperative: Equity and Social Justice

- ▶ Latino, African American and low income students fare far worse than their peers in completing a college certificate or degree program

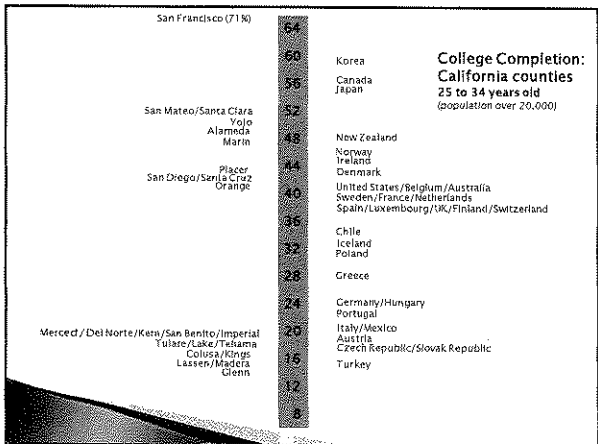
How Is California Doing in Producing College Graduates?

U.S. and California Graduation Rates

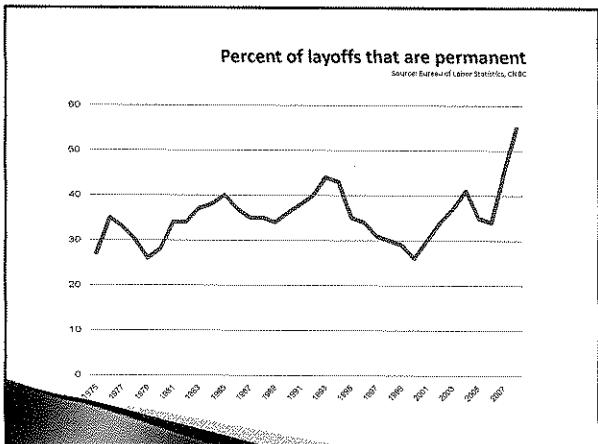


How is Santa Cruz County Doing in Producing College Graduates?

Santa Cruz County Graduation Rates



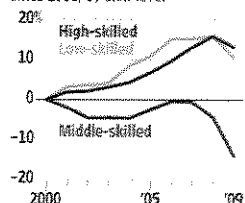
The Current Economy Makes the Task Even More Urgent to Increase College Success Rates



Stuck in the Middle

The recession has accelerated a longer-term decline in middle-skilled, middle-wage jobs.

Cumulative change in employment since 2000, by skill level



Sources: David Autor, MIT; Labor Dept.

Coming Together to Make a Difference for our Students

- ▶ Pajaro Valley Unified School District
- ▶ Cabrillo College
- ▶ Every K-12 Public School District in the County
- ▶ CSUMB, UCSC, San Jose State

Our Shared Challenges

Too Many High School Graduates are Simply not Prepared for College Work

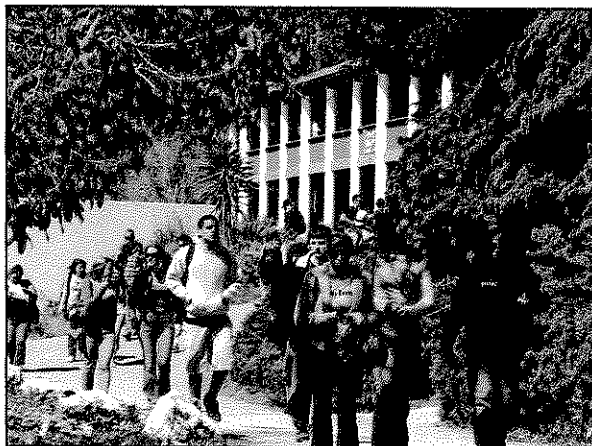
- ▶ Nine out of ten or 90% of first-time students enrolling at Cabrillo College are not ready for college level work in either Math and/or English.

Too Few Students Who Enroll in College Complete a Degree in a Timely Fashion

- ▶ At Cabrillo, UCSC, CSUMB, and San Jose State, too many students take too long to complete a certificate or degree program, and many do not complete a program of study at all.

Our Commitment Together

- ▶ Increase the number of Santa Cruz County high school graduates who are college ready.
- ▶ Increase the percentage of Cabrillo College students who earn certificates or degrees.
- ▶ Increase the percentage of Cabrillo students who transfer to CSUMB, SJSU, and UCSC.
- ▶ Increase the percentage of CSUMB, SJSU, and UCSC students who graduate with a Bachelor's degree and/or advanced degrees.





Board Agenda Backup

Item No: 11.3

Date: August 10, 2011

Item: DECLARATION OF NEED FOR FULLY QUALIFIED EDUCATORS

Overview: The California Legislature took action to terminate the State Board of Education's authority to use their general waiver authority to grant credential waivers after June 30, 1994. In its stead, the Legislature authorized the Commission on Teacher Credentialing to approve requests to waive laws or regulations governing education preparation and licensing.

Processes and procedures developed by the Commission on Teacher Credentialing require the governing board of the school district to adopt a declaration certifying that there is an insufficient number of certificated persons who meet the district's specified employment criteria.

Rationale: PVUSD has an annual shortage of appropriately credentialed teachers in the following areas; bilingual education, special education, math and science. These are statewide shortage areas as well. The District has developed a Plan to Remedy the Shortage of Bilingual Teachers which is in the process of being revised. When shortages in the area of special education occur, the Department of Special Services employs a variety of means to help reduce that shortage: teachers in internship programs, waivers and emergency credentialing.

Without a Board adopted declaration, the District will not be able to employ a sufficient number of teachers to fulfill its obligation to the students and community.

The numbers indicated are a high estimate as exact numbers will not be available until all open positions are filled.

Recommendation: Motion to adopt a declaration of need for fully qualified educators.

Budget Considerations:

Funding

Source: _____

Budgeted: Yes:

No:

Amount: \$ _____

Prepared By: Leland Takemoto

Superintendent's Signature: Dorm Bala



DECLARATION OF NEED FOR FULLY QUALIFIED EDUCATORS

- Original Declaration of Need for year: 2011-2012
 Revised Declaration of Need for year: _____

FOR SERVICE IN A SCHOOL DISTRICT

Name of District: Pajaro Valley Unified School District District CDS Code: 69799

Name of County: Santa Cruz County CDS Code: 44

By submitting this annual declaration, the district is certifying the following:

- A diligent search, as defined below, to recruit a fully prepared teacher for the assignment(s) was made
- If a suitable fully prepared teacher is not available to the school district, the district will make a reasonable effort to recruit based on the priority stated below

The governing board of the school district specified above adopted a declaration at a regularly scheduled public meeting held on 08 / 10 / 11 certifying that there is an insufficient number of certificated persons who meet the district's specified employment criteria for the position(s) listed on the attached form. The attached form was part of the agenda, and the declaration did NOT appear as part of a consent calendar.

► **Enclose a copy of the board agenda item**

With my signature below, I verify that the item was acted upon favorably by the board. The declaration shall remain in force until June 30, 2012.

Submitted by (Superintendent, Board Secretary, or Designee):

Lee Takemoto

Name

Signature

Human Resource Director

Title

831 761-6018

Fax Number

831 786-2145

Telephone Number

Aug 1, 2011

Date

294 Green Valley Road, Watsonville, CA 95076

Mailing Address

leland_takemoto@pvusd.net

E-Mail Address

FOR SERVICE IN A COUNTY OFFICE OF EDUCATION, STATE AGENCY OR NONPUBLIC SCHOOL OR AGENCY

Name of County _____ County CDS Code _____

Name of State Agency _____

Name of NPS/NPA _____ County of Location _____

The Superintendent of the County Office of Education or the Director of the State Agency or the Director of the NPS/NPA specified above adopted a declaration on ___/___/___, at least 72 hours following his or her public announcement that such a declaration would be made, certifying that there is an insufficient number of certificated persons who meet the county's, agency's or school's specified employment criteria for the position(s) listed on the attached form.

The declaration shall remain in force until June 30, _____.

► **Enclose a copy of the public announcement**

Submitted by Superintendent, Director, or Designee:

Lee Takemoto

Human Resource Director

831 786-6018

831 786-2145

294 Green Valley Road, Watsonville, CA 95076

leland.takemoto@pvusd.net

This declaration must be on file with the Commission on Teacher Credentialing before any emergency permits will be issued for service with the employing agency

AREAS OF ANTICIPATED NEED FOR FULLY QUALIFIED EDUCATORS

Based on the previous year's actual needs and projections of enrollment, please indicate the number of emergency permits the employing agency estimates it will need in each of the identified areas during the valid period of this Declaration of Need for Fully Qualified Educators. This declaration shall be valid only for the type(s) and subjects(s) identified below.

This declaration must be revised by the employing agency when the total number of emergency permits applied for exceeds the estimate by ten percent. Board approval is required for a revision.

Table with 2 columns: Type of Emergency Permit and Estimated Number Needed. Rows include CLAD/English Learner Authorization (5), Bilingual Authorization (10), Resource Specialist (5), Teacher Librarian Services, and Visiting Faculty Permit.

LIMITED ASSIGNMENT PERMITS

Limited Assignment Permits may only be issued to applicants holding a valid California teaching credential based on a baccalaureate degree and a professional preparation program including student teaching.

Based on the previous year's actual needs and projections of enrollment, please indicate the number of Limited Assignment Permits the employing agency estimates it will need in the following areas:

Table with 2 columns: TYPE OF LIMITED ASSIGNMENT PERMIT and ESTIMATED NUMBER NEEDED. Rows include Multiple Subject (5), Single Subject (10), Special Education (15), and TOTAL (30).

EFFORTS TO RECRUIT CERTIFIED PERSONNEL

The employing agency declares that it has implemented in policy and practices a process for conducting a diligent search that includes, but is not limited to, distributing job announcements, contacting college and university placement centers, advertising in local newspapers, exploring incentives included in the Teaching as a Priority Block Grant (refer to www.cde.ca.gov for details), participating in state and regional recruitment centers and participating in job fairs in California.

If a suitable fully prepared teacher is not available to the school district, the district made reasonable efforts to recruit an individual for the assignment, in the following order:

- A candidate who qualifies and agrees to participate in an approved internship program in the region of the school district
- An individual who is scheduled to complete initial preparation requirements within six months

EFFORTS TO CERTIFY, ASSIGN, AND DEVELOP FULLY QUALIFIED PERSONNEL

Has your agency established a District Intern program? Yes No

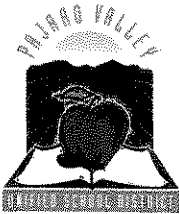
If no, explain. _____

Does your agency participate in a Commission-approved college or university internship program? Yes No

If yes, how many interns do you expect to have this year? 50

If yes, list each college or university with which you participate in an internship program.
CSUMB, San Jose State, National Univ., Chapman Univ., and Bethany College.

If no, explain why you do not participate in an internship program.



Board Agenda Backup

Item No: 11.4

Date: August 10, 2011

Item: Approval of Job Description – Migrant Outreach Specialist

Overview: There are five employees in the Migrant Education Department that have been reclassified by the Personnel Commission at their June 23, 2011 meeting. Part of that reclassification action was to place them in a new job classification, Migrant Outreach Specialist that more closely fits the duties the employees are performing. The Migrant Outreach Specialist is being presented this evening in order to establish the duties of the classification.

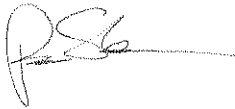
This job description was presented to the Personnel Commission on June 23, 2011, and placed by them at salary range 39 on the Classified Employees Salary Schedule, which ranges from \$2,467 to \$3,158/month.

Recommendation: It is recommended that the Board approve the proposed job description for the Migrant Outreach Specialist.

Funding Source: Identification and Recruitment
Migrant Education School Readiness Program
Out of School Youth

Budgeted: Yes: No:

Prepared by:



Director, Classified Personnel

Superintendent:





**PAJARO VALLEY UNIFIED SCHOOL DISTRICT
POSITION DESCRIPTION**

Position: Migrant Outreach Specialist

Department: Migrant Education

Reports To: Director of Designee

SUMMARY

Performs specialized activities in support of instructional programs for at risk children and youth ages 0 to 21 in the Migrant Education Department. Assists Migrant Education students in accordance with applicable Federal and State eligibility requirements for Migrant Education.

NATURE AND SCOPE

Under general direction of the Director of Migrant Education, works independently with students, parents, faculty, and community social service agencies. Work relationships with others are extensive and extend to multiple school sites, student homes, and the community. Work is performed in an office, classroom and community environment with occasional expectation to visit locations where there is some exposure to health and safety considerations. Work may also be performed on special shifts such as evening and weekends.

DISTINGUISHING CHARACTERISTICS

The position requires a demonstrated ability to work with at risk children and youth ages 0 to 2, community services and public agencies that provide services to support the accomplishment of educational goals. Must be able to understand and apply guidelines and necessary to comply with safe regulations.

ESSENTIAL TYPES OF DUTIES (Duties may include but are not limited to the following)

- Conducts intake, registration, and needs assessment interviews with students/parents/families in the office or at home, worksite, community functions, and other locations as assigned.
- In coordination with public and community agencies develops and delivers services to students and parents.
- Frequently in a home or work setting, provides guidance and resources to families regarding problems at school or the community that affect school attendance and performance.
- Case manages student/parents/families files until they have received appropriate and needed services. Confers with teachers, specialist, counselors and administrators regarding individual student needs, problems and progress.

- Communicates with parents of migrant students by arranging and/or making phone calls or home visits. Provides and obtains information and promotes parent participation in school activities.
- Promotes the values of education and encourage attendance, participation and achievement.
- Verifies eligibility requirement for migrant services by using COESTAR data system.
- Assess health and academic needs of newly identified migrant youth.
- Inputs student data in multiple databases.
- Conducts outreach and collaborates with partnering agencies and educational programs.
- Assists with health screenings, analyses results and enters data into database.
- Evaluates the needs of migrant students to determine needs and identify services available.
- Performs follow-up with students/parents/families as needed by phone or in person, by conducting a home/work site visit during times that they are available, including evening hours as needed.
- Provides information assistance and referrals for students/parents/families and others as required or as needed.
- Assists families in registration for available Federal and State health programs.
- Uses available technology and software to conduct outreach interviews.
- Performs other duties as required to accomplish the objectives of the position.

QUALIFICATIONS

Knowledge and Skills: Requires knowledge of working with special student populations. Must have a good knowledge of District organization, operations, policies and objectives. Requires knowledge of applicable State and Federal eligibility qualifications for Migrant Education. Knowledge of office equipment including computers, word processing, spreadsheet applications, and databases. Requires strong interpersonal skills. Requires ‘self-starting’ skills to seek out and consult with District staff and community agencies. Requires knowledge of migrant families and patterns.

Abilities: Requires the ability to perform independently all of the essential duties of the position with efficiency and effectiveness with only general supervision. Must be able to link students to services from the Migrant Education Program, Community agencies, public and social service agencies, teachers, and resources staff. Ability to assign, prioritize and review work is essential. Requires the ability to communicate with students, staff, parents and the public using patience and courtesy, and in a manner that reflects positively on the District. The ability to interpret the U.S. department of Agriculture website for updates and information regarding crop productions and statistics. Must be able to work well independently and as part of a team.

Migrant Outreach Specialist

Approved by Personnel Commission: 6/23/11

Approved by Board of Trustees: TBD

Physical Abilities: Position involves standing, walking, stooping, and occasional carrying and lifting of lightweight materials (up to 20 pounds). May be required to sit for extended periods of time. Requires visual acuity and depth perception to recognize words and numbers; and hand and finger dexterity and hand/eye coordination to use a computer keyboard and common office equipment. Requires speaking and hearing ability sufficient to hear over a phone and carry on conversations. Requires ambulatory skills and abilities to travel to a variety of business sites or school sites.

Minimum Qualifications (Education and/or Experience: This is the minimum experience and education/training standards which will be used to admit or reject applicants for examination as approved on June 23, 2011.

High School diploma or completion of GED and one (1) year of college coursework and two (2) years of experience working with at risk children and youth ages 0 to 21.

or

High School diploma or completion of GED and three (3) years of experience working with at risk children and youth ages 0 to 21.

Licenses and Certificates: Valid California's Driver License.

Must be able to successfully complete Certified Applicant Assistor (CAA) certification within the probationary period.

Special Requirements: Must have personal means of transportation to travel to various sites.



PAJARO VALLEY UNIFIED SCHOOL DISTRICT

2010-2011

SALARY SCHEDULE FOR CLASSIFIED EMPLOYEES

Range	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>Step 6</u>
22	1619 / 9.31	1702 / 9.78	1789 / 10.28	1880 / 10.80	1975 / 11.35	2075 / 11.93
23	1660 / 9.54	1745 / 10.03	1834 / 10.54	1927 / 11.07	2024 / 11.63	2127 / 12.22
24	1702 / 9.78	1789 / 10.28	1880 / 10.80	1975 / 11.35	2075 / 11.93	2180 / 12.53
25	1745 / 10.03	1834 / 10.54	1927 / 11.07	2024 / 11.63	2127 / 12.22	2235 / 12.84
26	1789 / 10.28	1880 / 10.80	1975 / 11.35	2075 / 11.93	2180 / 12.53	2291 / 13.17
27	1834 / 10.54	1927 / 11.07	2024 / 11.63	2127 / 12.22	2235 / 12.84	2348 / 13.49
28	1880 / 10.80	1975 / 11.35	2075 / 11.93	2180 / 12.53	2291 / 13.17	2407 / 13.83
29	1927 / 11.07	2024 / 11.63	2127 / 12.22	2235 / 12.84	2348 / 13.49	2467 / 14.18
30	1975 / 11.35	2075 / 11.93	2180 / 12.53	2291 / 13.17	2407 / 13.83	2529 / 14.53
31	2024 / 11.63	2127 / 12.22	2235 / 12.84	2348 / 13.49	2467 / 14.18	2592 / 14.90
32	2075 / 11.93	2180 / 12.53	2291 / 13.17	2407 / 13.83	2529 / 14.53	2657 / 15.27
33	2127 / 12.22	2235 / 12.84	2348 / 13.49	2467 / 14.18	2592 / 14.90	2723 / 15.65
34	2180 / 12.53	2291 / 13.17	2407 / 13.83	2529 / 14.53	2657 / 15.27	2791 / 16.04
35	2235 / 12.84	2348 / 13.49	2467 / 14.18	2592 / 14.90	2723 / 15.65	2861 / 16.44
36	2291 / 13.17	2407 / 13.83	2529 / 14.53	2657 / 15.27	2791 / 16.04	2933 / 16.86
37	2348 / 13.49	2467 / 14.18	2592 / 14.90	2723 / 15.65	2861 / 16.44	3006 / 17.28
38	2407 / 13.83	2529 / 14.53	2657 / 15.27	2791 / 16.04	2933 / 16.86	3081 / 17.71
39	2467 / 14.18	2592 / 14.90	2723 / 15.65	2861 / 16.44	3006 / 17.28	3158 / 18.15
40	2529 / 14.53	2657 / 15.27	2791 / 16.04	2933 / 16.86	3081 / 17.71	3237 / 18.60
41	2592 / 14.90	2723 / 15.65	2861 / 16.44	3006 / 17.28	3158 / 18.15	3318 / 19.07
42	2657 / 15.27	2791 / 16.04	2933 / 16.86	3081 / 17.71	3237 / 18.60	3401 / 19.55
43	2723 / 15.65	2861 / 16.44	3006 / 17.28	3158 / 18.15	3318 / 19.07	3486 / 20.03
44	2791 / 16.04	2933 / 16.86	3081 / 17.71	3237 / 18.60	3401 / 19.55	3573 / 20.53
45	2861 / 16.44	3006 / 17.28	3158 / 18.15	3318 / 19.07	3486 / 20.03	3662 / 21.05
46	2933 / 16.86	3081 / 17.71	3237 / 18.60	3401 / 19.55	3573 / 20.53	3752 / 21.56
47	3006 / 17.28	3158 / 18.15	3318 / 19.07	3486 / 20.03	3662 / 21.05	3845 / 22.10
48	3081 / 17.71	3237 / 18.60	3401 / 19.55	3573 / 20.53	3752 / 21.56	3940 / 22.64
49	3158 / 18.15	3318 / 19.07	3486 / 20.03	3662 / 21.05	3845 / 22.10	4037 / 23.20
50	3237 / 18.60	3401 / 19.55	3573 / 20.53	3752 / 21.56	3940 / 22.64	4137 / 23.78
51	3318 / 19.07	3486 / 20.03	3662 / 21.05	3845 / 22.10	4037 / 23.20	4239 / 24.36
52	3401 / 19.55	3573 / 20.53	3752 / 21.56	3940 / 22.64	4137 / 23.78	4344 / 24.97
53	3486 / 20.03	3662 / 21.05	3845 / 22.10	4037 / 23.20	4239 / 24.36	4451 / 25.58
54	3573 / 20.53	3752 / 21.56	3940 / 22.64	4137 / 23.78	4344 / 24.97	4561 / 26.21
55	3662 / 21.05	3845 / 22.10	4037 / 23.20	4239 / 24.36	4451 / 25.58	4674 / 26.86



Board Agenda Backup

Item No: 11.5

Date: August 10, 2011

Item: Approval of Job Description – Guidance Specialist

Overview: Mr. Pete Galvan was reclassified by the Personnel Commission at their June 23, 2011, meeting. Part of that reclassification action was to place him in a revised job description, Guidance Specialist that more closely fits the duties he is performing. The Guidance Specialist job description is being presented this evening in order to establish the duties of the classification.


This job description was approved by the Personnel Commission on June 23, 2011, and placed by them at salary range 41 on the Classified Employees Salary Schedule, which ranges from \$2,592 to \$3,318/month.

Recommendation: It is recommended that the Board approve the proposed revised job description for Guidance Specialist.

Funding Source: General Fund

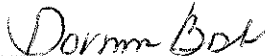
Budgeted: Yes: No:

Prepared by:



Director, Classified Personnel

Superintendent:





PAJARO VALLEY UNIFIED SCHOOL DISTRICT
POSITION DESCRIPTION

Formatted: Centered

Position: Guidance Specialist II
Department: Various School Sites
Reports To: Director/Site Principal

SUMMARY

~~Performs a variety of specialized clerical functions. Acts as liaison between the school, home and community agencies regarding complicated student attendance, adjustment, and status issues. Acts as a liaison between the school, home and community regarding student attendance.~~ Provides data gathering support and assistance to families and students regarding school adjustment, attendance, student status, and child welfare. Provides support to student adjudication processes.

NATURE AND SCOPE

Works independently to accomplish duties that are well defined by policy, procedure, law, codes and regulations. Works directly with students and parents on matters of extreme sensitivity, often requiring tact, diplomacy and persuasion skills. Exercises judgment and discretion. Work is periodically reviewed by supervisor for accuracy and efficiency, and assistance is available for problems or unusual situations. Requires strong time management and planning skills. Office work includes preparation of routine yet highly visible and sensitive reports, records and correspondence. Besides parents and students, contacts extend to District staff and administrators, community officials and child program workers and the general public. Position requires long periods of walking and standing, often in inclement weather.

DISTINGUISHING CHARACTERISTICS

~~This is a specialized level classification requiring knowledge of truancy processes, and child and welfare issues. The incumbent must be able to demonstrate. There is limited advancement potential within the area of specialization. To qualify for Guidance Specialist II, prospective incumbents must meet the qualifications below, demonstrate well-developed human relations, and investigative skills, and demonstrate the ability to deal with highly the most difficult cases affecting student status.~~

ESSENTIAL TYPES OF DUTIES (Duties may include but are not limited to the following)Examples)

- ~~Visits schools and e~~Consults with principals, teachers and other staff members concerning student attendance referrals. Reviews student records to identify irregular attendance patterns. Traces student's change of home address or school.

Guidance Specialist II
Effective 11/1/98, Classification Study 6/16/05
Approved by Personnel Commission: 6/23/11
Approved by Board: TBD

- Receives referrals from teachers, schools and follows up to engage in counseling, data gathering, investigation, or related process, to assess and recommend adjudication. Prepares reports and recommendations to the Director.
- Attends School Attendance Review Board hearings and Truancy Mediation court hearings. Refers students to SARB. Maintains follow-up records and provides review of attendance of students previously referred. May translate at expulsion hearings.
- ~~May~~ Visit the homes of students with attendance, adjustment, or status problems to observe home situations. Advises parents and students regarding regular attendance, providing information concerning school rules and regulations. Advises students and parents of continuing processes such as alternative education and expulsion.
- Prepares and presents oral and written reports concerning either home visits or consultations. Prepares other reports and records as requested by appropriate school and county agencies.
- Prepares for and participates in meetings at local schools, CWA office and District office to determine student's special needs.
- Provides transportation to students and parents as necessary to assure compliance with school rules and regulations or to provide emergency assistance.
- Provides appropriate recommendations ~~for~~ from Director's/principal's approval regarding activities such as student transfers, referrals and SARB violations.
- Investigates complaints of student absence, neglect or abuse, or criminal activity from public agencies and others. Investigates and recommends courses of action on broken SARB agreements.
- Assists in the identification of students with social, emotional and academic needs, which may affect school attendance.
- Develops, establishes and coordinates community resource contacts. Maintains information systems on available community resources for use by District personnel, parent groups and families.
- Serves on a variety of District and community committees related to student attendance, cultural issues and general student and family welfare.
- Monitors the use of community resources and the effectiveness of those resources in meeting school/community needs.
- Prepares statistical and routine reports relevant to the position.
- Performs other duties as assigned to accomplish the objectives of the position.

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QUALIFICATIONS

Guidance Specialist II
 Effective 11/1/98, Classification Study 6/16/05
 Approved by Personnel Commission: 6/23/11
 Approved by Board: TBD

Knowledge and Skills: Requires a thorough knowledge of District attendance policies and procedures and the applicable sections of State Education Code and other laws applicable to compulsory attendance and due process procedures. Must have a good knowledge of District organization, operations, policies and objectives. Requires considerable knowledge of the principles and practices of child guidance and development along with an understanding of cultural and minority issues relating to the student population. Must have good record keeping and general office skills. Requires well-developed communication skills to convey policy and procedure, to resolve confrontation, and to speak in public hearings.

Abilities: Requires the ability to perform all of the essential duties of the position with efficiency and effectiveness with only general supervision. Requires the ability to assist parents and students in resolving school attendance related problems. Must be able to work with increasingly complicated situations in dealing with student and parent problems. Must be able to communicate effectively in a wide variety of settings, often requiring tact, diplomacy and persuasion to achieve results. May be required to communicate in a second language and is required to work in a multi-ethnic setting. Requires the ability to prepare routine records, reports and correspondence. Requires the ability to plan and prioritize work in order to meet schedules and timelines. Requires the ability to communicate with students, staff, parents and the public using patience and courtesy, and in a manner that reflects positively on the District. Must be able to work well independently and as part of a team.

Physical Abilities: Position involves standing, walking, stooping, and occasional carrying and lifting of lightweight materials (up to 20 pounds). May be required to sit for extended periods of time. Requires visual acuity and depth perception to recognize words and numbers; and hand and finger dexterity and hand/eye coordination to use a computer keyboard and common office equipment. Requires speaking and hearing ability sufficient to hear over a phone and carry on conversations.

Minimum Qualifications (Education and/or Experience: This is the minimum experience and education/training standards which will be used to admit or reject applicants for examination as approved on June 23, 2011.

~~High School diploma or equivalent completion of GED required, plus and 2 one (1) years of college level coursework higher education or training in behavioral social sciences or school/community relations, often resulting in an Associates Degree. Minimum of 3 four (4) years of experience working with community and social services organizations preferably including one year of experience in working with school attendance problems required. Minimum of 1 year working directly with in an attendance office in an educational setting. school age children required.~~

or

High School diploma or completion of GED and five (5) years of experience working in an attendance office in an education setting.

Licenses and Certificates: Valid California Driver's License.

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Approved by Personnel Commission 01/07/99
Approved by Governing Board 04/14/99

Guidance Specialist II
Effective 11/1/98, Classification Study 6/16/05
Approved by Personnel Commission: 6/23/11
Approved by Board: TBD



PAJARO VALLEY UNIFIED SCHOOL DISTRICT

2010-2011

SALARY SCHEDULE FOR CLASSIFIED EMPLOYEES

Range	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>Step 6</u>
22	1619 / 9.31	1702 / 9.78	1789 / 10.28	1880 / 10.80	1975 / 11.35	2075 / 11.93
23	1660 / 9.54	1745 / 10.03	1834 / 10.54	1927 / 11.07	2024 / 11.63	2127 / 12.22
24	1702 / 9.78	1789 / 10.28	1880 / 10.80	1975 / 11.35	2075 / 11.93	2180 / 12.53
25	1745 / 10.03	1834 / 10.54	1927 / 11.07	2024 / 11.63	2127 / 12.22	2235 / 12.84
26	1789 / 10.28	1880 / 10.80	1975 / 11.35	2075 / 11.93	2180 / 12.53	2291 / 13.17
27	1834 / 10.54	1927 / 11.07	2024 / 11.63	2127 / 12.22	2235 / 12.84	2348 / 13.49
28	1880 / 10.80	1975 / 11.35	2075 / 11.93	2180 / 12.53	2291 / 13.17	2407 / 13.83
29	1927 / 11.07	2024 / 11.63	2127 / 12.22	2235 / 12.84	2348 / 13.49	2467 / 14.18
30	1975 / 11.35	2075 / 11.93	2180 / 12.53	2291 / 13.17	2407 / 13.83	2529 / 14.53
31	2024 / 11.63	2127 / 12.22	2235 / 12.84	2348 / 13.49	2467 / 14.18	2592 / 14.90
32	2075 / 11.93	2180 / 12.53	2291 / 13.17	2407 / 13.83	2529 / 14.53	2657 / 15.27
33	2127 / 12.22	2235 / 12.84	2348 / 13.49	2467 / 14.18	2592 / 14.90	2723 / 15.65
34	2180 / 12.53	2291 / 13.17	2407 / 13.83	2529 / 14.53	2657 / 15.27	2791 / 16.04
35	2235 / 12.84	2348 / 13.49	2467 / 14.18	2592 / 14.90	2723 / 15.65	2861 / 16.44
36	2291 / 13.17	2407 / 13.83	2529 / 14.53	2657 / 15.27	2791 / 16.04	2933 / 16.86
37	2348 / 13.49	2467 / 14.18	2592 / 14.90	2723 / 15.65	2861 / 16.44	3006 / 17.28
38	2407 / 13.83	2529 / 14.53	2657 / 15.27	2791 / 16.04	2933 / 16.86	3081 / 17.71
39	2467 / 14.18	2592 / 14.90	2723 / 15.65	2861 / 16.44	3006 / 17.28	3158 / 18.15
40	2529 / 14.53	2657 / 15.27	2791 / 16.04	2933 / 16.86	3081 / 17.71	3237 / 18.60
41	2592 / 14.90	2723 / 15.65	2861 / 16.44	3006 / 17.28	3158 / 18.15	3318 / 19.07
42	2657 / 15.27	2791 / 16.04	2933 / 16.86	3081 / 17.71	3237 / 18.60	3401 / 19.55
43	2723 / 15.65	2861 / 16.44	3006 / 17.28	3158 / 18.15	3318 / 19.07	3486 / 20.03
44	2791 / 16.04	2933 / 16.86	3081 / 17.71	3237 / 18.60	3401 / 19.55	3573 / 20.53
45	2861 / 16.44	3006 / 17.28	3158 / 18.15	3318 / 19.07	3486 / 20.03	3662 / 21.05
46	2933 / 16.86	3081 / 17.71	3237 / 18.60	3401 / 19.55	3573 / 20.53	3752 / 21.56
47	3006 / 17.28	3158 / 18.15	3318 / 19.07	3486 / 20.03	3662 / 21.05	3845 / 22.10
48	3081 / 17.71	3237 / 18.60	3401 / 19.55	3573 / 20.53	3752 / 21.56	3940 / 22.64
49	3158 / 18.15	3318 / 19.07	3486 / 20.03	3662 / 21.05	3845 / 22.10	4037 / 23.20
50	3237 / 18.60	3401 / 19.55	3573 / 20.53	3752 / 21.56	3940 / 22.64	4137 / 23.78
51	3318 / 19.07	3486 / 20.03	3662 / 21.05	3845 / 22.10	4037 / 23.20	4239 / 24.36
52	3401 / 19.55	3573 / 20.53	3752 / 21.56	3940 / 22.64	4137 / 23.78	4344 / 24.97
53	3486 / 20.03	3662 / 21.05	3845 / 22.10	4037 / 23.20	4239 / 24.36	4451 / 25.58
54	3573 / 20.53	3752 / 21.56	3940 / 22.64	4137 / 23.78	4344 / 24.97	4561 / 26.21
55	3662 / 21.05	3845 / 22.10	4037 / 23.20	4239 / 24.36	4451 / 25.58	4674 / 26.86

PAJARO VALLEY UNIFIED SCHOOL DISTRICT



Board Agenda Backup

Item No: 11.6

Date: August 10, 2011

Item: DELETE Policy and Administrative Regulation 0520.1, High Priority Schools Grant Program

Overview: Policy and regulation 0520.1 are recommended for deletion because the state is no longer funding improvement efforts for new cohorts of schools through the High Priority Schools Grant Program. In addition, SB70, 2011, new law, deletes this program from the list of categorical programs subject to Tier 3 flexibility.

Recommendation: Approve deletion of Policy and Administrative Regulation 0520.1..

Prepared By: Dorma Baker, Superintendent

Superintendent's Signature: _____

Dorma Baker

PAJARO VALLEY UNIFIED SCHOOL DISTRICT



Board Agenda Backup

Item No: 11.7

Date:	August 10, 2011
Item:	Update Board Policies in the 1000, 5000, and 6000, and 9000 series:
Overview:	<p>The following set of policies were reviewed for adequacy by the District's corresponding departments:</p> <p>BP 1150 - Commendations and Awards Policy revised to clarify that it applies to awards given to parents/guardians, community members, businesses, and organizations. Policy also incorporates and expands material formerly in AR re: the process for submitting recommendations for awards and the types of awards that may be given, and adds designation of a day, week, or month for special recognition of volunteers.</p> <p>BP 1160 – Political Process Policy revised to reflect NEW COURT DECISION which details the appropriate use of district resources for election purposes. Consistent with the court's decision, the policy clarifies that it is a permissible informational activity for the Board to adopt a resolution in support of or in opposition to a ballot measure as long as the resolution and other materials do not urge voters to act in a certain way and as long as the distribution of the materials is consistent with regular district practice. Policy also outlines impermissible campaign activities by the district, such as the purchase of bumper stickers or the use of district email to disseminate campaign literature. In addition, policy contains updated language re: district lobbying and advocacy activities.</p> <p>BP 1250 - Visitors/Outsiders Updated policy adds Board philosophy about the importance of parent/guardian and community involvement in school programs and activities. Policy also encourages individuals to use complaint procedures and to avoid disruptive behavior on school grounds.</p> <p>BP 5022 - Student and Family Privacy Rights MANDATED policy and regulation revised and reorganized to address certain privacy issues related to students and/or their parents/guardians, including the administration of surveys and physical exams/screenings, parent/guardian rights to inspect instructional materials, and the collection of personal information for marketing purposes. Options formerly in BP re: collection of personal information for marketing purposes moved into AR and consolidated with materials formerly in section titled "Exceptions to Collection of Personal Information." Regulation also revised to more directly reflect law re: health examinations.</p>

BP 5113.1 - Chronic Absence and Truancy

Policy and regulation retitled and revised to include concepts related to "chronic absence," defined by **NEW LAW (SB 1357)** for purposes of the California Longitudinal Pupil Achievement Data System as students missing 10 percent of the days in the school year due to excused and/or unexcused absences. Policy adds material regarding attendance tracking, prevention and intervention strategies, analysis and reporting of attendance data, and a new section on "School Attendance Review Board."

BP 5116.1 - Intradistrict Open Enrollment

MANDATED policy revised to reflect **NEW LAW (SBX5 4)** which allows a student attending a school identified by the CDE as an "open enrollment school" to transfer to another school that has a higher Academic Performance Index. Policy contains language giving priority for admission to students attending an identified school who wish to transfer to another school within the district. Policy also revised to create an application window in order to allow the district to grant priorities consistent with the requirements in the Open Enrollment Act.

BP 5117 - Interdistrict Attendance

Policy revised to reflect **NEW LAW (AB 2444)** which requires that, once an interdistrict permit is granted and the student is enrolled in the new school, the district of enrollment (1) may not require the student to reapply, (2) must allow the student to continue to attend the school unless the permit contains specific standards for reapplication, and (3) along with the district of residence, may not revoke the student's existing permit if he/she is entering grade 11 or 12.

BP 5118 - Open Enrollment Act Transfers

New policy, regulation, and exhibit developed to reflect **NEW LAW (SBX5 4)** which allows a parent of a student attending a school identified by the CDE as an open enrollment school to transfer to another school that has a higher Academic Performance Index score. Policy provides language waiving the January 1 deadline for all applications and creates an application window in order to allow the district to grant priorities as specified in statute. Policy also contains standards for rejection of transfer applications and creates a process for appealing a decision to reject an application.

BP 5131.62 - Tobacco

Policy revised to provide examples of prohibited tobacco products in accordance with law and to add prohibition of nicotine delivery devices such as electronic cigarettes, consistent with **NEW LAW (SB 882, 2010)** which makes it unlawful for a person to sell or furnish an electronic cigarette to a minor. Policy also authorizes the use of intervention services as an alternative to suspension for tobacco possession and reflects requirement of TUPE program that the district not accept materials, advertisements, or funds from the tobacco industry.

BP 5131.7 - Weapons and Dangerous Instruments

Updated **MANDATED** policy reflects **NEW LAW (AB 1390)** which requires the principal or designee to notify law enforcement when a student possesses a firearm or explosive, or sells or furnishes a firearm, at school.

BP 5141.3 - Health Examinations

MANDATED policy updated to (1) clarify examinations required at school entry, (2) reflect **NEW LAW (SB 1069)** which allows a physician assistant to conduct a medical examination for the purpose of providing medical clearance for a student's participation in an interscholastic athletic program, and (3) delete a report to the Board on the number of students with physical problems. Regulation revises section on "Hearing and Vision Tests" to more directly reflect law regarding the scheduling of vision tests and to reflect **NEW LAW (SB 1069)** which authorizes a physician assistant to sign a certificate showing that a student has already had a vision test conducted by medical professionals.

BP 5141.31 - Immunizations

Policy updated to (1) clarify the circumstances under which students must submit immunization records, (2) clarify options for requiring immunization records at registration or allowing a grace period up to 30 days after enrollment, and (3) reflect **NEW LAW (AB 1937)** which expands the types of health professionals who may give immunizations, under specified conditions.

BP 5144 - Discipline

Revised policy expands goal statement to focus on correcting student behavior while avoiding an adverse effect on student learning or health. Policy also broadens related staff development topics to include assisting staff to establish cooperative relationships with parents/guardians.

BP 6011 - Academic Standards

Updated policy reflects the State Board of Education's adoption of the Common Core Standards, a set of national voluntary standards in English language arts and mathematics. Policy also adds language regarding (1) involvement of representatives of businesses and postsecondary institutions in the recommendation of district standards; (2) alignment of standards with graduation requirements, college entrance requirements, and other student outcomes; and (3) review of standards in response to changing student needs.

BP 6161.1 - Selection and Evaluation of Instructional Materials

Updated policy and exhibit reflect **NEW LAW (AB 2211)** which revises the definition of "sufficiency of instructional materials" to include materials in a digital format as long as specified conditions are met.

BP 6163.1 - Library Media Centers

Updated policy reflects **NEW STATE STANDARDS** adopted by the State Board of Education, including program standards which describe staffing, resources, and infrastructure recommended for effective school library programs as well as academic standards for library instruction. Policy also adds new section on "Staffing" and new language on criteria for acceptance of donated library materials.

BP 6163.2 - Animals at School

Policy and **MANDATED** regulation reorganized and revised to reflect **NEW FEDERAL REGULATIONS (75 Fed. Reg. 178)** which require the district to modify its policy, practices, and procedures to permit an individual with a disability to use a service animal at school, when the work or task performed by the service animal is directly related to the individual's disability. Material moved from BP to AR re: (1) obtaining permission to bring an animal to school and (2) notifying parents/guardians before bringing animal to school for instructional purposes in order to verify student allergies, asthma, or other health condition.

BP 9123 – Clerk

Bylaw revised to clarify which boards are required by law to appoint a clerk from among their members at the annual organizational meeting, and to clarify duties of the clerk.

BB 9140 - Board Representatives

Revised bylaw recognizes that participation of Board members on district or community committees supports the Board's community leadership role. Bylaw also adds responsibility of Board representative to report back to the Board regarding committee activities and/or actions, and clarifies which boards must designate a voting representative to elect members of the county committee on school district organization.

BB 9323.2 - Actions by the Board

Bylaw updated and reorganized to clarify the circumstances under which the Brown Act permits the Board to discuss or take action on items that are not on the posted agenda. Bylaw also revised to delineate the Board's options upon a receipt of a demand to "cure and correct" an alleged Brown Act violation.

Recommendation:	Review and approve updated policies as outlined.
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Prepared By: Dorma Baker, Superintendent

Superintendent's Signature: _____

COMMENDATIONS AND AWARDS

To encourage community involvement in district programs and activities, the Governing Board may publicly recognize and commend parents/guardians, community members, businesses, and organizations that make outstanding contributions or provide longstanding service to the district or district students.

(cf. 1000 - Concepts and Roles)

(cf. 1020 - Youth Services)

(cf. 1240 - Volunteer Assistance)

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

(cf. 3290 - Gifts, Grants and Bequests)

Any Board member, employee, parent/guardian, student, or community member may recommend an individual or organization for Board recognition. He/she shall submit to the Superintendent or designee the name of the individual or organization and a description of the outstanding contribution or service.

At the Board's discretion, the Board may present a letter of recognition, Board resolution, plaque, or other award at a public Board meeting or may hold a reception or informal recognition activity. The Board also may designate a day, week, or month for special recognition of volunteers.

The Board encourages similar forms of recognition for achievement or services as part of school-level commendation programs.

(cf. 4156.2/4256.2/4356.2 - Awards and Recognition)

(cf. 5126 - Awards for Achievement)

Legal Reference:

EDUCATION CODE

35160 Authority of governing boards

35160.1 Broad authority of school districts

44015 Awards to employees and students

CALIFORNIA CONSTITUTION

Article 16, Section 6 Gifts of public funds

POLITICAL PROCESSES

The Governing Board has a responsibility to actively advocate fiscal and public policy that supports the district's schools and the children in the community. The Board shall be proactive in defining the district's advocacy agenda based on the district's vision and goals and the needs of the district and community. The Board's advocacy efforts shall be conducted in accordance with legal requirements.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 4119.25/4219.25/4319.25 - Political Activities of Employees)

(cf. 9000 - Role of the Board)

(cf. 9010 - Public Statements)

Ballot Measures/Candidates

No district funds, services, supplies, or equipment shall be used to urge the support or defeat of any ballot measure or candidate, including any candidate for election to the Board. (Education Code 7054)

The Board may discuss and study the potential effect of proposed or qualified ballot measures on the district's schools at an open and agendized Board meeting. The Board's discussion of the effect of such measures shall include an opportunity for staff and members of the public to speak on all sides of the issue. At that meeting, the Board may adopt a position or resolution in support of or in opposition to a ballot measure. The language in any resolution adopted by the Board shall not urge the public to take any action regarding the measure.

(cf. 9320 - Meetings and Notices)

The Board's position on a ballot measure, including any resolution, shall be publicized only through normal district procedures and consistent with regular district practice for reporting Board actions. Such publicity shall be for informational purposes and shall not attempt to influence voters.

The Superintendent or designee may use district resources to provide students, parents/guardians, and community members with fair and impartial information related to ballot measures, including information about the impact of ballot measures on the district. (Education Code 7054)

(cf. 1100 - Communication with the Public)

In preparing or distributing such informational material, the Superintendent or designee shall analyze the material to help ensure that it is an appropriate informational activity, provides a fair analysis of the issues, and does not advocate passage or defeat of a measure or candidate.

POLITICAL PROCESSES (continued)

District resources, including email or computer systems, shall not be used to disseminate campaign literature. In addition, district resources shall not be used to purchase advertisements, bumper stickers, posters, or similar promotional items that advocate an election result or urge voters to take any action in support of or in opposition to a measure.

(cf. 1325 - Advertising and Promotion)

Political activity related to district bond measures shall, in addition to the above, be subject to the following conditions:

1. The Superintendent or designee may research, draft, and prepare a district bond measure or other initiative for the ballot, but shall not use district resources to influence voters or otherwise campaign for the measure.
2. Upon request, Board members and district administrators may appear at any time before a citizens' group to explain why the Board called for an election on a bond measure and to answer questions. (Education Code 7054.1)

If the presentation occurs during working hours, the employee representing the district shall not urge a citizens' group to vote for or against the bond measure.

3. The Board or any individual Board member may file a written argument for the ballot that is either for or against any school measure. (Elections Code 9501)

Legislation

The Board's responsibility as an advocate for the district may include lobbying and outreach at the state, national, and local levels. The Board and Superintendent or designee shall work to establish and maintain ongoing relationships with elected officials, community leaders, and the media in order to communicate district positions and concerns.

(cf. 1020 - Youth Services)

(cf. 1112 - Media Relations)

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

(cf. 7131 - Relations with Local Agencies)

The Board and Superintendent shall develop an advocacy action plan to define expectations and responsibilities. This plan may include, but is not limited to, legislative priorities, strategies for outreach to the media and community, development of key messages and talking points, and adoption of positions on specific legislation, regulations, or budget proposals.

POLITICAL PROCESSES (continued)

In order to strengthen legislative advocacy efforts, the district may work with organizations and coalitions and may join associations whose representatives lobby on behalf of their members in accordance with Government Code 53060.5.

The district may provide fair and impartial information about legislative issues affecting schools and children and shall inform the community about its advocacy activities. However, informational materials about legislation shall not urge the public to lobby the legislature, Governor, or state agencies on behalf of the district.

As necessary, the Board may direct the Superintendent or designee to draft legislative or regulatory proposals which serve the district's interests.

Legal Advocacy

The Board recognizes that some issues are more appropriately addressed judicially rather than legislatively. When a legal issue is likely to set a state or national precedent, the district may join with other districts or parties in order to resolve the issue through litigation or other appropriate means.

(cf. 9124 - Attorney)

(cf. 9321 - Closed Session Purposes and Agendas)

Political Forums

Forums on political issues may be held in district facilities as long as the forum is made available to all sides of the issue on an equitable basis. (Education Code 7058)

(cf. 1330 - Use of School Facilities)

Legal Reference: (see next page)

POLITICAL PROCESSES (continued)

Legal Reference:

EDUCATION CODE

7050-7058 *Political activities of school officers and employees, including:*

7054 *Use of district property*

7054.1 *Requested appearance*

7056 *Soliciting or receiving political funds*

35160 *Authority of governing boards*

35172 *Promotional activities*

ELECTIONS CODE

9501 *School district elections, arguments for or against a measure*

GOVERNMENT CODE

8314 *Unlawful use of state resources*

53060.5 *Attendance at legislative body; expenses*

54953.5 *Right to record proceedings*

54953.6 *Broadcasts of proceedings*

81000-91015 *Political Reform Act, including:*

82031 *Definition of independent expenditure*

CODE OF REGULATIONS, TITLE 2

18600-18640 *Lobbyists*

18901.1 *Campaign related mailings sent at public expense*

COURT DECISIONS

Vargas v. City of Salinas, (2009) 46 Cal. 4th 1

Santa Barbara County Coalition Against Automobile Subsidies v. Santa Barbara County Association of Governments, (2008) 167 Cal.App.4th 1229

Yes on Measure A v. City of Lake Forest, (1997) 60 Cal.App.4th 620

Choice-in-Education League et al v. Los Angeles Unified School District, (1993) 17 Cal.App.4th 415

League of Women Voters v. Countywide Criminal Justice Coordination Committee, (1988) 203

Cal.App.3d 529

Miller v. Miller, (1978) 87 Cal.App.3d 762

Stanson v. Mott, (1976) 17 Cal. 3d 206

ATTORNEY GENERAL OPINIONS

88 *Ops. Cal. Atty. Gen. 46* (2005)

73 *Ops. Cal. Atty. Gen. 255* (1990)

Management Resources:

CSBA PUBLICATIONS

Legal Guidelines: Use of Public Resources for Ballot Measures and Candidates, Fact Sheet, February 2011

Legal Guidelines for Lobbying Activity, Fact Sheet, February 2011

INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS

Legal Issues Associated with Use of Public Resources and Ballot Measure Activities, June 2010

WEB SITES

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

Fair Political Practices Commission: <http://www.fppc.ca.gov>

Institute for Local Government: <http://www.ca-ilg.org>

VISITORS/OUTSIDERS

The Governing Board believes that it is important for parents/guardians and community members to take an active interest in the issues affecting district schools and students. Therefore, the Board encourages interested parents/guardians and community members to visit the schools and participate in the educational program.

(cf. 1240 - Volunteer Assistance)
(cf. 5020 - Parent Rights and Responsibilities)
(cf. 6020 - Parent Involvement)

To ensure the safety of students and staff and minimize interruption of the instructional program, the Superintendent or designee shall establish procedures which facilitate visits during regular school days. Visits during school hours should be arranged with the principal or designee. When a visit involves a conference with a teacher or the principal, an appointment should be scheduled during noninstructional time.

(cf. 6116 - Classroom Interruptions)

Any person who is not a student or staff member shall register immediately upon entering any school building or grounds when school is in session.

(cf. 1112 - Media Relations)

The principal or designee may provide a visible means of identification for all individuals who are not students or staff members while on school premises.

No electronic listening or recording device may be used by any person in a classroom without the teacher and principal's permission. (Education Code 51512)

The Board encourages all individuals to assist in maintaining a safe and secure school environment by behaving in an orderly manner while on school grounds and by utilizing the district's complaint processes if they have concerns with any district program or employee. In accordance with Penal Code 626.7, the principal or designee may request that any individual who is causing a disruption, including exhibiting volatile, hostile, aggressive, or offensive behavior, immediately leave school grounds.

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.2 - Complaints Concerning Instructional Materials)
(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 1312.4 - Williams Uniform Complaint Procedures)
(cf. 3515.2 - Disruptions)

Legal Reference: (see next page)

VISITORS/OUTSIDERS (continued)

Legal Reference:

EDUCATION CODE

32210 *Willful disturbance of public school or meeting*

32211 *Threatened disruption or interference with classes; misdemeanor*

32212 *Classroom interruptions*

35160 *Authority of governing boards*

35292 *Visits to schools (board members)*

51512 *Prohibited use of electronic listening or recording device*

EVIDENCE CODE

1070 *Refusal to disclose news source*

LABOR CODE

230.8 *Discharge or discrimination for taking time off to participate in child's educational activities*

PENAL CODE

626-626.10 *Schools*

627-627.10 *Access to school premises, especially:*

627.1 *Definitions*

627.2 *Necessity of registration by outsider*

627.7 *Misdemeanors; punishment*

COURT DECISIONS

Reeves v. Rocklin Unified School District, (2003) 109 Cal.App.4th 652

ATTORNEY GENERAL OPINIONS

95 Ops. Cal. Atty. Gen. 509 (1996)

STUDENT AND FAMILY PRIVACY RIGHTS

The Governing Board respects the rights of district students and their parents/guardians with regard to the privacy of their personal beliefs and the confidentiality of their personal information. The Superintendent or designee shall develop regulations to ensure compliance with law when the district requests, retains, discloses, or otherwise uses the personal information of its students and their families.

(cf. 5020 - Parent Rights and Responsibilities)
(cf. 5021 - Noncustodial Parents)
(cf. 5125 - Student Records)
(cf. 5125.1 - Release of Directory Information)
(cf. 6162.8 - Research)

The regulations shall, at a minimum, address the following: (20 USC 1232h)

1. Whether the district may collect the personal information of students for marketing or sale
2. How the district will administer surveys that may request information about the personal beliefs and practices of students and their families
3. The rights of parents/guardians to inspect:
 - a. Survey instruments requesting information about their personal beliefs and practices or those of their children
 - b. Instructional materials used as part of their children's educational curriculum
4. Whether the district may administer any nonemergency invasive physical examination or screening
5. Notifications that the district will provide to students and parents/guardians with respect to their privacy rights

The Superintendent or designee shall consult with parents/guardians regarding the development of the procedures. (20 USC 1232h)

(cf. 0420 - School Plans/Site Councils)
(cf. 1220 - Citizen Advisory Committee)
(cf. 1230 - School-Connected Organizations)

Legal Reference: (see next page)

STUDENT AND FAMILY PRIVACY RIGHTS (continued)

Legal Reference:

EDUCATION CODE

49450-49458 *Physical examinations*

49602 *Confidentiality of personal information received during counseling*

51101 *Parents Rights Act of 2002*

51513 *Test, questionnaire, survey, or examination concerning personal beliefs*

51938 *Sexual Health and HIV/AIDS Prevention Education Act; notice and parental excuse*

UNITED STATES CODE, TITLE 20

1232g *Family Educational Rights and Privacy Act*

1232h *Protection of pupil rights*

Management Resources:

WEB SITES

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

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

U.S. Department of Education, Family Policy Compliance Office: <http://www.ed.gov/offices/OM/fpco>

CHRONIC ABSENCE AND TRUANCY

The Governing Board believes that excessive student absenteeism and tardiness, whether caused by excused or unexcused absences, may be an early warning sign of poor academic achievement and may put students at risk of dropping out of school. The Board desires to ensure that all students attend school in accordance with the state's compulsory education law and take full advantage of educational opportunities provided by the district.

(cf. 5113 - Absences and Excuses)

The Superintendent or designee shall establish a system to accurately track and monitor student attendance, including methods to identify students classified as chronic absentees and truants, as defined in law and administrative regulation.

To encourage school attendance, the Superintendent or designee shall develop strategies that focus on prevention and early intervention of attendance problems. Preventive strategies may include efforts to provide a safe and positive school environment, relevant and engaging learning experiences, and school activities that help develop students' feelings of connectedness with the schools. The Superintendent or designee also may provide incentives and rewards to recognize students who achieve excellent attendance or demonstrate significant improvement in attendance.

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

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5126 - Awards for Achievement)

(cf. 5131 - Conduct)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

The Superintendent or designee shall work with students and parents/guardians to identify factors contributing to chronic absence and truancy. Based on this needs assessment, he/she shall collaborate with community agencies, including, but not limited to, child welfare services, law enforcement, courts, and/or public health care agencies, to ensure that alternative educational programs and nutrition, health care, and other support services are available for students and families and to intervene as necessary when students have serious attendance problems.

(cf. 1020 - Youth Services)

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

(cf. 5030 - Student Wellness)

(cf. 5145.6 - School Health Services)

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

(cf. 5147 - Dropout Prevention)

(cf. 5149 - At-Risk Students)

(cf. 6158 - Independent Study)

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6164.5 - Student Success Teams)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

CHRONIC ABSENCE AND TRUANCY (continued)

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

(cf. 6175 - Migrant Education Program)

(cf. 6179 - Supplemental Instruction)

(cf. 6181 - Alternative Schools/Programs of Choice)

(cf. 6183 - Home and Hospital Instruction)

(cf. 6184 - Continuation Education)

(cf. 6185 - Community Day School)

As required by law, habitually truant students shall be referred to a school attendance review board (SARB), a truancy mediation program operated by the county's district attorney or probation officer, and/or a juvenile court.

The Superintendent or designee shall regularly analyze data on student absence to identify patterns of absence districtwide and by school, grade level, and student population. Such data shall be used to identify common barriers to attendance, prioritize resources for intervention, and monitor progress over time. The Superintendent or designee shall periodically report this information to the Board for purposes of evaluating the effectiveness of strategies implemented to reduce chronic absence and truancy and making changes as needed. As appropriate, the Superintendent or designee also shall provide this information to key school staff and community agency partners to engage them in program evaluation and improvement.

School Attendance Review Board

The Board shall submit nominations to the County Superintendent of Schools for a district representative on the county SARB. (Education Code 48321)

The Board shall appoint members of the district's SARB, who may include, but are not be limited to, a parent/guardian as well as representatives of the district, county probation department, county welfare department, county office of education, law enforcement agencies, community-based youth service centers, school guidance personnel, child welfare and attendance personnel, and school or county health care personnel. (Education Code 48321)

The district's SARB shall operate in accordance with Education Code 48320-48325 and procedures established by the Superintendent or designee.

Legal Reference: (see next page)

CHRONIC ABSENCE AND TRUANCY (continued)

Legal Reference:

EDUCATION CODE

- 1740 *Employment of personnel to supervise attendance (county superintendent)*
- 37223 *Weekend classes*
- 41601 *Reports of average daily attendance*
- 46000 *Records (attendance)*
- 46010-46014 *Absences*
- 46110-46119 *Attendance in kindergarten and elementary schools*
- 46140-46147 *Attendance in junior high and high schools*
- 48200-48208 *Children ages 6-18 (compulsory full-time attendance)*
- 48240-48246 *Supervisors of attendance*
- 48260-48273 *Truants*
- 48290-48296 *Failure to comply; complaints against parents*
- 48320-48325 *School attendance review boards*
- 48340-48341 *Improvement of student attendance*
- 48400-48403 *Compulsory continuation education*
- 49067 *Unexcused absences as cause of failing grade*
- 60901 *Chronic absence*

GOVERNMENT CODE

- 54950-54963 *The Ralph M. Brown Act*

PENAL CODE

- 270.1 *Chronic truancy; parent/guardian misdemeanor*
- 272 *Parent/guardian duty to supervise and control minor child; criminal liability for truancy*
- 830.1 *Peace officers*

VEHICLE CODE

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

WELFARE AND INSTITUTIONS CODE

- 601-601.4 *Habitually truant minors*
- 11253.5 *Compulsory school attendance*

CODE OF REGULATIONS, TITLE 5

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

Management Resources:

CSBA PUBLICATIONS

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

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

School Attendance Review Board Handbook, 2009

School Attendance Improvement Handbook, 2000

WEB SITES

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

Attendance Counts: <http://www.attendancecounts.org>

California Association of Supervisors of Child Welfare and Attendance: <http://www.cascwa.org>

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

INTRADISTRICT OPEN ENROLLMENT

The Governing Board desires to provide enrollment options that meet the diverse needs and interests of district students and parents/guardians, while also balancing enrollment in order to maximize the efficient use of district facilities. The Superintendent or designee shall establish procedures for the selection and transfer of students among district schools in accordance with law, Board policy, and administrative regulation.

(cf. 5117 - Interdistrict Attendance)

The parents/guardians of any student who resides within district boundaries may apply to enroll their child in any district school, regardless of the location of residence within the district. (Education Code 35160.5)

(cf. 5111.1 - District Residency)

(cf. 5111.12 - Residency Based on Parent/Guardian Employment)

(cf. 5111.13 - Residency for Homeless Children)

The Board shall annually review this policy. (Education Code 35160.5, 48980)

Enrollment Priorities

No student currently residing within a school's attendance area shall be displaced by another student transferring from outside the attendance area. (Education Code 35160.5)

(cf. 5116 - School Attendance Boundaries)

The Superintendent or designee shall grant priority to any district student to attend another district school, including a charter school, outside of his/her attendance area as follows:

1. Any student enrolled in a district school that has been identified on the state's Open Enrollment List. (Education Code 48354)

(cf. 5118 - Open Enrollment Act Transfers)

2. Any student enrolled in a district school receiving Title I funds that has been identified for program improvement (PI), corrective action, or restructuring. (20 USC 6316)

(cf. 0420.4 - Charter Schools)

(cf. 0520.2 - Title I Program Improvement Schools)

(cf. 6171 - Title I Programs)

3. Any student enrolled in a district school designated by the California Department of Education as "persistently dangerous." (20 USC 7912; 5 CCR 11992)

(cf. 0450 - Comprehensive Safety Plan)

INTRADISTRICT OPEN ENROLLMENT (continued)

4. Any student who is a victim of a violent crime while on school grounds. (20 USC 7912)
5. Upon a finding that special circumstances exist that might be harmful or dangerous to the student in the current attendance area. Special circumstances, include, but are not limited to, threats of bodily harm or threats to the emotional stability of the student. Any such student may transfer to a district school that is at capacity and otherwise closed to transfers.

To grant priority under these circumstances, the Superintendent or designee must have received either: (Education Code 35160.5)

- a. A written statement from a representative of an appropriate state or local agency, such as a law enforcement official, social worker, or a properly licensed or registered professional, such as a psychiatrist, psychologist, or marriage and family therapist
 - b. A court order, including a temporary restraining order and injunction
6. Any sibling of a student already in attendance in that school.
 7. Any student whose parent/guardian is assigned to that school as his/her primary place of employment.

Application and Selection Process

In order to ensure that priorities for enrollment in district schools are implemented in accordance with law, applications for intradistrict open enrollment shall be submitted between the beginning of November and the end of January of the school year preceding the school year for which the transfer is requested.

The Superintendent or designee shall calculate each school's capacity in a nonarbitrary manner using student enrollment and available space. (Education Code 35160.5)

Except for priorities listed above, the Superintendent or designee shall use a random, unbiased selection process to determine who shall be admitted whenever the school receives admission requests that are in excess of the school's capacity. (Education Code 35160.5)

Enrollment decisions shall not be based on a student's academic or athletic performance, except that existing entrance criteria for specialized schools or programs may be used

INTRADISTRICT OPEN ENROLLMENT (continued)

provided that the criteria are uniformly applied to all applicants. Academic performance may be used to determine eligibility for, or placement in, programs for gifted and talented students. (Education Code 35160.5)

(cf. 6172 - Gifted and Talented Student Program)

Transportation

Except as required by 20 USC 6316 for transfers out of Title I PI schools, the district shall not be obligated to provide transportation for students who attend school outside their attendance area.

(cf. 3250 - Transportation Fees)

(cf. 3540 - Transportation)

Legal Reference: (see next page)

INTRADISTRICT OPEN ENROLLMENT (continued)

Legal Reference:

EDUCATION CODE

200 Prohibition against discrimination

35160.5 District policies; rules and regulations

35291 Rules

35351 Assignment of students to particular schools

46600-46611 Interdistrict attendance agreements

48200 Compulsory attendance

48204 Residency requirements for school attendance

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

48350-48361 Open Enrollment Act

48980 Notice at beginning of term

CODE OF REGULATIONS, TITLE 5

11992-11994 Definition of persistently dangerous schools

UNITED STATES CODE, TITLE 20

6316 Transfers from program improvement schools

7912 Transfers from persistently dangerous schools

CODE OF FEDERAL REGULATIONS, TITLE 34

200.36 Dissemination of information

200.37 Notice of program improvement status, option to transfer

200.39 Program improvement, transfer option

200.42 Corrective action, transfer option

200.43 Restructuring, transfer option

200.44 Public school choice, program improvement schools

200.48 Transportation funding for public school choice

COURT DECISIONS

Crawford v. Huntington Beach Union High School District, (2002) 98 Cal.App.4th 1275

ATTORNEY GENERAL OPINIONS

85 Ops.Cal.Atty.Gen. 95 (2002)

Management Resources:

U.S. DEPARTMENT OF EDUCATION NONREGULATORY GUIDANCE

Public School Choice, January 2009

Unsafe School Choice Option, May 2004

WEB SITES

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

California Department of Education, Unsafe School Choice Option:

<http://www.cde.ca.gov/ls/ss/se/usco.asp>

U.S. Department of Education, No Child Left Behind: <http://www.nclb.gov>

INTERDISTRICT ATTENDANCE

The Governing Board recognizes that students who reside in one district may choose to attend school in another district and that such choices are made for a variety of reasons.

(cf. 0520.3 - Title I Program Improvement Districts)
(cf. 5111.12 - Residency Based on Parent/Guardian Employment)
(cf. 5116.1 - Intradistrict Open Enrollment)
(cf. 5118 - Open Enrollment Act Transfers)

Interdistrict Attendance Permits

Upon request by students' parents/guardians, the Superintendent or designee may approve interdistrict attendance permits with other districts on a case-by-case basis to meet individual student needs.

The Superintendent or designee shall ensure that interdistrict permits specify the terms and conditions agreed to by both districts for the granting, denial, or revocation of the permit as well as the standards for reapplication.

The Superintendent or designee may deny the granting of an interdistrict attendance permit because of overcrowding within district schools or limited district resources.

Transportation

The district shall not provide transportation outside any school attendance area. However, upon request, the Superintendent or designee may authorize transportation for students living outside an attendance area to and from designated bus stops within the attendance area if space is available. Priority for such transportation shall be based on demonstrated financial need.

Limits on Student Transfers out of the District to a School District of Choice

The Superintendent or designee may limit the number of student transfers out of the district to a school district of choice based on the percentages of average daily attendance specified in Education Code 48307.

In addition, transfers out of the district may be limited during a fiscal year when the County Superintendent of Schools has given the district a negative budget certification or when the County Superintendent has determined that the district will not meet the state's standards and criteria for fiscal stability in the subsequent fiscal year exclusively as a result of student transfers from this district to a school district of choice. (Education Code 48307)

(cf. 3100 - Budget)
(cf. 3460 - Financial Reports and Accountability)

INTERDISTRICT ATTENDANCE (continued)

The district may deny a transfer of a student out of the district to a school district of choice if the Board determines that the transfer would negatively impact a court-ordered or voluntary desegregation plan of the district. (Education Code 48301)

Legal Reference:

EDUCATION CODE

41020 Annual district audits

46600-46611 Interdistrict attendance agreements

48204 Residency requirements for school attendance

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

48350-48361 Open Enrollment Act

48915 Expulsion; particular circumstances

48915.1 Expelled individuals: enrollment in another district

48918 Rules governing expulsion procedures

48980 Notice at beginning of term

52317 Regional Occupational Center/Program, enrollment of students, interdistrict attendance

ATTORNEY GENERAL OPINIONS

87 *Ops. Cal. Atty. Gen.* 132 (2004)

84 *Ops. Cal. Atty. Gen.* 198 (2001)

COURT DECISIONS

Crawford v. Huntington Beach Union High School District, (2002) 98 Cal.App.4th 1275

Management Resources:

WEB SITES

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

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

OPEN ENROLLMENT ACT TRANSFERS

The Governing Board desires to offer enrollment options in order to provide children with opportunities for academic achievement that meet their diverse needs. Such options shall also be provided to children who reside within another district's boundaries in accordance with law, Board policy, and administrative regulation.

Whenever a student is attending a district school on the Open Enrollment List as identified by the Superintendent of Public Instruction, he/she may transfer to another school within or outside of the district, as long as the school to which he/she is transferring has a higher Academic Performance Index. (Education Code 48354, 48356)

A parent/guardian whose child is attending a district school on the Open Enrollment List and who wishes to have his/her child attend another school within the district shall apply for enrollment using BP/AR 5116.1 - Intradistrict Open Enrollment.

(cf. 5116.1 - Intradistrict Open Enrollment)
(cf. 5117 - Interdistrict Attendance)

In order to ensure that priorities for enrollment in district schools are implemented in accordance with law, the Board hereby waives the January 1 deadline in Education Code 48354 for all applications for transfer from nonresident parents/guardians of children attending a school on the Open Enrollment List in another district. Transfer applications shall be submitted between the beginning of November and the end of January of the preceding school year for which the transfer is requested.

(cf. 5111.1 - District Residency)
(cf. 5111.12 - Residency Based on Parent/Guardian Employment)

The Board may deny a transfer out of or into the district upon a determination by the Board that the transfer would negatively impact a court-ordered or voluntary desegregation plan in accordance with Education Code 48355.

Standards for Rejection of Transfer Applications

Pursuant to Education Code 48356, the Board has adopted the following standards for acceptance and rejection of transfer applications submitted by a parent/guardian of a student attending a school in another district on the Open Enrollment List. The Superintendent or designee shall apply these standards in accordance with Board policy and administrative regulation and shall ensure that the standards are applied uniformly and consistently.

As applicable, the Superintendent or designee may deny a transfer application under any of the following circumstances:

1. Upon a determination that approval of the transfer application would negatively impact the capacity of a program, class, grade level, or school building, including:

OPEN ENROLLMENT ACT TRANSFERS (continued)

- a. The class or grade level exceeding the district's limits pursuant to the state Class Size Reduction Program or the Morgan/Hart Class Size Reduction Program for Grades 9-12
- b. The site, classroom, or program exceeding the maximum student-teacher ratio specified in the district's collective bargaining agreement
- c. The site or classroom exceeding the physical capacity of the facility pursuant to the district's facilities master plan or other facility planning document
- d. The class or grade level exceeding capacity pursuant items #a-#c above in subsequent years as the student advances to other grade levels at the school

(cf. 6151 - Class Size)

(cf. 7110 - Facilities Master Plan)

2. Upon a determination that approval of the transfer application would have an adverse financial impact on the district, including:
 - a. The hiring of additional certificated or classified staff
 - b. The operation of additional classrooms or instructional facilities
 - c. Expenses incurred by the district that would not be covered by the apportionment of funds received from the state resulting in a reduction of the resources available to resident students

Appeal Process for Denials of Transfer Applications

A parent/guardian may appeal the district's denial of a transfer application to the Board by filing a written request of appeal with the Superintendent or designee within 10 days of the receipt of the written notification of denial. In addition, a parent/guardian who believes he/she has been subject to discrimination may file an appeal using the district's Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

The Board shall schedule an appeal hearing as soon as practicable at a regular or special meeting of the Board. At the hearing, the parent/guardian shall have the right to present oral or written evidence, rebut district evidence, and question any district witnesses. Unless the parent/guardian requests that the hearing be held in open session, the hearing shall be held in closed session in order to protect the privacy of students in accordance with law.

(cf. 9321 - Closed Session Purposes and Agendas)

OPEN ENROLLMENT ACT TRANSFERS (continued)

The Board shall make its decision by the next regularly scheduled meeting and shall send its decision to all concerned parties. The Board's decision shall be final.

Program Evaluation

The Superintendent or designee shall collect data regarding the number of students who transfer out of the district pursuant to the Open Enrollment Act. He/she also shall collect data regarding the number of students who apply to transfer into the district, the number of requests granted, denied, or withdrawn, and the district schools and programs receiving applications.

When the Superintendent or designee anticipates that a particular school will receive a large number of transfer applications, he/she shall study the enrollment pattern at that school in order to anticipate future resident enrollment at the school and at the district schools into which those students would normally matriculate.

The Superintendent or designee shall regularly report to the Board regarding the implementation of this program.

Legal Reference: (see next page)

OPEN ENROLLMENT ACT TRANSFERS (continued)

Legal Reference:

EDUCATION CODE

200 Prohibition of discrimination

35160.5 District policies, rules, and regulations

46600-46611 Interdistrict attendance agreements

48200 Compulsory attendance

48204 Residency requirements for school attendance

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

48350-48361 Open Enrollment Act

48915 Expulsion; particular circumstances

48915.1 Expelled individuals: enrollment in another district

52317 Regional Occupational Center/Program, enrollment of students, interdistrict attendance

FAMILY CODE

6500-6552 Caregivers

UNITED STATES CODE, TITLE 20

6316 Transfers from program improvement schools

CODE OF REGULATIONS, TITLE 5

4700-4703 Open Enrollment Act

CODE OF FEDERAL REGULATIONS, TITLE 34

200.36 Dissemination of information

200.37 Notice of program improvement status, option to transfer

200.39 Program improvement, transfer option

200.42 Corrective action, transfer option

200.43 Restructuring, transfer option

200.44 Public school choice, program improvement schools

ATTORNEY GENERAL OPINIONS

87 *Ops. Cal. Atty. Gen.* 132 (2004)

84 *Ops. Cal. Atty. Gen.* 198 (2001)

COURT DECISIONS

Crawford v. Huntington Beach Union High School District, (2002) 98 Cal.App.4th 1275

Management Resources:

WEB SITES

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

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

TOBACCO

The Governing Board recognizes that tobacco use presents serious health risks and desires to provide support and assistance in reducing the number of students who begin or continue to use tobacco. The Superintendent or designee shall establish a comprehensive program that includes consistent enforcement of laws prohibiting tobacco possession and use by students, tobacco-use prevention education including youth development activities, and intervention and cessation activities and/or referrals.

(cf. 5141.23 - Asthma Management)

Prohibition Against Tobacco Use

Students shall not possess, smoke, or use tobacco or any product containing tobacco or nicotine while on campus, while attending school-sponsored activities, or while under the supervision and control of district employees. Prohibited products include, but are not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. (Education Code 48900, 48901)

(cf. 3513.3 - Tobacco-Free Schools)

(cf. 5131 - Conduct)

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

Students' possession or use of nicotine delivery devices, such as electronic cigarettes, is also prohibited.

These prohibitions do not apply to a student's possession or use of his/her own prescription products. (Education Code 48900, 48901)

Prevention Instruction

The district shall provide developmentally appropriate tobacco-use prevention instruction for students at selected grade levels from K-12. Such instruction shall be aligned with state content standards and the state curriculum framework for health education and with any requirements of state and/or federal grant programs in which the district participates.

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6143 - Courses of Study)

Intervention/Cessation Services

The district may provide or refer students to counseling, intensive education, and other intervention services to assist in the cessation of tobacco use. When appropriate, such intervention services may be provided as an alternative to suspension for tobacco possession.

(cf. 1020 - Youth Services)

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

TOBACCO (continued)

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

Program Planning

The district's tobacco-use prevention and intervention program shall be based on an assessment of tobacco-use problems in district schools and the community, an examination of existing services and activities in the community, and a determination of high-risk student populations that are most in need of district services.

The Superintendent or designee shall coordinate with the local health department and county office of education in program planning and implementation. He/she may establish an advisory council including students, parents/guardians, district staff, representatives of the local health department and community organizations, law enforcement professionals, and/or others with demonstrated expertise in tobacco prevention and cessation.

(cf. 1220 - Citizen Advisory Councils)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

The Superintendent or designee also shall coordinate the district's tobacco-use prevention and intervention program with other district efforts to reduce students' use of illegal substances and to promote student wellness.

(cf. 5030 - Student Wellness)
(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5131.63 - Steroids)

The Superintendent or designee shall select anti-tobacco programs based on the model program designs identified by the California Department of Education (CDE) and may modify the model to meet district needs. (Health and Safety Code 104420)

The Superintendent or designee shall not accept for distribution any materials or advertisements that promote the use or sale of tobacco products. He/she also shall not accept tobacco-use prevention or intervention funds or materials from the tobacco industry or from any entity which has received funding from the tobacco industry.

(cf. 1325 - Advertising and Promotion)
(cf. 3290 - Gifts, Grants and Bequests)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

Program Evaluation

To evaluate the effectiveness of the district's program and ensure accountability, the Superintendent or designee shall biennially administer the California Healthy Kids Survey or

TOBACCO (continued)

other appropriate student survey at selected grade levels in order to assess student attitudes toward tobacco and student use of tobacco. He/she also shall annually report to the Board, and to the CDE if required, the data specified in Health and Safety Code 104450.

(cf. 0500 - Accountability)

(cf. 5022 - Student and Family Privacy Rights)

(cf. 6162.8 - Research)

The results of program evaluations shall be used to refine program goals and objectives and make changes as needed to strengthen program implementation.

Legal Reference: (see next page)

TOBACCO (continued)

Legal Reference:

EDUCATION CODE

48900 Suspension or expulsion (grounds)
48900.5 Suspension, limitation on imposition; exception
48901 Smoking or use of tobacco prohibited
51202 Instruction in personal and public health and safety
60041 Instructional materials, portrayal of effects of tobacco use

HEALTH AND SAFETY CODE

104350-104495 Tobacco-use prevention education
119405 Unlawful to sell or furnish electronic cigarettes to minors

PENAL CODE

308 Minimum age for tobacco possession

CODE OF REGULATIONS, TITLE 17

6800 Definition, health assessment
6844-6847 Child Health and Disability Prevention program; health assessments

UNITED STATES CODE, TITLE 20

7111-7117 Safe and Drug-Free Schools and Communities Act

CODE OF FEDERAL REGULATIONS, TITLE 21

1140.1-1140.34 Unlawful sale of cigarettes and smokeless tobacco to minors

ATTORNEY GENERAL OPINIONS

88 Ops.Cal.Atty.Gen. 8 (2005)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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

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

Getting Results: Part II California Action Guide to Tobacco Use Prevention Education, 2000

WEST ED PUBLICATIONS

Guidebook for the California Healthy Kids Survey

WEB SITES

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

California Department of Education, Tobacco-Use Prevention Education:

<http://www.cde.ca.gov/ls/he/at/tupe.asp>

California Department of Public Health, Tobacco Control: <http://www.cdph.ca.gov/programs/tobacco>

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Healthy Kids Survey: <http://www.wested.org/hks>

Centers for Disease Control and Prevention, Smoking and Tobacco Use: <http://www.cdc.gov/tobacco>

Safe and Healthy Kids Annual Report: <http://hk.duerrevaluation.com>

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

U.S. Surgeon General: <http://www.surgeongeneral.gov>

WEAPONS AND DANGEROUS INSTRUMENTS

The Governing Board recognizes that students and staff have the right to a safe and secure campus free from psychological and physical harm and desires to protect them from the dangers presented by firearms and other weapons.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 5116.1 - Intradistrict Open Enrollment)
(cf. 5131 - Conduct)
(cf. 5144 - Discipline)

Possession of Weapons

The Board prohibits any student from possessing weapons, imitation firearms, or dangerous instruments of any kind in school buildings, on school grounds or buses, at school-related or school-sponsored activities away from school, or while going to or coming from school.

(cf. 3515.3 - District Police/Security Department)

Any student who is determined to have brought a firearm to school or possessed a firearm at school, as verified by a school employee, shall be expelled for not less than one year, except that the Board may set an earlier date for readmission on a case-by-case basis, in accordance with Board policy and administrative regulation. (20 USC 7151; Education Code 48915)

(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Individuals with Disabilities))

Students possessing or threatening others with any weapon, dangerous instrument, or imitation firearm shall be subject to suspension and/or expulsion in accordance with law, Board policy, and administrative regulations.

Under the power granted to the Board to maintain order and discipline in the schools and to protect the safety of students, staff, and the public, any school employee is authorized to confiscate a weapon, dangerous instrument, or imitation firearm from any student on school grounds.

(cf. 4158/4258/4358 - Employee Security)

The principal or designee shall notify law enforcement authorities when any student possesses a firearm, explosive, or other dangerous weapon or instrument without permission, sells or furnishes a firearm, or commits any act of assault with a firearm or other weapon. (20 USC 7151; Education Code 48902; Penal Code 245, 626.9, 626.10)

(cf. 3515.2 - Disruptions)

WEAPONS AND DANGEROUS INSTRUMENTS (continued)

Possession of Pepper Spray

To prevent potential misuse that may harm students or staff, students are prohibited from carrying tear gas or tear gas weapons such as pepper spray on campus or at school activities.

Reporting of Dangerous Objects

The Board encourages students to promptly report the presence of weapons, injurious objects, or other suspicious activity to school authorities. The identity of a student who reports such activity shall remain confidential to the extent permitted by law.

(cf. 5125 - Student Records)

The Superintendent or designee shall develop strategies designed to facilitate student reporting of the presence of injurious objects on school grounds, such as tip hotlines, electronic transmissions, or other methods that preserve the student's anonymity. Incident reports and records shall not identify the student who reported the possession. The Superintendent or designee also shall inform staff, students, and parents/guardians that students who report the presence of injurious objects on school campuses are to be protected and their identity shielded.

(cf. 5138 - Conflict Resolution/Peer Mediation)

Legal Reference: (See next page)

WEAPONS AND DANGEROUS INSTRUMENTS (continued)

Legal Reference:

EDUCATION CODE

35291 *Governing board to prescribe rules for discipline of the schools*

48900 *Grounds for suspension/expulsion*

48902 *Notification of law enforcement authorities*

48915 *Required recommendation for expulsions*

48916 *Readmission*

49330-49335 *Injurious objects*

PENAL CODE

245 *Assault with deadly weapon*

417.4 *Imitation firearm; drawing or exhibiting*

626.9 *Gun-Free School Zone Act of 1995*

626.10 *Dirks, daggers, knives, razor or stun gun; bringing or possessing in school*

653k *Soliciting a minor to commit certain felonies*

12001 *Control of deadly weapons*

12020-12036 *Unlawful carrying and possession of concealed weapons*

12220 *Unauthorized possession of a machine gun*

12401-12404 *Tear gas*

12550-12556 *BB devices and imitation firearms*

UNITED STATES CODE, TITLE 20

6301-7941 *No Child Left Behind Act, especially:*

7151 *Gun-Free Schools Act*

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION COMMUNICATIONS

0401.01 *Protecting Student Identification in Reporting Injurious Objects*

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Guidance Concerning State and Local Responsibilities Under the Gun-Free Schools Act, January 2004

WEB SITES

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

California Department of Education, Safe Schools: <http://www.cde.ca.gov/ls/ss>

National Alliance for Safe Schools: <http://www.safeschools.org>

National School Safety Center: <http://www.schoolsafety.us>

U.S. Department of Education, Office of Safe and Drug Free Schools:

<http://www.ed.gov/about/offices/list/osdfs>

HEALTH EXAMINATIONS

The Governing Board recognizes that periodic health examinations of students may lead to early detection and treatment of conditions that impact learning. Health examinations also may help in determining whether special adaptations of the school program are necessary.

The Superintendent or designee shall verify that students have complied with legal requirements for a comprehensive health screening, an oral health assessment, and immunizations at school entry. In addition, the district shall administer tests for vision, hearing, and scoliosis as required by law.

(cf. 5141.26 - Tuberculosis Testing)

(cf. 5141.31 - Immunizations)

(cf. 5141.32 - Health Screening for School Entry)

(cf. 5141.6 - School Health Services)

All students who participate as cheerleaders, song leaders, or athletes in organized competitive sports shall first undergo a medical examination and submit documentation of medical clearance to the district. Upon sustaining an injury or serious illness, a student may be required to have another examination before participating further. This requirement does not apply to participants in occasional play day or field day activities.

(cf. 5143 - Insurance)

(cf. 6145.2 - Athletic Competition)

The Superintendent or designee shall ensure that staff employed to examine students exercise proper care of each student and that examination results are kept confidential. Records related to these examinations shall be maintained and released only in accordance with law.

(cf. 5125 - Student Records)

Legal Reference: (see next page)

HEALTH EXAMINATIONS (continued)

Legal Reference:

EDUCATION CODE

44871-44879 *Employment qualifications*

48980 *Parental notifications*

49400-49414.5 *Student health, general powers of school boards*

49422 *Supervision of health and physical development*

49450-49458 *Physical examinations (of students)*

49460-49466 *Development of standardized health assessments*

HEALTH AND SAFETY CODE

120325-120380 *Immunization against communicable diseases*

121475-121520 *Tuberculosis tests for students*

124025-124110 *Child Health and Disability Prevention Program*

CODE OF REGULATIONS, TITLE 5

590-596 *Vision screening*

3027 *Hearing and vision screening for special education*

3028 *Audiological screening*

UNITED STATES CODE, TITLE 20

1232g *Family Educational Rights and Privacy Act*

1232h *Protection of student rights*

Management Resources:

CSBA PUBLICATIONS

Expanding Access to School Health Services: Policy Considerations for Governing Boards, November 2008

Promoting Oral Health for California's Students: New Roles, New Opportunities for Schools, November 2008

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Standards for Scoliosis Screening in California Public Schools, 2007

A Guide for Vision Testing in California Public Schools, 2005

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Joint Guidance on the Application of FERPA and HIPAA to Student Health Records, November 2008

WEB SITES

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

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

California Department of Education, Type 2 Diabetes Information:

<http://www.cde.ca.gov/ls/he/hn/type2diabetes.asp>

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

IMMUNIZATIONS

To protect the health of all students and staff and to curtail the spread of infectious diseases, the Governing Board shall cooperate with state and local public health agencies to encourage and facilitate immunization of all district students against preventable diseases.

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

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.26 - Tuberculosis Testing)

(cf. 6142.8 - Comprehensive Health Education)

Each student enrolling for the first time in a district elementary or secondary school, preschool, or child care and development program shall present an immunization record from any authorized private or public health care provider certifying that he/she has received all required immunizations in accordance with law. Students shall be excluded from school or exempted from immunization requirements only as allowed by law.

(cf. 5112.1 - Exemptions from Attendance)

(cf. 5112.2 - Exclusions from Attendance)

(cf. 5141.32 - Health Screening for School Entry)

(cf. 5148 - Child Care and Development)

(cf. 5148.3 - Preschool/Early Childhood Education)

Except to the extent otherwise authorized by law, each transfer student shall present evidence of immunization before he/she is admitted to school. Such evidence may include the child's personal immunization record from his/her authorized health care provider or his/her cumulative file from his/her previous school.

Legal Reference: (see next page)

IMMUNIZATIONS (continued)

(cf. 5141.3 - Health Examinations)
(cf. 5141.6 - School Health Services)
(cf. 5145.6 - Parental Notifications)

Legal Reference:

EDUCATION CODE

44871 *Qualifications of supervisor of health*
46010 *Total days of attendance*
48216 *Immunization*
48853.5 *Immediate enrollment of foster youth*
48980 *Required notification of rights*
49403 *Cooperation in control of communicable disease and immunizations*
49426 *Duties of school nurses*
49701 *Flexibility in enrollment of children of military families*

HEALTH AND SAFETY CODE

120325-120380 *Immunization against communicable disease, especially:*
120335 *Immunization requirement for admission*
120395 *Information about meningococcal disease, including recommendation for vaccination*
120440 *Disclosure of immunization information*

CODE OF REGULATIONS, TITLE 5

430 *Student records*

CODE OF REGULATIONS, TITLE 17

6000-6075 *School attendance immunization requirements*

UNITED STATES CODE, TITLE 20

1232g *Family Educational Rights and Privacy Act*

UNITED STATES CODE, TITLE 42

11432 *Immediate enrollment of homeless children*

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 *Family Educational Rights and Privacy*

Management Resources:

CALIFORNIA DEPARTMENT OF PUBLIC HEALTH

California Immunization Handbook for Schools and Child Care Programs, July 2003

Guide to Immunizations Required for School Entry

Guide to the Requirements of the California School Immunization Law for Parents of Children in or Entering School or Child Care

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Family Educational Rights and Privacy Act (FERPA) and H1N1, October 2009

WEB SITES

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

California Department of Public Health, Immunization Branch:

<http://www.cdph.ca.gov/programs/immunize>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

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

DISCIPLINE

The Governing Board desires to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, effective classroom management, and parent involvement can minimize the need for discipline. Staff shall use preventative measures and positive conflict resolution techniques whenever possible. In addition, discipline shall be used in a manner that corrects student behavior without intentionally creating an adverse effect on student learning or health.

(cf. 5020 - Parent Rights and Responsibilities)
(cf. 5137 - Positive School Climate)
(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)
(cf. 6020 - Parent Involvement)

Board policies and administrative regulations shall outline acceptable student conduct and provide the basis for sound disciplinary practices. Each school shall develop disciplinary rules to meet the school's particular needs.

(cf. 5131 - Conduct)
(cf. 5131.1 - Bus Conduct)

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior and implement appropriate discipline. Persistently disruptive students may be assigned to alternative programs or removed from school in accordance with law, Board policy, and administrative regulation.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3515 - Campus Security)
(cf. 3515.3 - District Police/Security Department)
(cf. 4158/4258/4358 - Employee Security)
(cf. 5136 - Gangs)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6159.4 - Behavioral Interventions for Special Education Students)
(cf. 6164.5 - Student Success Teams)
(cf. 6184 - Continuation Education)
(cf. 6185 - Community Day School)

DISCIPLINE (continued)

Staff shall enforce disciplinary rules fairly, consistently, and in accordance with the district's nondiscrimination policies.

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

The Superintendent or designee shall provide professional development as necessary to assist staff in developing consistent classroom management skills, implementing effective disciplinary techniques, and establishing cooperative relationships with parents/guardians.

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

Legal Reference:

EDUCATION CODE

32280-32288 School safety plans

35146 Closed sessions

35291 Rules

35291.5-35291.7 School-adopted discipline rules

37223 Weekend classes

44807.5 Restriction from recess

48900-48926 Suspension and expulsion

48980-48985 Notification of parent/guardian

49000-49001 Prohibition of corporal punishment

49330-49335 Injurious objects

CIVIL CODE

1714.1 Parental liability for child's misconduct

CODE OF REGULATIONS, TITLE 5

307 Participation in school activities until departure of bus

353 Detention after school

Management Resources:

CSBA PUBLICATIONS

Keeping Our Children Safe: Strategies for Governing Boards to Promote School Safety, 2011

Maximizing Opportunities for Physical Activity during the School Day, Fact Sheet, 2009

CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES

Classroom Management: A California Resource Guide for Teachers and Administrators of Elementary and Secondary Schools, 2000

STATE BOARD OF EDUCATION POLICIES

01-02 School Safety, Discipline, and Attendance, March 2001

WEB SITES

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

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

ACADEMIC STANDARDS

The Governing Board shall adopt high standards for student achievement which challenge all students to reach their full potential and specify what students are expected to know and to be able to do at each grade level and in each area of study. These standards shall reflect the knowledge and skills needed for students to be adequately prepared for postsecondary education, employment, and responsible citizenship.

The Superintendent or designee shall provide the Board with recommended standards using a process that involves teachers, school site and district administrators, students, parents/guardians, representatives from business/industry and postsecondary institutions, and/or community members. He/she shall ensure the proper articulation of standards between grade levels and the alignment of the standards with the district's vision and goals, graduation requirements, college entrance requirements, and other desired student outcomes. He/she also shall ensure that the standards are easily understandable and measurable.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 1220 - Citizen Advisory Committees)

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

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.5 - Elementary/Middle School Graduation Requirements)

District content standards for English language arts, English language development, mathematics, science, health education, history-social science, physical education, visual and performing arts, world languages, career technical education, and preschool education shall meet or exceed statewide model content standards adopted by the State Board of Education or the State Superintendent of Public Instruction as applicable.

(cf. 5148.3 - Preschool/Early Childhood Education)

(cf. 6142.2 - World/Foreign Language Instruction)

(cf. 6142.6 - Visual and Performing Arts Education)

(cf. 6142.7 - Physical Education and Activity)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6142.91 - Reading/Language Arts Instruction)

(cf. 6142.92 - Mathematics Instruction)

(cf. 6142.93 - Science Instruction)

(cf. 6142.94 - History-Social Science Instruction)

(cf. 6174 - Education for English Language Learners)

(cf. 6178 - Career Technical Education)

District curriculum, instruction, student assessments, and evaluations of the instructional program shall be aligned with district content standards. In accordance with Education Code 44662, standards of expected student achievement also shall be used in evaluating teacher performance.

(cf. 0500 - Accountability)

(cf. 4115 - Evaluation/Supervision)

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6143 - Courses of Study)

ACADEMIC STANDARDS (continued)

(cf. 6162.5 - Student Assessment)

(cf. 6190 - Evaluation of the Instructional Program)

Teachers and school administrators shall receive ongoing professional development to inform them of changes in the standards and to build their capacity to implement effective standards-based instructional methodologies.

(cf. 4131 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee shall annually communicate the applicable standards to students and their parents/guardians to inform them of the expectations for student learning at their grade level.

Staff shall continually assess students' progress toward meeting the standards, report each student's progress to the student and his/her parents/guardians, and offer remedial assistance in accordance with Board policy and administrative regulation.

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

(cf. 5123 - Promotion/Acceleration/Retention)

(cf. 6177 - Summer School)

(cf. 6179 - Supplemental Instruction)

The Superintendent or designee shall ensure that district standards are regularly reviewed and updated as necessary. At a minimum, district standards shall be reviewed whenever applicable statewide standards are revised and in response to changing student needs.

Legal Reference: (see next page)

ACADEMIC STANDARDS (continued)

Legal Reference:

EDUCATION CODE

44662 *Evaluation of certificated employees*

51003 *Statewide academic standards*

60605-60605.9 *Adoption of statewide academically rigorous content and performance standards*

UNITED STATES CODE, TITLE 20

6311 *State academic standards and accountability for Title I, Part A*

Management Resources:

CSBA PUBLICATIONS

Common Core Standards, Fact Sheet, August 2010

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

World Language Content Standards for California Public Schools, Kindergarten Through Grade Twelve, January 2009

California Preschool Learning Foundations, Vol. 1, 2008

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

California Career Technical Education Model Curriculum Standards, Grades Seven Through Twelve, May 2005

Physical Education Model Content Standards for California Public Schools, Kindergarten Through Grade Twelve, January 2005

Visual and Performing Arts Content Standards for California Public Schools, Prekindergarten Through Grade Twelve, January 2001

English-Language Development Standards for California Public Schools, Kindergarten Through Grade Twelve, July 1999

History-Social Science Content Standards for California Public Schools, Kindergarten Through Grade Twelve, October 1998

Science Content Standards for California Public Schools, Kindergarten Through Grade Twelve, October 1998

English-Language Arts Content Standards for California Public Schools, Kindergarten Through Grade Twelve, December 1997

Mathematics Content Standards for California Public Schools, Kindergarten Through Grade Twelve, December 1997

WEB SITES

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

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

Common Core State Standards Initiative: <http://www.corestandards.org>

Council of Chief State School Officers: <http://www.ccsso.org>

National Governors Association Center for Best Practices: <http://www.nga.org/center>

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

SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS

Cautionary Notice: As added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009) and ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), Education Code 42605 grants districts flexibility in "Tier 3" categorical programs and provides that districts are deemed in compliance with the program and funding requirements for these programs for the 2008-09 through 2012-13 fiscal years. As a result of this flexibility, the district may choose to temporarily suspend certain provisions of the following policy or administrative regulation that reflect those requirements. However, this flexibility does not affect or alter any existing contract or bargaining agreement that the district may have in place. Thus, districts should examine the terms of those contracts and agreements and consult with district legal counsel for additional guidance. Also see BP 2210 - Administrative Discretion Regarding Board Policy.

The Governing Board desires that district instructional materials, as a whole, present a broad spectrum of knowledge and viewpoints, reflect society's diversity, and enhance the use of multiple teaching strategies and technologies. The Board shall adopt instructional materials based on a determination that such materials are an effective learning resource to help students achieve grade-level competency and meet criteria specified in law. Textbooks, technology-based materials, and other educational materials shall be aligned with state and district content standards and the district's curriculum in order to ensure that they effectively support the district's adopted courses of study.

(cf. 0440 - District Technology Plan)
(cf. 6000 - Concepts and Roles)
(cf. 6011 - Academic Standards)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6143 - Courses of Study)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6161 - Equipment, Books and Materials)
(cf. 6161.11 - Supplementary Instructional Materials)
(cf. 6162.5 - Student Assessment)
(cf. 6163.1 - Library Media Centers)
(cf. 9000 - Role of the Board)

The Superintendent or designee shall establish a process by which instructional materials shall be reviewed for recommendation to the Board.

This process shall involve teachers in a substantial manner and shall also encourage the participation of parents/guardians and community members. (Education Code 60002)

All recommended instructional materials shall be available for public inspection at the district office.

(cf. 5020 - Parent Rights and Responsibilities)

Individuals who participate in the selection or evaluation of instructional materials shall not have a conflict of interest, as defined in administrative regulation, in the materials being reviewed.

(cf. 9270 - Conflict of Interest)

SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS (continued)

Complaints concerning instructional materials shall be handled in accordance with law, Board policy, and administrative regulation.

(cf. 1312.2 - Complaints Concerning Instructional Materials)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

The Board's priority in the selection of instructional materials is to ensure that all students in grades K-12 are provided with instructional materials that are aligned to state content standards in the core curriculum areas of reading/language arts, mathematics, science, and history-social science. Students in grades K-8 shall be provided with instructional materials adopted by the State Board of Education.

The district may pilot instructional materials, using a representative sample of classrooms for a specified period of time during a school year, in order to determine how well the materials support the district's curricular goals and academic standards. Feedback from teachers piloting the materials shall be made available to the Board before the materials are adopted.

Public Hearing on Sufficiency of Textbooks or Instructional Materials

The Board shall annually conduct one or more public hearings on the sufficiency of the district's textbooks or instructional materials. (Education Code 60119; 5 CCR 9531)

The hearing shall be held on or before the end of the eighth week from the first day students attend school for that year. (Education Code 60119)

The Board encourages participation by parents/guardians, teachers, interested community members, and bargaining unit leaders at the hearing. Ten days prior to the hearing and in three public places within the district, the Superintendent or designee shall post a notice containing the time, place, and purpose of the hearing. The hearing shall not take place during or immediately following school hours. (Education Code 60119)

(cf. 9322 - Agenda/Meeting Materials)

At the hearing(s), the Board shall determine, through a resolution, whether each student in each school, including each English learner, has sufficient textbooks or instructional materials in each of the following subjects which are aligned to the state content standards adopted pursuant to Education Code 60605 and consistent with the content and cycles of the state's curriculum frameworks: (Education Code 60119)

1. Mathematics

SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS (continued)

2. Science
3. History-social science
4. English language arts, including the English language development component of an adopted program

The Board shall also make a written determination as to whether each student enrolled in a foreign language or health course has sufficient textbooks or instructional materials that are consistent with the content and cycles of the state curriculum frameworks. The Board shall determine the availability of science laboratory equipment, as applicable to science laboratory courses offered in grades 9-12. (Education Code 60119)

In making these determinations, the Board shall consider whether each student has sufficient textbooks and/or instructional materials to use in class and to take home. However, this does not require that each student have two sets of materials. The materials may be in a digital format as long as each student, at a minimum, has and can access the same materials in the class and to take home as all other students in the same class or course in the district and has the ability to use and access them at home. However, the materials shall not be considered sufficient if they are photocopied sheets from only a portion of a textbook or instructional materials copied to address a shortage. (Education Code 60119)

For the 2008-09 through 2012-13 fiscal years, the Board shall also make a determination that all students within the district who are enrolled in the same course have "identical" standards-aligned textbooks or instructional materials from the same adoption cycle, as defined in Education Code 1240.3, 60119, and 60422. (Education Code 1240.3, 42605)

If the Board determines that there are insufficient textbooks and/or instructional materials, the Board shall provide information to classroom teachers and to the public setting forth, for each school in which an insufficiency exists, the percentage of students who lack sufficient standards-aligned textbooks or instructional materials in each subject area and the reasons that each student does not have sufficient textbooks and/or instructional materials. The Board shall take any action, except an action that would require reimbursement by the Commission of State Mandates, to ensure that each student has sufficient materials within two months of the beginning of the school year in which the determination is made. (Education Code 60119)

Legal Reference: (see next page)

SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS (continued)

Legal Reference:

EDUCATION CODE

- 1240 County superintendent, general duties
 - 1240.3 Definition of sufficiency for categorical flexibility
 - 33050-33053 General waiver authority
 - 33126 School accountability report card
 - 35272 Education and athletic materials
 - 42605 Tier 3 categorical flexibility
 - 44805 Enforcement of course of studies; use of textbooks, rules and regulations
 - 49415 Maximum textbook weight
 - 51501 Subject matter reflecting on race, color, etc.
 - 60000-60005 Instructional materials, legislative intent
 - 60010 Definitions
 - 60040-60052 Instructional requirements and materials
 - 60060-60062 Requirements for publishers and manufacturers
 - 60070-60076 Prohibited acts (re instructional materials)
 - 60110-60115 Instructional materials on alcohol and drug education
 - 60119 Public hearing on sufficiency of materials
 - 60200-60206 Elementary school materials
 - 60226 Requirements for publishers and manufacturers
 - 60240-60252 State Instructional Materials Fund
 - 60350-60352 Core reading program instructional materials
 - 60400-60411 High school textbooks
 - 60420-60424 Instructional Materials Funding Realignment Program
 - 60510-60511 Donation for sale of obsolete instructional materials
 - 60605 State content standards
- #### CODE OF REGULATIONS, TITLE 5
- 9505-9535 Instructional materials, especially:
 - 9531-9532 Instructional Materials Funding Realignment Program

Management Resources:

CSBA PUBLICATIONS

Flexibility Provisions in the 2008 and 2009 State Budget: Policy Considerations for Governance Teams, Budget Advisory, March 2009

CALIFORNIA DEPARTMENT OF EDUCATION CORRESPONDENCE

1002.90 Selection of Instructional Materials, CIL: 90/91-02

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Standards for Evaluation of Instructional Materials with Respect to Social Content, rev. 2000

STATE BOARD OF EDUCATION POLICIES

01-05 *Guidelines for Piloting Textbooks and Instructional Materials*, September 2001

WEB SITES

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

Association of American Publishers: <http://www.publishers.org>

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

LIBRARY MEDIA CENTERS

Cautionary Notice: As added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009) and ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), Education Code 42605 grants districts flexibility in "Tier 3" categorical programs and provides that districts are deemed in compliance with the program and funding requirements for these programs for the 2008-09 through 2012-13 fiscal years. As a result of this flexibility, the district may choose to temporarily suspend certain provisions of the following policy or administrative regulation that reflect those requirements. However, this flexibility does not affect or alter any existing contract or bargaining agreement that the district may have in place. Thus, districts should examine the terms of those contracts and agreements and consult with district legal counsel for additional guidance. Also see BP 2210 - Administrative Discretion Regarding Board Policy.

The Governing Board recognizes that school library media centers support the educational program by providing access to a variety of informational resources. The Board desires to provide school libraries with up-to-date books, reference materials, and electronic information resources necessary to promote literacy, support students in achieving academic standards, and prepare students to become lifelong learners.

(cf. 0440 - District Technology Plan)
(cf. 6011 - Academic Standards)
(cf. 6161 - Equipment, Books and Materials)
(cf. 6163.4 - Student Use of Technology)
(cf. 7110 - Facilities Master Plan)

School libraries shall be open for use by students and teachers during the school day. (Education Code 18103)

With the approval of the Board, a school library may be open at other hours outside the school day, including evenings and weekends. Any library open to serve students during evening and Saturday hours shall be under the supervision of a certificated employee who consents to the assignment. (Education Code 18103)

Staffing

To staff school libraries, the Board may appoint one or more teacher librarians who possess an appropriate credential issued by the Commission on Teacher Credentialing. (Education Code 18120, 44868)

(cf. 4112.2 - Certification)
(cf. 4113 - Assignment)

Any teacher librarian employed by the district shall be authorized to perform the following duties:

1. Instruct students in the choice and use of library materials and technology

LIBRARY MEDIA CENTERS (continued)

2. Plan and coordinate school library programs with the district's instructional programs
3. Select materials for school and district libraries
4. Coordinate or supervise library programs at the district level
5. Plan and conduct a course of instruction for students who assist in the operation of school libraries
6. Supervise classified personnel assigned school library duties
7. Develop procedures for and management of the school and district libraries

The Board also may appoint classified paraprofessionals to serve as library aides or library technicians. Volunteers may assist with school library services in accordance with law, Board policy, and administrative regulation.

(cf. 1240 - Volunteer Assistance)

(cf. 4222 - Teachers Aides/Paraprofessionals)

Library Plan

Whenever a school receives state funding for school and library improvement pursuant to Education Code 41570-41573, the school site council shall develop a single plan for student achievement which incorporates a districtwide plan for school libraries. (Education Code 41572)

(cf. 0420 - School Plans/Site Councils)

In developing the districtwide plan, the Superintendent or designee is encouraged to consult with teacher librarians, classroom teachers, administrators, parents/guardians, and students as appropriate.

The districtwide library plan shall describe the district's vision and goals for district libraries and how funds will be distributed to school sites to support libraries. As appropriate, the plan may also address staffing, facilities, selection and evaluation of materials, prioritization of needs, and other related matters.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

LIBRARY MEDIA CENTERS (continued)

Classroom Libraries for Grades K-4

When state funding is available for classroom library materials in grades K-4, the Superintendent or designee shall develop, for certification by the Board, a districtwide classroom library plan for grades K-4. The plan shall include a means of preventing loss, damage, or destruction of the materials. (Education Code 60242, 60422)

(cf. 6161.2 - Damaged or Lost Instructional Materials)

The districtwide library plan developed pursuant to Education Code 41572 may fulfill this requirement provided the plan meets the criteria of Education Code 60242.

The Superintendent or designee is encouraged to consult with primary grade teachers and teacher librarians employed by the district and/or county office of education in the development of the K-4 classroom library plan and to consider selections from the list of books recommended by the State Librarian pursuant to Education Code 19336.

Selection and Evaluation of School Library Materials

Library materials shall include print and electronic resources that align with the curriculum and are accessible to students with varying cognitive or language needs.

Teacher librarians shall evaluate and select materials in accordance with law, Board policy, and administrative regulation and shall use professional selection aids and standards. The selection process shall invite recommendations from administrators, teachers, other staff, parents/guardians, and students as appropriate.

(cf. 6144 - Controversial Issues)

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

(cf. 6161.11 - Supplementary Instructional Materials)

Library materials should be continually evaluated in relation to evolving curricula, new formats of materials, new instructional methods, and the needs of students and teachers. Materials that contain outdated subject matter or are no longer appropriate shall be removed, and lost or worn materials may be replaced.

(cf. 3270 - Sale and Disposal of Books, Equipment and Supplies)

All gifts and donations of school library materials shall be subject to the same criteria as materials selected for purchase by the district.

(cf. 3290 - Gifts, Grants and Bequests)

LIBRARY MEDIA CENTERS (continued)

Complaints regarding the appropriateness of library materials shall be addressed using the district's procedures for complaints regarding instructional materials.

(cf. 1312.2 - Complaints Concerning Instructional Materials)

Fees

Students shall be allowed to borrow school library materials at no charge for use in the library and classrooms as well as out of school. (5 CCR 16042)

(cf. 3260 - Fees and Charges)

To encourage students to return materials in a timely manner, a nominal fee shall be charged for the late return of materials.

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

Library Instruction

Teacher librarians and/or classroom teachers shall provide library instruction to develop students' information literacy skills. Such instruction shall be aligned with state academic standards for library instruction and shall prepare students to:

1. Access information by applying knowledge of the organization of libraries, print materials, digital media, and other sources
2. Evaluate and analyze information to determine appropriateness in addressing the scope of inquiry
3. Organize, synthesize, create, and communicate information
4. Integrate information literacy skills into all areas of learning and pursue information independently to become life-long learners

Teacher librarians also may provide support to teachers, administrators, and other staff by identifying instructional materials that will aid in the development of curriculum and instructional activities and by providing information about effective and ethical uses of school library services and equipment.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

(cf. 6141 - Curriculum Development and Evaluation)

LIBRARY MEDIA CENTERS (continued)

Reports

The district shall, on or before August 31 each year, report to the California Department of Education on the condition of its school libraries for the preceding year ending June 30. (Education Code 18122)

Legal Reference:

EDUCATION CODE

1703 *Coordination of district library services by county superintendent*
1770-1775 *Provision of library services by county superintendent*
18100-18203 *School libraries*
18300-18571 *Union high school district/unified school district library district*
19335-19336 *Reading Initiative Program; recommended books*
41570-41573 *School and Library Improvement Block Grant*
42605 *Tier 3 categorical flexibility*
44868-44869 *Qualifications and employment of library media teachers*
45340-45349 *Instructional aides*
60119 *Sufficiency of textbooks and instructional materials; public hearing*
60240-60251.5 *State Instructional Materials Fund, purchase of classroom library materials*
60420-60424 *Instructional Materials Funding Realignment Program*

REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS

18181 *Districtwide library plan*
52012 *Establishment of school site council*
52014-52015 *School plans*

CODE OF REGULATIONS, TITLE 5

16040-16043 *School libraries*
80053 *Library media service teaching credential*

UNITED STATES CODE, TITLE 20

6383 *Improving Literacy Through School Libraries grant program*

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

School Library Program Standards, September 2010
School Library Standards for Students, September 2010
Check It Out! Assessing School Library Media Programs, 1998
Recommended Literature: Kindergarten Through Grade Twelve

CALIFORNIA SCHOOL LIBRARY ASSOCIATION PUBLICATIONS

Standards and Guidelines for Strong School Libraries, 2004

WEB SITES

American Library Association: <http://www.ala.org>
California Department of Education, School Libraries: <http://www.cde.ca.gov/ci/cr/lb>
California Library Association: <http://www.cla-net.org>
California School Library Association: <http://www.csla.net>

ANIMALS AT SCHOOL

The Governing Board recognizes that animals can contribute to the district's instructional program by being effective teaching aids to students and by assisting individuals with disabilities to access district programs and activities. In addition, instruction related to the care and treatment of animals teaches students a sense of responsibility and promotes the humane treatment of living creatures.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 6142.4 - Service Learning/Community Service Classes)
(cf. 6159 - Individualized Education Program)
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6164.6 - Identification and Education Under Section 504)

The Superintendent or designee shall develop rules and procedures to ensure that when animals are brought to school, the health, safety, and welfare of students, staff, and the animals are protected. However, the district assumes no liability for the safety of animals allowed on district property.

(cf. 3320 - Claims and Actions Against the District)
(cf. 3530 - Risk Management/Insurance)
(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)
(cf. 5141.23 - Asthma Management)

Legal Reference: (see next page)

ANIMALS AT SCHOOL (continued)

Legal Reference:

EDUCATION CODE

233.5 *Instruction in kindness to pets and humane treatment of living creatures*

39839 *Transportation of guide dogs, signal dogs, service dogs*

51202 *Instruction in personal and public health and safety*

51540 *Safe and humane treatment of animals at school*

CIVIL CODE

54.1 *Access to public places*

54.2 *Guide, signal, or service dogs, right to accompany*

GOVERNMENT CODE

810-996.6 *California Tort Claims Act, especially:*

815 *Liability for injuries generally; immunity of public entity*

835 *Conditions of liability*

VEHICLE CODE

21113 *Public grounds*

CODE OF REGULATIONS, TITLE 13

1216 *Transportation of property*

UNITED STATES CODE, TITLE 20

1400-1482 *Individuals with Disabilities Education Act*

UNITED STATES CODE, TITLE 29

794 *Rehabilitation Act of 1973, Section 504*

CODE OF FEDERAL REGULATIONS, TITLE 28

35.104 *Definitions*

35.136 *Service animals*

COURT DECISIONS

Sullivan v. Vallejo City USD, (1990) 731 F.Supp. 947

Management Resources:

FEDERAL REGISTER

Rules and Regulations, September 15, 2010, Vol. 75, Number 178, pages 56164-56236

CSBA PUBLICATIONS

Indoor Air Quality: Governing Board Actions for Creating Healthy School Environments, Policy Brief, July 2008

Asthma Management in the Schools, Policy Brief, March 2008

WEB SITES:

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

American Society for the Prevention of Cruelty to Animals: <http://www.asPCA.org>

Humane Society of the United States: <http://www.hsus.org>

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

Policy
adopted:

PAJARO VALLEY UNIFIED SCHOOL DISTRICT
Watsonville, CA

CLERK

The Governing Board shall elect a clerk from its own membership at the annual organizational meeting. (Education Code 35143)

(cf. 9100 - Organization)

The duties of the clerk shall be to:

1. Certify or attest to actions taken by the Board when required
2. Maintain such other records or reports as required by law
3. Sign documents on behalf of the district as directed by the Board
4. Serve as presiding officer in the absence of the president and vice president

(cf. 9121 - President)

5. Notify Board members and members-elect of the date and time for the annual organizational meeting
6. Perform any other duties assigned by the Board

Legal Reference:

EDUCATION CODE

- 17593 *Repair and supervision of property (duty of district clerk)*
- 35038 *Appointment of clerk by county superintendent of schools*
- 35039 *Dismissal of clerk*
- 35121 *Appointment of clerk in certain city and high school districts*
- 35143 *Annual organizational meetings*
- 35250 *Duty to keep certain records and reports*
- 38113 *Duty of clerk (re provision of school supplies)*

GOVERNMENT CODE

- 54950-54963 *Ralph M. Brown Act*

Management Resources:

CSBA PUBLICATIONS

- CSBA Professional Governance Standards, 2000
- Maximizing School Board Leadership: Boardsmanship, 1996

WEB SITES

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

BOARD REPRESENTATIVES

The Governing Board recognizes that effective performance of its community leadership responsibilities may require its participation in district or community committees on matters of concern to the district and its students. As needed, the Board may appoint any of its members to serve as its representative on a district committee or on a committee of another public agency or organization of which the Board or district is a member or to which the Board is invited to participate.

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 1700 - Relations Between Private Industry and the Schools)
(cf. 9000 - Role of the Board)
(cf. 9130 - Board Committees)
(cf. 9270 - Conflict of Interest)
(cf. 9320 - Meetings and Notices)

When making such appointments, the Board shall clearly specify the authority and responsibilities of the representative(s), including, but not limited to, reporting back to the Board regarding committee activities and/or actions. Board representatives shall not exercise the authority of the Board without prior Board approval.

(cf. 9005 - Governance Standards)
(cf. 9200 - Limits of Board Member Authority)

If a committee discusses a topic on which the Board has taken a position, the Board member shall express the position of the Board. When contributing his/her own ideas or opinions, the representative shall clearly indicate that he/she is expressing his/her individual idea or opinion.

(cf. 1220 - Citizen Advisory Committees)
(cf. 9010 - Public Statements)

Board Representative to Elect Members of County Committee on School District Organization

At its annual organizational meeting, the Board shall designate one Board member as its representative to elect members to the county committee on school district organization. (Education Code 35023)

(cf. 9100 - Organization)

Legal Reference: (see next page)

BOARD REPRESENTATIVES (continued)

Legal Reference:

EDUCATION CODE

4000-4014 *County committees on school district organization*

35020-35046 *School district officers and agents (power of governing board to employ or appoint)*

35160 *Authority of governing boards*

GOVERNMENT CODE

54952.2 *Meetings*

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California Department of Education District Organization Handbook, 2010

ACTIONS BY THE BOARD

The Governing Board shall act by a majority vote of all of the membership constituting the Board, unless otherwise required by law. (Education Code 35164)

An "action" by the Board means: (Government Code 54952.6)

1. A collective decision by a majority of the Board members
2. A collective commitment or promise by a majority of the members to make a positive or negative decision
3. A vote by a majority of the members when sitting as the Board upon a motion, proposal, resolution, order, or ordinance

The Board shall not take action by secret ballot, whether preliminary or final. (Government Code 54953)

Actions taken by the Board in open session shall be recorded in the Board minutes. (Education Code 35145)

(cf. 9324 - Minutes and Recordings)

Action on Non-Agenda Items

After publicly identifying the item, the Board may take action on a subject not appearing on the posted meeting agenda under any of the following conditions: (Government Code 54954.2)

1. When a majority of the Board determines that an emergency situation exists, as defined for emergency meetings pursuant to Government Code 54956.5
2. When two-thirds of the members present, or if less than two-thirds of the members are present then by a unanimous vote of all members present, determine that the need to take immediate action came to the district's attention after the agenda was posted
3. When an item appeared on the agenda of, and was continued from, a meeting that occurred not more than five days earlier

(cf. 9320 - Meetings and Notices)

(cf. 9322 - Agenda/Meeting Materials)

Challenging Board Actions

Any interested person or the district attorney's office may present a demand that the Board cure and correct a Board action which he/she alleges is in violation of Government Code

ACTIONS BY THE BOARD (continued)

54954.2 (agenda posting), Government Code 54953 (open meeting and teleconferencing), Government Code 54954.5 (closed session item descriptions), Government Code 54954.6 (new or increased tax assessments), Government Code 54956 (special meetings), or Government Code 54956.5 (emergency meetings). (Government Code 54960.1)

Any demand to "cure and correct" an alleged violation shall clearly describe the challenged action and the nature of the alleged violation and shall be presented to the Board in writing within 90 days of the date when the action was taken. If the alleged violation concerns action taken in an open session but in violation of Government Code 54954.2 (agenda posting), the written demand must be made within 30 days of the date when the alleged action took place. (Government Code 54960.1)

Within 30 days of receiving the demand, the Board shall do one of the following: (Government Code 54960.1)

1. Cure or correct the challenged action and inform the demanding party in writing of its actions to cure or correct.
2. Determine not to cure or correct the alleged violation and inform the demanding party in writing of its decision to not cure or correct.
3. Take no action. If the Board takes no action within the 30-day review period, its inaction shall be considered a decision not to cure or correct the action.

Legal Reference:

EDUCATION CODE

15266 School construction bonds

17466 Declaration of intent to sell or lease real property

17481 Lease of property with residence for nondistrict purposes

17510-17511 Resolution requiring unanimous vote of all members constituting board

17546 Private sale of personal property

17556-17561 Dedication of real property

17582-17583 District deferred maintenance fund

35140-35149 Meetings

35160-35178.4 Powers and duties

48660-48661 Community day schools establishment and restrictions

CODE OF CIVIL PROCEDURE

425.16 Special motion to strike in connection with a public issue

1245.240 Eminent domain vote requirements

1245.245 Eminent domain, resolution adopting different use

GOVERNMENT CODE

53090-53097.5 Regulation of local agencies by counties and cities

53724 Parcel tax resolution requirements

Legal Reference continued: (see next page)

ACTIONS BY THE BOARD (continued)

Legal Reference: (continued)

GOVERNMENT CODE (continued)

53790-53792 *Exceeding the budget*

53820-53833 *Temporary borrowing*

53850-53858 *Temporary borrowing*

54950-54963 *The Ralph M. Brown Act, especially:*

54952.6 *Action taken, definition*

54953 *Meetings to be open and public; attendance; secret ballots*

54960 *Action to prevent violations*

65352.2 *Coordination with planning agency*

PUBLIC CONTRACT CODE

3400 *Bid specifications*

20111 *Contracts over \$50,000; contracts for construction; award to lowest responsible bidder*

20113 *Emergencies, award of contracts without bids*

COURT DECISIONS

Los Angeles Times Communications LLC v. Los Angeles County Board of Supervisors, (2003) 112 Cal.App.4th 1313

McKee v. Orange Unified School District, (2003) 110 Cal.App.4th 1310

Bell v. Vista Unified School District, (2002) 82 Cal.App.4th 672

Boyle v. City of Redondo Beach, (1999) 70 Cal.App.4th 1109

Management Resources:

CSBA PUBLICATIONS

The Brown Act: School Boards and Open Meeting Laws, 2009

ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Local Legislative Bodies, 2003

LEAGUE OF CALIFORNIA CITIES PUBLICATIONS

Open and Public IV: A Guide to the Ralph M. Brown Act, 2007

WEB SITES

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

California Attorney General's Office: <http://www.caag.state.ca.us>

Institute of Local Government: <http://www.ca-ilg.org>