

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT  
(Formerly King City Joint Union High School District)  
BOARD OF EDUCATION  
REGULAR BOARD MEETING

Wednesday, November 16, 2011

Greenfield High School Library  
225 S. El Camino Real  
Greenfield, CA 93927

BOARD OF EDUCATION

Mike Foster – President  
Debra McAlahney-Dodson - Member  
Raul Rodriguez – Member

STUDENT BOARD MEMBERS

Hillary Hughes, King City HS  
Arturo Siguenza, Greenfield HS

STATE ADMINISTRATOR

John C. Bernard, Ed.D.

OPEN SESSION: 5:25 PM

A. CALL TO ORDER

B. PUBLIC COMMENT

*The public may address the Board concerning items that are scheduled for discussion during closed session by completing the Request to be Heard Form provided on the table at the entrance to the meeting room and submitting the card to the Executive Assistant prior to the Board adjourning to closed session.*

*El publico puede dirigirse a la Mesa Directiva de Educación con respecto a asuntos que están enlistados para dialogar durante la sesión a puertas cerrada completando así la forma que se le da a la comunidad para poder hablar durante la sesión, esta forma se encuentra en la entrada de la junta donde se lleva a cabo la sesión y entregando esta tarjeta a la Secretaría de el Superintendente antes de que la Mesa Directiva de Educación de por terminada la junta*

CLOSED SESSION: 5:30 PM

- A. Public Employment
- B. Employee Discipline/Dismissal Release
- C. Negotiations with Employee Organizations
- D. Threatened/Potential Litigation

OPEN SESSION: 6:30 PM

A. CALL TO ORDER

B. FLAG SALUTE

C. REPORT OF CLOSED SESSION ACTIONS

D. APPROVAL OF AGENDA

- E. PUBLIC COMMENT: *The public may address the Board regarding general school district topics or a specific agenda item. The person wishing to speak must complete a Request to be Heard Form prior to the meeting, indicating whether they wish to address a non-agenda item or a specific item and present it to the Executive Assistant. This is an opportunity to address the Board when that item is acted upon. Unless otherwise determined by the Board/State Administrator, each person is limited to 3 (three) minutes. If a large number wish to speak on a specific item, there is a limit of 20 minutes total input on an item.*

*El público puede dirigirse a la Mesa Directiva de Educación con respecto a asuntos generales o a asuntos especificados en la agenda. La persona que quiera hablar debe de completar la forma que se le da a la comunidad pidiendo permiso antes de la junta, indicando si se desea hacer algún*

*comentario sobre un tema de la agenda o algún otro asunto y presentarlo a la Secretaría de el Superintendente. Esta es una oportunidad de dirigirse a la Mesa Directiva de Educación cuando un asunto se este llevando acabo. A menos que se determine de otra manera por el Administrador de el Estado, cada persona tiene un máximo de 3 minutos para hablar. Se hay muchas personas que quieran hablar sobre un asunto especifico entonces habráun limite de 20 minutos en total para cada asunto.*

F. REPORT FROM STATE ADMINISTRATOR

G. STUDENT BOARD MEMBER REPORT

H. BOARD MEMBER COMMENTS

I. EMPLOYEE ORGANIZATIONS

J. CONSENT AGENDA

1. Approval of Minutes: October 12, October 26, 2011, and November 7, 2011 (Pages 1-12)
2. Approval of Personnel Report Dated November 16, 2011 (*Daniel Moirao, Ed.D., Assistant Superintendent Human Resources and Educational Services*)
3. Approval of Contract with NTD-HBFL Architecture (*Linda Grundhoffer, CBO*) (Pages 13-16)
4. Approval of MOU with MCOE for Transportation of 3 Special Needs Students (*Linda Grudhoffer, CBO*) (Pages 17-18)
5. Approval of Resolution 7:11/12 New Agreement and Bylaws for the Monterey Educational Risk Management Authority (*Linda Grundhoffer, CBO*) (Pages 19-72)
6. Approval of ROP Cosmetology Contract (*Daniel Moirao, Ed.D., Assistant Superintendent Human Resources and Educational Services*) (Pages 73-75)
7. Approval of Part-time Credit Recovery Teachers (*Daniel Moirao, Ed.D., Assistant Superintendent Human Resources and Educational Services*) (Pages 76-78)
8. Approval of Consulting Agreement Between CSBA and the SMCJUHSD for Board Governance Workshop on January 16 and 17, 2012 (*John Bernard, Ed.D., State Administrator*) (Pages 79-81)
9. Approval of Resolution 8:11/12 Resolution in Support of Senate Constitutional Amendment (SCA) 5 (*John Bernard, Ed.D., State Administrator*) (Pages 82-83)
10. Approval of Agreement with OdysseyWare Credit Recovery Online (*Daniel Moirao, Ed.D., Assistant Superintendent Human Resources and Educational Services*) (Pages 84-85)
11. Approval of Donations to SMCJUHSD Agriculture Program (*Daniel Moirao, Ed.D., Assistant Superintendent Human Resources and Educational Service*) (Pages 86-87)

K. CONSENT ITEMS REMOVED FOR COMMENT/QUESTIONS

L. INFORMATION ITEMS

1. Update on Schools and District Website (*Cristina Jimenez, Directory of Technology*)
2. Williams Settlement Legislation First Quarterly Report (*John Sims, Director of MOTF*) (Pages 88-100)
3. Cash Flow Report from July 2011 through October 31, 2011 (*Linda Grundhoffer, CBO*) (Pages 101-103)
4. Revenue and Expenditure Report from July 2011 through October 31, 2011 (*Linda Grundhoffer, CBO*) (Pages 104-128)
5. District Professional Development Plan (*Daniel Moirao, Ed.D., Assistant Superintendent Human Resources and Educational Services*) (Pages 129-131)
6. Supplemental Education Services (*Daniel Moirao, Ed.D., Assistant Superintendent Human Resources/Educational Services*) (Page 132)
7. Board Policies (First Reading) (*John Bernard, Ed.D., State Administrator*) (Pages 133-249)
  - BP/AR/E 1113 – District and School Web Sites
  - BP/AR 3250 – Transportation Fee
  - AR 3543 – Transportation Safety and Emergencies
  - AR 4112.23 – Special Education Staff
  - AR 4112.4, 4212.4, 4312.4 – Health Examinations
  - BP 4112.42, 4212.42, 4312.42 – Drug and Alcohol Testing for School Bus Drivers

BP/AR 5113 – Absences and Excuses  
BP 5116 – School Attendance Boundaries  
BP/AR 5116.1 – Intradistrict Open Enrollment  
BP/AR 5144.1 – Suspension and Expulsion/Due Process  
BP/AR 6159 – Individualized Education Program  
BP/AR 6159.1 – Procedural Safeguards and Complaints for Special Education  
BP/AR 6164.4 – Identification and Evaluation of Individuals for Special Education  
BP/AR 6171 – Title I Programs  
BP 6178.2 – Regional Occupational Center/Program

M. ACTION ITEMS

1. Approval of School Sites Single Plan (*Daniel Moirao, Ed.D., Assistant Superintendent Human Resources and Educational Services*) (Pages 250-320)
2. Approval of School Improvement Grant (*Daniel Moirao, Ed.D., Assistant Superintendent Human Resources and Educational Services*) (Pages 321-371)
3. Approval of Resolution 9:11/12 Biliteracy Seal (*John Bernard, Ed.D., State Administrator*) (Pages 372-373)
4. Board Policy (Second Reading) (*John Bernard, Ed.D., State Administrator*) (Pages 374-512)
  - BP/AR 0450 – Comprehensive Safety Plan
  - BP 1100 – Communication with the Public
  - AR/E 1312.4 – Williams Uniform Complaint Procedures
  - BP/AR 3311 - Bids
  - BP/AR 3513.3 - Tobacco-Free Schools
  - BP 4020 – Drug and Alcohol-Free Workplace
  - AR 4117.11, 4317.11 – Preretirement Part-Time Employment
  - AR 4117.14 – Postretirement Employment
  - BP/AR 4161.9, 4261.9, 4361.9 – Catastrophic Leave Program
  - BP 5030 – Student Wellness
  - BP/AR 5113.1 – Chronic Absence and Truancy
  - BP/AR/E 5125.1 – Release of Directory Information
  - BP/AR 5131.62 – Tobacco
  - BP/AR 5131.7 – Weapons and Dangerous Instruments
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  - BP/AR/E 6146.1 – High School Graduation Requirements
  - BP/AR 6146.11 – Alternative Credits Toward Graduation
  - BP/AR 6159.2 – Nonpublic, Nonsectarian School and Agency Services for Special Education
  - BP/AR 6159.3 – Appointment of Surrogate Parent for Special Education Students
  - BP/AR 6163.2 – Animals at School
  - BP/AR 6173 – Education for Homeless Children
  - BP/AR 6179 – Supplemental Instruction

N. SCHOOL REPORTS/UPDATES (Pages 513-523)

1. Greenfield High School, Jim Goddard, Principal
2. South Monterey County Charter Independent Study Program, Carolyn McCombs, Principal
3. King City High School, Bruce Corbett, Principal
4. Portola-Butler Continuation High School, Carolyn McCombs, Principal

O. FUTURE AGENDA ITEMS/MEETING DATES

December 13, 2011 – Regular Board Meeting at the District Office  
January 16-17, 2012 – CSBA Training at the District Office

P. SIGNING OF PAPERS

Q. ADJOURNMENT (TO CLOSED SESSION) (if required)

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT  
(Formerly King City Joint Union High School District)  
BOARD OF EDUCATION  
REGULAR BOARD MEETING

Wednesday, October 12, 2011

Minutes

BOARD OF EDUCATION

Mike Foster – Present  
Debra McAlahney-Dodson - Present  
Raul Rodriguez – Present

STUDENT BOARD MEMBERS

Hillary Hughes, King City HS  
Arturo Siguenza, Greenfield HS

STATE ADMINISTRATOR

John C. Bernard, Ed.D.

OPEN SESSION: 5:25 PM

CALL TO ORDER

The meeting was called to order at 5:32 PM. The meeting was recessed to closed session.

PUBLIC COMMENT

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There were not any comments from the public.

CLOSED SESSION:

- A. Public Employment
- B. Employee Discipline/Dismissal Release
- C. Negotiations with Employee Organizations
- D. Threatened/Potential Litigation

OPEN SESSION:

CALL TO ORDER

Mike Foster called the meeting to order at 6:30 PM.

FLAG SALUTE

Mike Foster led in the flag salute.

REPORT OF CLOSED SESSION ACTIONS

Mike Foster reported there was no action to report from closed session.

APPROVAL OF AGENDA

Mike Foster asked if there were any questions about the agenda. There were none. Dr. Bernard approved the agenda.



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There were not any comments from the public.

#### REPORT FROM STATE ADMINISTRATOR

Dr. Bernard commented he was pleased to note the Rustler published his update in the paper today as well as in previous weeks. He is hoping there will be several articles a month featuring positive factors of the schools and to provide factual information to parents and community. The article featured this week was on FCMAT, showing where the district was when the State Administrator was appointed and where the district is now. The article also covered other districts who had received loans from the state and the length of time it took districts to pay off the loan. The article also offers the FCMAT website for those who may be interested in reviewing more information.

Dr. Bernard also reported the Governor took action on several bills. One of those bills was bullying training for staff. He stated he has contacted several districts regarding this training. One other bill which passed was requesting an additional public hearing regarding Tier III. This document about the bills would be forwarded to the Board in the Friday update.

Dr. Bernard said under the consent agenda item 10, Special Education Waiver Request, there was a cover sheet, but the waiver request was not included in the board packet. Dr. Bernard distributed the waiver to the Board.

Dr. Bernard acknowledged Roberta Mayor as lead reviewed on the FCMAT team. One of the exit meetings has taken place, the district is doing better. Auditors from the State Controller's Office are here as well, and they will continue to be in the district next week.

Dr. Bernard said he received a letter of resignation from Rita Tavernetti on October 11, 2011 as a member on the board of education. Her decision was made due to personal reasons. The letter has been forwarded on to MCOE. The district now needs to pursue the appointment of her replacement. There is a process for the appointment. The Board and Dr. Bernard will be interviewing the applicants at a special board meeting. Once an appointment is made there is a 45 day window in which the community can request there be an election.

Debra McAlahney-Dodson asked if the Rustler would be informed of the decision. Dr. Bernard responded, "Yes."

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STUDENT BOARD MEMBER REPORT

Hillary Hughes said King City High School had their homecoming a few weeks. The students in Leadership did a good job. They sold 800 to 900 mums. All of the proceeds will go toward planning a Halloween Dance and for the Prom.

BOARD MEMBER COMMENTS

Raul Rodriguez said he has made visits to King City High School, Greenfield High School, and Portola-Butler Continuation High School. He thanked the administration for their time and appreciated their flexibility. It is good getting into the classroom and seeing how hard it is to be an effective instructor.

He thanked the newspaper for including the article about Greenfield Rotary making a donation to the French Club.

Mr. Rodriguez said he attend 2 days of Governance Training last week and felt they were pretty intense trainings. It reminded him of what students do every day, sitting in a class room for 7 hours listening to an instructor. He was glad all of the Board Members and State Administrator were able to attend.

The governor signed a California version of the dream act. More money will be available to undocumented alien students who want to attend college.

Debra McAlahney-Dodson acknowledged Debbie Benson, Debbie is regarded in the ROP community and the SMCJUHSD should be proud of her; she is such a resource in the meetings and an asset to the district. Ms. McAlahney-Dodson said she enjoys being the board representative at the ROP meeting.

Ms. McAlahney-Dodson said she is excited about the parent survey which the Board is working on for the Communication Plan. It has been a long time coming. She is looking forward to the feedback from each of the sites School Site Councils as well as the parents.

Thanks to the Masters in Governance Training she has been attending, she feels she is finally getting it.

She viewed a video in which a student collapsed and thanks to a trained teacher who used the defibulator, saved the student's life.

Dr. Bernard said each site does have a machine. The comment was made the new models now talk you through the process.

Dr. Bernard recognized Daisy Chavez on her writing style as a reporter for the Rustler.

Mike Foster said he saw the State Administrator Update in the paper today and thanked her for attending the board meeting this evening. The Board will be drafting their own letter to be published in the local papers.

Mr. Foster said the Masters in Governance training which Mr. Rodriguez referred to took place in San Jose last Friday and Saturday. The Board is half way through their training; they should complete all classes by April 14. All of the classes have been very good. Bob White who will be joining the Board in December has already graduated from the Masters in Governance training. Mike Foster asked the Board to review the material which they received from the training, he will be asking for feedback.

Mr. Foster said he felt good about the FCMAT interview he participated in. A few years ago he did not have many answers to their questions. This time there was a lot of discussion.

Mr. Foster asked if all teachers were using the Smart Boards. He wanted to make sure the use of technology is being used for the students.

There will be another study session in a couple of weeks to finalize the Communication Plan.

Dr. Bernard said the draft of the revised Communication Plan will be sent to the Board before the study session.

#### EMPLOYEE ORGANIZATIONS

There were not any comments from any members of the employee organizations.

#### CONSENT AGENDA

1. Approval of Minutes: September 12, September 14, and September 26, 2011
2. Approval of Personnel Report Dated October 12, 2011
3. Approval of Agreement Between SMCJUHSD and Lincoln Hatch
4. Approval of Agreement Between SMCJUHSD and FCMAT
5. Approval of First Quarter Williams Quarterly Report
6. Approval of MOU Between SMCJUHSD and David W. Foord Consulting & Inspection Services
7. Approval of Agreement Between SMCJUHSD and San Antonio Elementary School District
8. Approval of 2011-2-12 Agreement Between SMCJUHSD and MCOE for Special Ed Transportation
9. Approval to Surplus KCHS Textbooks
10. Approval of Special Education Waiver Request

Mike Foster said he would like to remove item #4 for discussion

There were not any comments on the remainder of the items. Dr. Bernard approved the consent agenda excluding item #4.

#### CONSENT ITEMS REMOVED FOR COMMENT/QUESTIONS

Mr. Foster said he removed this item for discussion because of the cost. Dr. Bernard said FCMAT will be conducting a comprehensive review in 5 categories and added the contract should have been presented earlier but some corrections were needed. They will be conducting the interviews, compiling the information, and establish a rating on all categories.

Mr. Foster questioned the number of members on the team. Dr. Bernard said the writer pulls all of the information together. Dr. Bernard said he will be receiving a draft and will then discuss with Roberta Mayor. Hopefully the final report will be available the end of February or the first of March. This data will be used next fall when the team makes a returned visit.

Mr. Foster said then this is tied to the loan. Dr. Bernard said it was a requirement of AB130 when the district received the loan.

Dr. Bernard approved item #4 on the consent agenda.

#### INFORMATION ITEMS

##### Cash Flow Report from July 2011 through September 30, 2011

Linda Grundhoffer said this is the first cash flow report for the current school year. We had to draw down \$2 million more on the loan. The state wanted the loan payment made in September. The revenue from the property taxes will come in December; hopefully we will not have to draw any more money due to property taxes coming in.

In December there will be a full cash flow projection along with the second interim report.

The question was asked how much of the \$14 million loan have we drawn. The response was all except for 2½ million.

Dr. Bernard said as we move forward we have to economize on the spending side.

Debra McAlahney-Dodson asked if we are living within our means, Ms. Grundhoffer responded yes, for now. Dr. Bernard said the district will be negotiating with the bargaining units starting the next school year.

Ms. Grundhoffer said she will be including 2 multi-year projects in the second interim report in December, one budget showing the loan and another budget without the loan .

Revenue and Expenditure Report from July 1, 2011 through September 30, 2011

Linda Grundhoffer said this information shows the revenue and what has been encumbered by the district since the beginning of the school year. The general fund and other funds are positive. We have to stay within the budget.

Board Policies (First Reading)

BP 1100 – Communication with the Public  
BP/E 1312.4 – Williams Uniform Complaint Procedures  
BP/AR 3311 - Bids  
BP/AR 3513.3 - Tobacco-Free Schools  
BP 4020 – Drug and Alcohol-Free Workplace  
AR 4117.11, 4317.11 – Preretirement Part-Time Employment  
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BP 5030 – Student Wellness  
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BP/AR 6143 – Courses of Study  
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BP/AR 6173 – Education for Homeless Children  
BP/AR 6179 – Supplemental Instruction

Dr. Bernard said these are mandated as well as conditional policies presented as a first reading. By December we should have completed all of the mandated and conditional policies which we have received to date.

Debra McAlahney-Dodson questioned if the Williams Complaint form is on the district website. Dr. Bernard said it will be. The form was also included in the parent handbook which parents received the first of the year.

The request was made to have as much as possible on the website for parents. Dr. Bernard mentioned as board policies are approved they are put on the website.

Mike Foster commented the policy addressing communication is mirroring what the Board is working on in the communication plan.

Debra McAlahney-Dodson asked if there will be a revised communication plan at the next board study session. Dr. Bernard responded yes.

Debra McAlahney-Dodson asked if the freedom of speech policy meets the requirement which was covered at the Board Master in Governance training from last week. Dr. Bernard responded yes.

Debra McAlahney-Dodson questioned page 157 addressing retroactive diplomas. Dr. Bernard said this is out of Ed Code and could address individuals who had been in World War II, Korean War, and Vietnam War. He added the Board can include other wars.

Mike Foster noted in policy 6163.2, a miniature horse is permitted if it was trained to do work or perform tasks for the benefit of an individual with a disability. He asked if Dr. Bernard had ever seen this, his response was no. Linda Grundhoffer said there had been a program in the Elk Grove school district in which miniature horses were used. Dr. Bernard stated this was included in the Ed Code and needed to be included in the policy.

#### ACTION ITEMS

##### Approval of 2011-2012 LEAP Addendum

Dr. Bernard said in the absence of Dr. Moirao he would review the summary. Since the district is in Program Improvement we are required to write an addendum to our LEAP. The document is in collaboration with four teachers and the completion of two surveys by our content departments at both schools. It covers how we will be moving out of Program Improvement.

Debra McAlahney-Dodson asked if this document is done each year. The response was it was due on September 15, we were notified by the state on September 16 they had not received the addendum. The district was not aware this was needed, so this is catch up. The question was asked if this is done each year. The response was it is as long as we are in Program Improvement.

Dr. Bernard approved the 2011-12 LEAP addendum.

##### Approval of Variable Term Waiver for Vikky Mullin and Michael Mahr

The district has an obligation to submit a waiver to the state for teachers who do not have a CLAD or BCLAD. This waiver request is being sent to the state while both teachers get one of the certificates. Both teachers are enrolled in programs. When the county does their credential monitoring in February this will demonstrate to them the teachers are in the process of meeting the requirement and we will be covered in the review. Both teachers are scheduled to have their certifications by the end of June.

##### Board Policy (Second Reading)

BP/AR 0450 – Comprehensive Safety Plan

BP/AR 3514.1 – Hazardous Substance

BP 3517 – Facilities Inspection

BP/AR 5022 – Student and Family Privacy Rights

BP/AR 5125 – Student Records

BP 5137 – Positive School Climate

AR 5141.3 – Health Examinations

BP/AR 5141.4 – Child Abuse Prevention and Reporting

BP 5145.11 – Questioning and Apprehension by Law Enforcement

BP 6011 – Academic Standards

BB 9005 – Governance Standards

BB 9121 – President  
BB 9122 – Secretary  
BB 9124 - Attorney  
BB 9130 – Board Committees  
BB 9230 - Orientation  
BB 9260 – Legal Protection  
E 9270 – Conflict of Interest  
BB 9324 – Minutes and Recordings

Debra McAlahney-Dodson said she noted in the BP/AR 0450 there is not a mandate having law enforcement as a partner, she felt it would be important to have them included. She felt they should be included and involved. Dr. Bernard said to note there is mention of other agencies being involved. On page 213 in the board packet is a listing of other stakeholders. Ms. McAlahney-Dodson felt it was important to include law enforcement.

Dr. Bernard said in the School Site Council section they can designate a particular representative. Ms. McAlahney-Dodson felt the policy should be specific addressing law enforcement and they should be included in the initial planning as well.

Dr. Bernard mentioned under content of the safety plan it is noted reporting child abuse procedures consistent with penal code.

Dr. Bernard recommended pulling policy BP/AR 0450 and review with Administrative Council; they may want to include other individuals, and bring it back in November as a second reading again.

Debra McAlahney-Dodson noted there is only a board policy for 5145.11; she asked if there was an administrative regulation. Dr. Bernard responded no, not all board policies have an administrative policy. She stated the reason she was asking is according to the board policy, police may come on campus to apprehend a student.

Dr. Bernard responded that once a quarter he meets with the Chief of Police from King City and Greenfield as well as the site administrators to discuss the SRO's role on campus. Since the SRO's are part of administration they have more rights than a police officer who comes on campus.

Ms. McAlahney-Dodson said she wanted to make sure the principals knew the procedure.

Ms. McAlahney-Dodson requested BB 9130, Board Committees, be included in the January CSBA board study session. Dr. Bernard said he would ask Leslie DeMersseman to cover the policy.

Dr. Bernard commented, if the superintendent or State Administrator has a committee it is not bound by the Brown Act, but if the Board requests the committee then they are.

Dr. Bernard approved the second reading of the policies excluding BP/AR 0450.

#### SCHOOL REPORTS/UPDATES

##### King City High School,

Bruce Corbett announced all of the STAR cards have been issued. He thanked Eric Olsen for handling the cards. There were over 1,000 issued. He said he spoke to a parent whose child had a 1.5 GPA, but with the incentive of receiving 5 STAR cards, his grades for this quarter are A's and B's. This is a real incentive to some students.

The benchmark tests are complete. It allows checking for trends. Last year math picked up on this. It is a predictor of doing better on STAR testing.

Academic referrals have been made to parents whose student's are not doing well. Parents are getting involved.

Debra McAlahney-Dodson asked if this is early intervention. The response was this is more of a practice. Debra McAlahney-Dodson suggested this be included in the policy. Ms. McAlahney-Dodson said she hoped Daisy Chavez, the report for the Rustler, could inform the community. Atanasia Mares was acknowledged for her efforts in this area.

Mr. Corbett said 4 teachers from the English Department attended the Big Read Conference at MCOE. This was to establish common core standards starting in 2014.

Katheryn Smith and Theresa Shaw attended an AVID conference.

Mr. Corbett acknowledged Adriana Veysey for the quality of the homecoming event. All of the students were well behaved and everything went well.

King City High School applied for a grant through Wells Fargo. They asked for \$5,000 to be applied toward academic achievement material.

Debra McAlahney-Dodson asked if this is through the local branch. Mr. Corbett said it was through their regional offices, although the local bank does help.

Mr. Corbett said athletics did very well last week. The football game this week is being played on Saturday at Pacific Grove.

Mr. Corbett said last Friday a young man came into his office. He had attended KCHS and transferred to Portola-Butler and then enrolled in the Grizzly Academy. This student now has a 3.8 GPA, lost weight and plans on going into the Marines. He enjoys hearing these success stories from former students.

#### Portola-Butler Continuation High School,

Carolyn McCombs said they had purchased the Renaissance Program last year; they have now tested all students. One student tested at the 12 grade level.

They have received a lot of applications for Special Education students who are interested in attending the continuation school. She has met with Dr. Moirao and Jo Quinn to establish criteria for students who want to enroll. They are trying to come up with a consensus for eligibility. Steve Hitchcock is on leave and Norm Silva has come in as a substitute teacher to cover while Mr. Hitchcock is out.

Officer Robles conducted a gang awareness presentation with staff. He will be giving a PAL presentation to students.

#### Greenfield High School

Jim Goddard said they should have their benchmark information soon. Staff from School Plan attended their collaboration today they analyzed student data to determine the level each student is at. Data is showing students are more proficient, especially in math.

Athletes are being held accountable for their grades.

He acknowledged Janet Sanchez-Matos for supervising Saturday School and for co-curricular activities.



Debra McAlahney-Dodson asked if there had been any problems with students. Mr. Goddard responded no. They have added 2 Saturday schools.

Mr. Goddard said when he first started working for the district all he heard was Greenfield High School was an underperforming school. He is no longer hearing that. He said they are looking at implementing a rewards card similar to what KCHS is using.

He acknowledged Juana Botello for working with Atanacia Mares and assisting her.

For the month of September Pat Hardin kept a record of the number of times students used the library. The total for the month was 3,800. Mr. Goddard acknowledged Ms. Hardin for doing this.

Greenfield Rotary presented the French Club with \$570.

Mr. Goddard invited the Board to come by and observe Allison Steinmanns class. The students are working with senior buddies; she is doing remarkable things in her classroom.

The School Site Council met for the first time today, they are moving forward with the Comprehensive Safety Plan. They had an ELAC meeting last month.

Mr. Goddard said we have the capability of sending parents email through Aeries.

Randy Souza is leading in MTAL and hopefully will be a state contender this year. He has already broke 2 school records, including one of his own.

He is looking forward to the new Athletic Director.

Greenfield High School will have their Homecoming dance and festivities on Friday, October 28, 2011.

They are preparing for the great shake out on October 20 at 10:20 AM.

Raul Rodriguez stated the kicker on the football team at GHS is very good.

Raul Rodriguez thanked Mr. Goddard for his attendance at the athletic events.

South Monterey County Charter Independent Study Program,

Carolyn McCombs said they have had auditors from the State Controller's office this week. They have 110 students enrolled as well as students on a waiting list. She said this is why they need to establish standards and which students are appropriate to be referred. There will be 5<sup>th</sup> year seniors moving on soon. Portola-Butler is the site for students who live in King City and south. There are 3 teachers who go to King City from Greenfield High School. Students have the option of attending in Greenfield.

Dr. Bernard said it is wonderful seeing how staff at both schools work together. He acknowledged Juana Botello for assisting Atanacia Mares, so they can do the same things in the same way.

Allison Steinmann, the severe needs Special Ed teacher at GHS, was acknowledged for the work she is doing with her students. Students in the ASL classes are working with her students.

Debra McAlahney-Dodson said she wanted to give kudos to the teachers and site administrators and acknowledged how far we have come. Dr. Bernard added he also wanted to acknowledge the support staff. The scores are increasing, it is a remarkable difference from years ago and shows how far we have come.

The Board commented they need to take this back to the community.

FUTURE AGENDA ITEMS/MEETING DATES

October 26, 2011 – Board Study Session at the District Office

November 16, 2011 – Regular Board Meeting at Greenfield High School Library

SIGNING OF PAPERS

Dr. Bernard signed appropriate papers.

ADJOURNMENT

The meeting was adjourned at 7:57 PM.

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John Bernard, Ed.D., State Administrator

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Date

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT  
(Formerly King City Joint Union High School District)  
BOARD OF EDUCATION  
*SPECIAL BOARD MEETING*

Wednesday, October 26, 2011

Minutes

BOARD OF EDUCATION

Mike Foster – Present

Debra McAlahney-Dodson – Present

Raul Rodriguez – Present

STATE ADMINISTRATOR

John C. Bernard, Ed.D.

OPEN SESSION:

Call to Order

Mike Foster called the meeting to order at 6:05 P.M.

Flag Salute

Mike Foster led in the flag salute.

**PUBLIC COMMENT:** The public may address the Board regarding general school district topics or a specific agenda item. The person wishing to speak must complete a Request to be Heard Form prior to the meeting, indicating whether they wish to address a non-agenda item or a specific item and present it to the Executive Assistant. This is an opportunity to address the Board when that item is acted upon. Unless otherwise determined by the Board/State Administrator, each person is limited to 3 (three) minutes. If a large number wish to speak on a specific item, there is a limit of 20 minutes total input on an item.

El público puede dirigirse a la Mesa Directiva de Educación con respecto a asuntos generales o a asuntos especificados en la agenda. La persona que quiera hablar debe de completar la forma que se le da a la comunidad pidiendo permiso antes de la junta, indicando si se desea hacer algún comentario sobre un tema de la agenda o algún otro asunto y presentarlo a la Secretaría de el Superintendente. Esta es una oportunidad de dirigirse a la Mesa Directiva de Educación cuando un asunto se este llevando acabo. A menos que se determine de otra manera por el Administrador de el Estado, cada persona tiene un máximo de 3 minutos para hablar. Se hay muchas personas que quieran hablar sobre un asunto especifico entonces habrán limite de 20 minutos en total para cada asunto.

There were not any comments from the public.

INFORMATION ITEMS

Board Study Session: Dr. Bernard and the Board continued discussion and planning of the Communications Plan.

Adjournment

The meeting adjourned at 7:35 P.M.

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John Bernard, Ed.D., State Administrator

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Date

SOUTH MONTEREY COUNTY HIGH SCHOOL DISTRICT  
(Formerly King City Joint Union High School District)  
BOARD OF EDUCATION  
SPECIAL BOARD MEETING

Monday, November 7, 2011

Minutes

BOARD OF EDUCATION

Mike Foster – Absent  
Debra McAlahney-Dodson - Absent  
Raul Rodriguez – Absent

STUDENT BOARD MEMBERS

Hillary Hughes, King City HS  
Arturo Siguenza, Greenfield HS

STATE ADMINISTRATOR

John C. Bernard, Ed.D.

OPEN SESSION: 5:00 PM

CALL TO ORDER:

Dr Bernard called the meeting to order at 5:00 P.M.

FLAG SALUTE

Dr. Bernard led in the flag salute.

PUBLIC COMMENT

*The public may address the Board concerning items that are scheduled for discussion during closed session by completing the Request to be Heard Form provided on the table at the entrance to the meeting room and submitting the card to the Executive Assistant prior to the Board adjourning to closed session.*

*El publico puede dirigirse a la Mesa Directiva de Educación con respecto a asuntos que están enlistados para dialogar durante la sesión a puertas cerrada completando así la forma que se le da a la comunidad para poder hablar durante la sesión, esta forma se encuentra en la entrada de la junta donde se lleva acabo la sesión y entregando esta tarjeta a la Secretaria de el Superintendente antes de que la Mesa Directiva de Educación de por terminada la junta*

There were not any comments from the public.

CLOSED SESSION

Student Matters – Transfer/Discipline

- Recommendation to Expel Student #02:11/12

OPEN SESSION:

Report of Closed Session Action

Dr. Bernard reported the decision was made to support the pre-expulsion panel's recommendation to expel Student 02:11/12 for the 2011-12 school year.

Adjournment

The meeting was adjourned at 5:03P.M.

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John Bernard, Ed.D, State Administrator

---

Date

**SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT  
GOVERNING BOARD**

**SUBJECT:** Contract with NTD-HBFL Architecture

**MEETING:** November 16, 2011

**AGENDA SECTION:**

☐ **ACTION**

☐ **INFORMATION**

☒ **ACTION/CONSENT**

---

Board Goals:

- \_\_\_\_\_ Improve/Sustain Student Achievement through STAR Test and Other Assessment Measures
- \_\_\_\_\_ Improve School Climate and Student Discipline in Support of Teaching, Learning and Student Safety
- \_\_\_\_\_ Develop/Sustain Fiscal Crisis Long-Term Solution
- \_\_\_\_\_ Ensure Board and Administrator Participation in CSBA's Masters in Governance and Other Trainings
- \_\_\_\_\_ Ensure that Facilities are Safe for Staff and Students
- X   Ensure compliance with Education/Other Codes/Updating Board Policies and Administrative Regulations

Summary:

This contract is to assist the district in submitting required paperwork to the Division of State Architect for closeout of the following projects:

King City High School:      High School Modernization  
   Bleacher Replacement

Greenfield High School:      Football Field Lighting  
   Two Relocatable Buildings

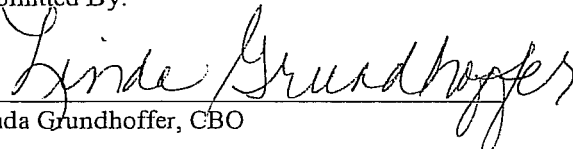
Recommendation:

Approve the contract with NTDHBFL Architecture

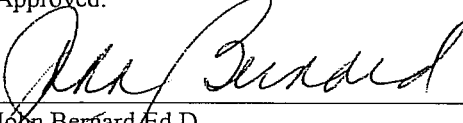
Fiscal Impact:

\$33,500 – County Schools Facility Funds

Submitted By:

  
Linda Grundhoffer, CBO

Approved:

  
John Bernard, Ed.D.  
State Administrator



"Letter of Authorization to Proceed"

**Date:** October 10, 2011

**Client:** South Monterey County High School District  
800 Broadway  
King City, CA 93930

**Project:** DSA Closeout of Various Projects

**NTD Project:** TBD

**Services Requested by:** State Administrator, Dr. John Bernard

**Services to be Provided:**

- Assist District in submitting required paperwork to Division of the State Architect (DSA) for closeout of the following projects:
  - **King City High School, DSA App# 01-104114**
    - Scope: King City High School Modernization
  - **King City High School, DSA App # 01-107300**
    - Scope: Construction of Bleacher Replacement
  - **Greenfield High School, DSA App# 01-104891**
    - Scope: Construction of Football Field Lighting
  - **Greenfield High School, DSA App# 01-104762**
    - Scope: Construction of Two (2) New Relocatable Building 24'x40'
- See attached summary of missing DSA closeout items (Exhibit A).

**Deliverables:**

- Copies of final DSA submittal paperwork.

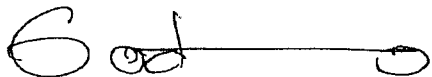
**Fixed Fee:**

- We propose a fixed fee as follows:
  - **King City High School, DSA App# 01-104114**
    - \$9,500
  - **King City High School, DSA App # 01-107300**
    - \$8,000
  - **Greenfield High School, DSA App# 01-104891**
    - \$8,000
  - **Greenfield High School, DSA App# 01-104762**
    - \$8,000
- Reimbursable Expenses:
  - In addition to the fixed fees above, District to reimburse NTD Architecture, at a rate of 1.1 times costs, for project-related expenses such as:
    - Mileage & Travel-related expenses to District and DSA Oakland.
    - Shipping/Overnight
    - Printing of DSA submittal set(s)
  - Should DSA require any additional fees such as project reactivation or additional review time, NTD will request a check from District made out the Division of the State Architect.

**Schedule and Invoicing:**

- Generally reactivation and Closeout with Certification of a DSA project that has been Closed without Certification, can take about a year.
- NTD Architecture will invoice the fixed fees above in 10 monthly increments, unless we are able to achieve DSA Closeout more quickly.

NTD/HBFL Architecture



Godwin Osifeso, AIA, LEED AP, Partner  
License #C22239

Date

10/13/11

Acknowledged By:

\_\_\_\_\_  
(Printed Name and Title)

\_\_\_\_\_  
Date

# Exhibit A

## South Monterey County High School District Projects Closed without Certification

### **King City High School, DSA App# 01-104114**

Scope: King City High School Modernization

Items needed for closeout:

- DSA-6A/E
- DSA-6 IOR
- Testing & Special Inspection Verified Reports
  - Laboratory Verified Report
  - Shop Welding & Fabrication
  - Field Welding
  - Bleacher Fabrication
  - Expansion Anchors
- Bleacher Deferred Approval
- Change Order No. 4 (was disapproved)
- Addendum No. 1 (was disapproved)

### **King City High School, DSA App # 01-107300**

Scope: Construction of Bleacher Replacement

Items needed for closeout:

- DSA-6A/E
- DSA-6 IOR
- DSA-6 Contractor
- Testing & Special Inspection Verified Reports
  - Shop Welding & Fabrication
  - Field Welding
  - Bleacher Fabrication/Inplant Inspector
- Notice of Completion (NOC)

### **Greenfield High School, DSA App# 01-104891**

Scope: Construction of Football Field Lighting

Items needed for closeout:

- DSA-6A/E
- DSA-6 IOR
- DSA-6 Contractor
- Copy of DSA Approved Change Order No. 1
- Record Set of Drawings & Specifications approved by DSA during Plan Check (a copy was never given to DSA)
- Notice of Completion (NOC)

### **Greenfield High School, DSA App# 01-104762**

Scope: Construction of Two (2) New Relocatable Building 24'x40'

Items needed for closeout:

- Checklist for Site Inspector of Relocatable Bldg.



**SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**  
**GOVERNING BOARD**

**SUBJECT:** MOU for Transportation for 3 Special Needs  
Students

**MEETING:** November 16, 2011

**AGENDA SECTION:**

☐ **ACTION**

☐ **INFORMATION**

☒ **ACTION/CONSENT**

---

Board Goals:

- ☐ Improve/Sustain Student Achievement through STAR Test and Other Assessment Measures
- ☐ Improve School Climate and Student Discipline in Support of Teaching, Learning and Student Safety
- ☐ Develop/Sustain Fiscal Crisis Long-Term Solution
- ☐ Ensure Board and Administrator Participation in CSBA's Masters in Governance and Other Trainings
- ☐ Ensure that Facilities are Safe for Staff and Students
- ☒ Ensure compliance with Education/Other Codes/Updating Board Policies and Administrative Regulations

Summary:

An agreement between the SMCJUHSD and Monterey County Office of Education to provide transportation for SMCJUHSD Special Education students not currently enrolled in MCOE special education programs. MCOE provides the vehicle(s) and driver(s) responsible for transporting the students.

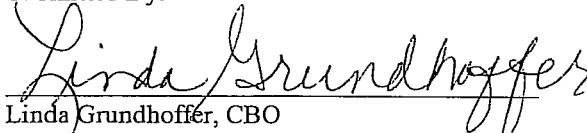
Recommendation:

Approve the MOU with the Monterey County Office of Education.

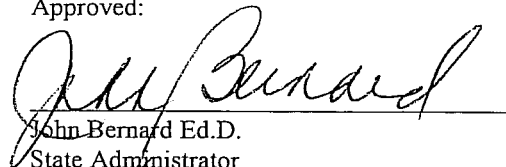
Fiscal Impact:

\$4.25 per mile from Special Education funding

Submitted By:

  
Linda Grundhoffer, CBO

Approved:

  
John Bernard Ed.D.  
State Administrator

2011-12

MEMORANDUM OF UNDERSTANDING BETWEEN  
THE MONTEREY COUNTY OFFICE OF EDUCATION AND  
THE SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

This memorandum of understanding is entered into on the 1st day of August, 2011, between the Monterey County Office of Education (MCOE) and South Monterey County Joint Union High School District (SMCJUHS) in order to provide transportation for SMCHSD Special Education student(s) not currently enrolled in MCOE special education programs. The MCOE will be providing the transportation vehicle(s) and driver(s) responsible for transporting the SMCJUHS students.

**2011-12 List of Students Being Transported:**

The following students will be transported by MCOE during the 2011-12 school year.

- Bay School (meets the Salinas Union High transfer van)  
75.4 miles round trip
- Soledad Transition - 25.4 miles round trip
- Alvarez High School, Salinas - 75.8 miles round trip

Transportation for any additional students must be requested by SMCJUHS in writing.

**Payment for Services:**

The MCOE Transportation department will provide transportation based on the student's school Calendar. SMCJUHS will pay their portion at the rate of \$4.25 per mile. Payment for the transportation services will be due upon receipt of MCOE's monthly invoice.

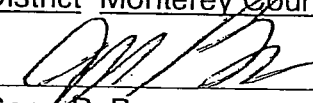
**Indemnity:**

Each Party shall indemnify, defend, and hold harmless the other Party and its officers, employees, agents, and volunteers from and against any and all claims, suits, actions, causes of action, losses, damage, or liabilities of any kind, nature or description, brought by any person or persons for or on account of any loss, damage, or injury to person, property or any other interest, tangible or intangible, sustained by or accruing to any person or persons, howsoever the same may be caused, directly or indirectly, arising or resulting from any alleged acts or omission of the indemnifying Party, its officers, employees, agents or subcontractors arising out of or resulting from the performance of this Agreement.

Said contract shall be in force from July 1, 2011 to June 30, 2012. Either party reserves the right to terminate with 60 days notice for any reason if the arrangement is not beneficial to MCOE or to SMCHUHS students.

South Monterey County Joint Union High School District Monterey County Office of Education

\_\_\_\_\_  
Authorized Signature

  
\_\_\_\_\_  
Garry P. Bousum  
Associate Superintendent of Finance and Business

\_\_\_\_\_  
Date

10-3-11  
\_\_\_\_\_  
Date

#0100-7240-0-5001-0000-868900-000-0250-202

# SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

## GOVERNING BOARD

**SUBJECT:** Approval of New Agreement and Bylaws  
for the Monterey Educational Risk Management  
Authority – Resolution #7: 11/12

**MEETING:** November 16, 2011

**AGENDA SECTION:**

☐ ACTION

☐ INFORMATION

☒ ACTION/CONSENT

---

Board Goals:

- ☐ Improve/Sustain Student Achievement through STAR Test and Other Assessment Measures
- ☐ Improve School Climate and Student Discipline in Support of Teaching, Learning and Student Safety
- ☐ Develop/Sustain Fiscal Crisis Long-Term Solution
- ☐ Ensure Board and Administrator Participation in CSBA's Masters in Governance and Other Trainings
- ☐ Ensure that Facilities are Safe for Staff and Students
- ☒ Ensure compliance with Education/Other Codes/Updating Board Policies and Administrative Regulations

Summary:

Workers' Compensation for the district has been provided by the Monterey County Schools Workers' Compensation Joint Powers Agency. The agreement for that agency was last amended in 1990. Much has changed in California pooling since then so the JPA staff has prepared a revised agreement and new bylaws to better reflect current trends in California Risk pooling. The new documents have been thoroughly vetted by the JPA Board of Directors. A chart is attached that compares the changes. Significant issues that are addressed in the new documents are name change, stand alone bylaws, redefinition of Authority officers, better defined withdrawal provisions, authorization to conduct Authority meetings via teleconferencing and reorganization as a risk sharing pool with the ability to potentially add non-educational members.

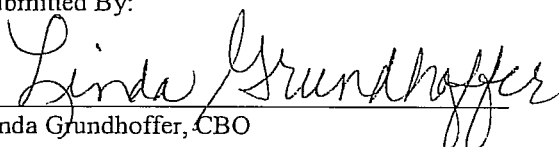
Recommendation:

Approve the attached resolution to execute the Joint Powers Agreement and approve the Bylaws of the Monterey Educational Risk Management Authority.


Fiscal Impact:

None

Submitted By:

  
Linda Grundhoffer, CBO

Approved:

  
John Bernard Ed.D.  
State Administrator

**SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**

**RESOLUTION #7:11/12**

Approval of new Agreement and Bylaws for the  
Monterey Educational Risk Management Authority

**BE IT RESOLVED THAT** the State Administrator of the South Monterey County Joint Union High School District approves the adoption of the Joint Powers Agreement and Joint Powers Bylaws for the Monterey Educational Risk Management Authority as revised on February 24, 2011.

Adopted this 16<sup>th</sup> day of November, 2011.

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John Bernard, Ed.D, State Administrator

## Comparison of the Location of Significant Clauses:

### Current Joint Powers Agreement vs. Adopted Joint Powers Agreement & Bylaws

Issue	Current JPA	Adopted Joint Powers Agreement	Adopted Bylaws
Name of JPA	Section A, Paragraph 1.	Located in Preamble.	Located in Preamble.
Covered Programs	Located in Preamble -workers' comp. only.	Preamble, first recitals - workers' compensation, general liability and property damage.	Section 6, paragraph 6.14 may implement new programs for any risk or peril permitted by law.
Bylaws	N/A	N/A	Created by Proposed JPA, Article 6.
Purpose Described	Section A, paragraph 2.	Article 2	N/A
Powers of the JPA	Section A, paragraph 3.	Article 3	N/A
Membership	Section B, paragraph 5 "...public educational entities and other public entities.	Article 7 - controlled through the Bylaws.	Section 4, paragraph 4.1 - Membership open to any public agency.
Board of Directors	Section B, paragraph 6.1-6.9 "...one representative and one alternate...."	Located in the Bylaws.	Section 5, paragraph 5.1 - Director and one alternate from each member. Both may attend meetings but only one may vote.
Executive Committee	Section B, paragraph 7.1.- 7.7.	Located in the Bylaws.	Sections 8 and 9 - Executive Committee is the governing body between meetings of the Board of Directors.
JPA Staff	Section B, paragraph 8.1-8.4.	Located in the Bylaws.	Section 10, paragraph 10.5 - Executive Director is selected by the Executive Committee but hires, supervises and evaluates all authorized staff.
Budget & Finance	Section C, paragraph 9-14.	Located in the Bylaws.	Section 11-13 - Fiscal year and accounting structure established.
Withdrawal	Section D, paragraph 16 & 16.1. Notice "...in writing prior to May 15th preceding the fiscal year of withdrawal."	Located in the Bylaws.	Section 16. Must have completed 3 years of membership ... resolution from its governing board stating its intent to withdraw prior to January 1 of the fiscal year in question.

MONTEREY EDUCATIONAL RISK MANAGEMENT AUTHORITY

AMENDED

JOINT POWERS AGREEMENT  
FOR THE OPERATION OF COMMON  
RISK MANAGEMENT AND RISK POOLING PROGRAMS

MONTEREY EDUCATIONAL RISK MANAGEMENT AUTHORITY

Amended  
Joint Powers Agreement  
For The Operation Of Common  
Risk Management And Risk Pooling Programs

This Joint Powers Agreement ("Agreement") amends the MONTEREY COUNTY SCHOOLS WORKERS' COMPENSATION JOINT POWERS AGENCY Joint Powers Agreement dated July 1, 1974, as subsequently amended. This Agreement supersedes all prior joint powers agreements relating to workers' compensation among the contracting parties ("Members" or "Member"). The reconstituted entity shall be known as the "MONTEREY EDUCATIONAL RISK MANAGEMENT AUTHORITY".

This Agreement is entered into pursuant to the provisions of Title 1, Division 7, Chapter 5, Article 1 (commencing with Section 6500) of the California Government Code, as amended ("Joint Powers Act"), relating to the joint exercise of powers among the public agencies (referred to as "public agencies") that are parties to this Agreement and those that hereafter become parties to it, for the purpose of operating an agency known as "MONTEREY EDUCATIONAL RISK MANAGEMENT AUTHORITY".

W I T N E S S E T H

WHEREAS, Sections 35208 and 72506 of the California Education Code, as amended, requires that school and community college districts insure against certain risks set forth therein, including, but not limited to, workers' compensation, general liability, personal liability, and property damage insurance; and

WHEREAS, Sections 35214 and 72506 of the California Education Code, permits school and community college districts to purchase insurance or self-insure against the risks set forth in California Education Code Section 35208 and 72506; and

WHEREAS, Sections 17565 and 81601 of the California Education Code, as amended, permit school and community colleges, to insure property against other peril; and

WHEREAS, Sections 1274, 17566 and 81602 of the California Education Code, as amended, permit county superintendents of schools and school and community college districts to establish a fund or funds for the purpose of covering the purchase of excess insurance, the deductible amount under deductible types of insurance policies, losses or payments arising from self-insurance programs, losses or payments due to non-insured perils, payment of losses, administrative costs and related services; and

WHEREAS, Sections 6500 et seq., of the Government Code and Sections 17567 and 81603 of the California Education code, as amended, permit any two or more school and community college districts to enter into a joint powers agreement pursuant to the Joint Powers Act to perform the functions set out in California Education Code sections 17565, 17566, 81601 and 81602; and

WHEREAS, Section 3700(c) of the California Labor Code, as hereinafter amended, permits a public entity to fund its own workers' compensation losses; and

WHEREAS, Section 990 of the California Government Code, as hereinafter amended, permits local public entities to insure against liability and other losses; and

WHEREAS, Section 990.4 of the California Government Code, as hereinafter amended, permits local public entities to purchase insurance or self-insure against the risks set forth in Government Code Section 990; and

WHEREAS, Section 990.8 of the California Government Code, as hereinafter amended, permits two or more local public entities to enter into a joint powers agreement pursuant to Article I (commencing with Section 6500) of Chapter 5 of Division 7, Title 1 of the California Government Code, to perform the functions set out in Government Code Section 990; and

WHEREAS, Article I (commencing with Section 6500) of Chapter 5 of Division 7, Title 1 of the California Government Code permits two or more public agencies to jointly exercise any power common to them; and

WHEREAS, the signatories hereto have determined that there is a need by public agencies to develop (i) effective risk management programs to reduce the amount and frequency of their losses and (ii) self-insurance programs for the purpose of protecting against various risks jointly, rather than individually; and

WHEREAS, it is the desire of the signatories hereto to jointly provide for risk sharing for their mutual advantage and concern; and

WHEREAS, the development, organization and implementation of a joint powers authority is of such magnitude that it is desirable for the parties to join together in this Agreement in order to accomplish the purposes hereinafter set forth; and

WHEREAS, the signatories hereto have determined that there is a need by public agencies for a joint program for risk protection; and

WHEREAS, it is the desire of the signatories hereto to study and possibly incorporate other plans and forms risk management into a joint program such as that described herein; and

WHEREAS, each signatory hereto has determined that it is economically practical and for its public benefit and in its public interest to do so;



NOW, THEREFORE, for and in consideration of all of the mutual benefits, covenants and agreements contained in this Agreement, the parties hereto agree as follows:

## ARTICLE 1

### Creation of the Joint Powers Entity

1.1 A joint powers authority, separate and apart from the public agencies that are parties to this Agreement, shall be and is hereby created and is designated as the MONTEREY EDUCATIONAL RISK MANAGEMENT AUTHORITY ("Authority").

1.2 The governing bodies of the Authority shall be its board of directors ("Board of Directors") and executive committee ("Executive Committee"). The Board of Directors and Executive Committee shall be constituted and empowered as provided in the Bylaws of the Authority.

## ARTICLE 2

### Purpose of the Authority

2.1 The Authority is established for the purposes of administering this Agreement and for jointly exercising powers common to each Member by:

2.1.1 Pooling on a self-insured basis various risks in excess of individually selected deductible amounts and up to a jointly selected maximum;

2.1.2 Jointly purchasing insurance coverage over the self-insured maximum;

2.1.3 Creating and maintaining loss funds to pay the costs of self-insurance portions of covered losses;

2.1.4 Implementing a risk management program;

2.1.5 Providing a forum for discussion, study, development and implementation of recommendations of mutual interest regarding self-funded insurance, risk management and other programs, as more specifically provided for in the Bylaws; and

2.1.6 Providing for the future inclusion of additional public agencies which desire to become parties to this Agreement.

## ARTICLE 3

### Powers of the Authority

3.1 The Authority shall have the power and authority to exercise (i) any power common to the public agencies which are parties to this Agreement, (ii) any powers contained in the Joint Powers Act, or any successor statute, and (iii) powers otherwise conferred by law;

provided that the power is in furtherance of the purposes, functions and objectives of this Agreement. Pursuant to Section 6509 of the California Government Code, the Authority in exercising its powers shall be subject to the same restrictions as are imposed upon general law public school districts, except as otherwise provided by statute.

## ARTICLE 4

### Functions of the Authority

#### 4.1 The functions of the Authority are:

4.1.1 To provide on behalf of the Members of the Authority a self-insurance plan and system for any risk or peril and any program authorized by law and deemed practical by the Board of Directors and as such, to perform, or contract for the performance of, financial, administration, policy formulation, loss servicing, legal representation, safety engineering, health education and other services as necessary or appropriate for the payment and handling of all claims of loss, and the performance of all administrative functions, for each program approved by the Board of Directors.

4.1.2 To provide risk pooling through independent programs for such risks or perils as the Board of Directors determines are in the best interest of the Authority and are permitted by law.

4.1.3 To pursue any member's right of subrogation against a third party when in the discretion of the Board of Directors such action is appropriate. Any recovery resulting from pursuing a subrogation claim shall be divided between the Authority and member district against which the underlying loss was charged in proportion to each authorized payment made toward resolution of the underlying loss.

4.1.4 To make and enter into contracts.

4.1.5 To acquire, hold or dispose of real and personal property in the name of the Authority.

4.1.6 To incur debts, liabilities and obligations, including but not limited to issuing bonds as allowed by law, necessary to accomplish the purposes of the Agreement.

4.1.7 To receive gifts, contributions, and donations of property, funds, services, or other forms of assistance from members, firms, persons, corporations, associations, and any other governmental entity in accordance with existing laws.

4.1.8 To invest surplus funds as permitted by law.

4.1.9 To acquire, construct, manage, maintain and operate buildings.

4.1.10 To sue and be sued in the name of the Authority.

4.1.11 To maintain accurate case records for all covered risks and accurate records of all losses paid.

4.1.12 To join joint powers authorities to provide services or coverage to this Authority.

4.1.13 To lease real or personal property, including that of a Member.

4.1.14 To employ staff to perform the functions of the Authority.

4.1.15 To perform such other functions as may be necessary or appropriate to carry out the Agreement, so long as such other functions so performed are not prohibited by any provision of law and are not otherwise inconsistent with this Agreement or the Bylaws.

## ARTICLE 5

### Term of the Agreement

5.1 This amended Agreement shall become effective at 12:01 a.m. on (i) the day following the date as of which all of the Members of the MONTEREY EDUCATIONAL RISK MANAGEMENT AUTHORITY approve this amended Agreement, or (ii) the day following the close of the fiscal year in which a majority of the Members approve this amended Agreement, whichever occurs first.

5.2 This amended Agreement shall continue in effect until lawfully terminated as provided herein and in the Bylaws.

## ARTICLE 6

### Bylaws

6.1 The Authority shall be governed pursuant to bylaws, which may be amended from time to time (the "Bylaws"). Each party to this Agreement agrees to comply with and be bound by the provisions of the Bylaws and further agrees that the Authority shall be operated pursuant to this Agreement and the Bylaws.

6.2 The Bylaws may be amended by a majority vote of the authorized number of directors of the Board of Directors or by a two-thirds (2/3) vote of the authorized number of members of the Executive Committee when a quorum of the Board of Directors is not available; provided, however, any amendment of the Bylaws by the Executive Committee shall be effective only after notice of the action is given to the Board at Directors as provided in the Bylaws and no request for reconsideration by the Board of Directors is timely made pursuant to the procedure set out in the Bylaws.

## ARTICLE 7

### Membership

7.1 Any public agency desiring to become a party to this Agreement must be eligible for membership in the Authority, as specified in the Bylaws.

7.2 Each party which becomes a Member of the Authority shall be entitled to the rights and privileges and subject to the obligations of membership, as provided in this Agreement, the Bylaws and by statute.

7.3 Each party to this Agreement shall be referred to as a "Member" of the Authority.

## ARTICLE 8

### Termination of Agreement

8.1 Should all parties to this Agreement withdraw as Members of the Authority or be involuntarily terminated from the Authority, this Agreement shall terminate and the Authority shall dissolve; except that the Authority shall continue to exist for the purpose of disposing of all claims of loss, distributing its assets, and performing all other functions necessary to windup its affairs.

## ARTICLE 9

### Disposition of Property and Funds

9.1 In the event of the termination of this Agreement and the dissolution of the Authority, any assets that remain in the Authority following a discharge of all of the Authority's obligations shall be disposed of as provided in the Bylaws.

9.2 "Obligations," as referred to herein, shall include, but not be limited to, all payments required by law, together with all reserves established for the purpose of paying liability losses and related loss costs, together with any other legal obligations incurred by the Authority pursuant to this Agreement.

9.3 In the event a Member withdraws from the Authority or has its membership in the Authority involuntarily terminated, that Member's interest in the assets of the Authority shall be determined as set forth in the Bylaws.

## ARTICLE 10

### Investment of Surplus Funds

10.1 The Authority shall have the power to cause such surplus funds as are not necessary for the immediate operation of the Authority to be invested in compliance with Section 6509.5 of the California Government Code in such investments as are permitted by law.

10.2 Upon dissolution or termination of the Authority, any available surplus funds shall be returned to the Members in proportion to the Members' individual contributions to the Authority in the manner prescribed by the Bylaws.

## ARTICLE 11

### Amendment

11.1 This Agreement, and all subsequent amendments, may be amended by the written consent of at least a majority of the Members approving the amendment. Any such amendment shall be effective and binding upon all Members of the Authority at 12:01 a.m. on (i) the day following the date of approval of the amendment by all the Members, or (ii) the day following the close of the fiscal year in which a majority of the Members approve the amendment, whichever occurs first. The failure of a member to abide by any amendment may result in involuntary termination as provided in the Bylaws.

## ARTICLE 12

### Severability

12.1 Should any portion, term, condition or provision of this Agreement be decided by court of competent jurisdiction to be illegal or in conflict with any laws of the State of California, or be otherwise rendered unenforceable or ineffectual, the validity of the remaining portions, terms, conditions and provisions shall not be affected thereby.

## ARTICLE 13

### Liability and Indemnification

13.1 Except as otherwise provided in this Article, the debts, liabilities and obligations of the Authority are those of the Authority and do not constitute the debts, liabilities, or obligations of any Member.

13.2 It is expressly agreed by all parties to this agreement and by the Board of Directors that, in contemplation of sections 985.6 and 6508.1 of the Government Code respecting the right of contribution of public entities that are parties to a joint powers agreement, no public entity a party hereto shall be jointly or severally liable upon any judgment for damages caused by negligent or wrongful act or omission to act occurring in the performance of this agreement. Unless the party shall have authorized or consented to the same by an appropriately adopted resolution.

13.3 The tort liability of the Authority, all members of the Board of Directors and its Executive committee, and all officers and employees of the Authority, shall be controlled by the provisions of Division 3.6 of Title I or the California Government Code.

13.4 This Agreement creates a risk pooling arrangement for each program and services operated and maintained by the Authority. Accordingly, as to each such program, each Member participating in that program agrees to be liable for its pro rata share of all losses, debts

and liabilities of that program arising or incurred while it is a participant in that program. The members of the program agree to indemnify and hold harmless any member of the program for any liability, cost or expense that may be imposed upon a member of that program in excess of the pro rata liability of that member. If a program or the Authority is liable for any loss, debt or liability in excess of the reserves held by the Authority, the Members participating in that program may be assessed an additional contribution to cover such excess liability. A Member's pro rata contribution for such excess liability shall be based on that Member's contribution rate for the fiscal year in which the liability arose or was incurred compared with the contribution rates of all the Members participating in the program in such fiscal year.

13.5 The Authority may insure itself against liability and claims of loss arising out of or connected with this Agreement to the extent deemed necessary by the Board of Directors.

#### ARTICLE 14

##### Enforcement

14.1 The Authority is given the power to enforce this Agreement. In the event suit is brought under this Agreement by the Authority and judgment is recovered against a Member, the Member shall pay all costs incurred by the Authority, including actual attorney's fees as determined by the court.

#### ARTICLE 15

##### Filing with the Secretary of State

15.1 A notice satisfying the requirements of Section 6503.5 of the California Government Code shall be filed with the office of the Secretary of State no later than thirty (30) days following the date this Amended Agreement becomes effective.

This Agreement may be executed in counterparts.

[Signature on page 9.]

IN WITNESS WHEREOF, THE PARTY DESIGNATED BELOW HAS EXECUTED THIS JOINT POWERS AGREEMENT FOR THE OPERATION OF A COMMON RISK MANAGEMENT AND RISK POOLING PROGRAM BY ITS AUTHORIZED OFFICER. THIS AGREEMENT MAY BE EXECUTED IN COUNTERPARTS.

NAME OF PUBLIC ENTITY: \_\_\_\_\_

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

Its: Authorized Officer

Name: \_\_\_\_\_

Title: \_\_\_\_\_

[Please Type or Print]

\_\_\_\_\_  
Clerk

**Adopted:** February 24, 2011 - Special Board of Directors Meeting

C:\JPA Agreement\MERMA.Final

MONTEREY EDUCATIONAL RISK MANAGEMENT AUTHORITY

BYLAWS TO THE  
JOINT POWERS AGREEMENT  
FOR THE OPERATION OF COMMON RISK MANAGEMENT  
AND RISK POOLING PROGRAMS



## BYLAWS

### PREAMBLE

MONTEREY EDUCATIONAL RISK MANAGEMENT AUTHORITY, hereinafter referred to as the "Authority" or "MERMA", is established to provide the capabilities of Risk Management, Self-Funding and Group Purchase of insurance in those areas of risk and exposure selected by MERMA for the public agencies which are members of MERMA.

It shall be the goal of for its operations to evolve as the needs of its members change. Any area of risk sharing, risk management, loss prevention or cost containment which is determined by MERMA to be beneficial to its members and which is effective shall be an appropriate endeavor for MERMA.

### SECTION 1

#### DEFINITIONS

The terms used within the Agreement and within the Bylaws shall have the following meanings:

1.1 "Adjuster" means a person or entity engaged by the Executive Committee for the purposes of determining losses and payments with respect to a Loss Fund.

1.2 "Agreement" means the Amended MONTEREY EDUCATIONAL RISK MANAGEMENT AUTHORITY Joint Powers Agreement.

1.3 "Authority" means the MONTEREY EDUCATIONAL RISK MANAGEMENT AUTHORITY created by the Agreement.

1.4 "Basis of Contribution" means the method by which the Executive Committee computes a Member's contribution for each Program by Program Year.

1.5 "Benefits" means coverage for any Loss as defined in the Agreement, Bylaws and Policies.

1.6 "Board of Directors" means the governing body of the Authority composed of delegates from each Member as more specifically provided for in Section 5 of these Bylaws.

1.7 "Broker" means a person or entity engaged by the Executive Committee for the purpose of acquiring insurance policies.

1.8 "Contribution" means money paid, in addition to and the reasonable value of "in kind" contributions, made by a Member to the Authority.

1.9 “Coverage Year” means the period of time commencing on the first day of the month in which coverage issues for a Program or sub-part of a Program, i.e., a Plan, and ends twelve months later.

1.10 “Director” means the delegate, or in the absence of the delegate, the alternate, appointed by a Member to serve on the Board of Directors.

1.11 “Employee” shall have the same meaning as provided by Division 3, Part 1, Chapter 1, Section 2 (Section 3350 et seq.) of the California Labor Code, as may be amended.

1.12 “Executive Committee” means the committee created to be the Governing Body and manage the business and operations of the Authority between meetings of the Board of Directors, and to assist the Executive Director on a day-to-day basis pursuant to the terms of the Bylaws.

1.13 “Executive Director” means that person selected by the Executive Committee as an Employee of the Authority to administer the Authority on a day-to-day basis pursuant to the terms of the Bylaws and the direction of the Executive Committee or Board of Directors.

1.14 “Fiscal Year” means the period of time commencing on July 1 of each year and ending on June 30 of the following year.

1.15 “Fund” means a sum of money set apart in a Program administered by the Authority.

1.16 “Insurance Carrier” means a stock, mutual, or non-accessible reciprocal insurance company with a rating or financial status satisfactory to the Authority. MONTEREY EDUCATIONAL RISK MANAGEMENT AUTHORITY is neither an insurance carrier nor an insurer; it is a risk sharing, self-funded pool.

1.17 “Insurance Policy” means a policy or policies of insurance purchased by the Authority covering risks of the Members.

1.18 “Investment” means the placement of money into those mediums authorized by law for the purpose of deriving income therefrom.

1.19 “Loss(es)” means a demand to secure payment for a loss pursuant to the Agreement and when honored shall include a settlement, judgment, payment, or award against a Member, together with related expenses, legal fees and Reserves.

1.20 “Loss Fund” means the Fund that is created for each Program to cover and pay for Claims of Loss against the Program.

1.21 “Loss Liability” means the liability established by the Authority which represents liabilities with respect to Losses that have been incurred but unpaid and Losses that have been incurred but not reported.

1.22 "Member(s)" means a public agency within the State of California which is a signatory to the Agreement and accordingly belongs to MONTEREY EDUCATIONAL RISK MANAGEMENT AUTHORITY.

1.23 "Obligations" includes, but is not limited to, all payments required by the law, together with all Reserves which have been established for the purpose of paying Losses or expected Losses and related costs, together with any other legal obligations incurred by the Authority.

1.24 "Operating Fund" means the Fund established by the Authority for the purpose of paying costs of administration, operation and such other costs as are deemed appropriate by the Executive Committee for each Program.

1.25 "Program" means protection and/or services for any major risk or peril, as determined by the Executive Committee.

1.26 "Program Year" means one Fiscal Year of a Program separate from each and every other Fiscal Year of a Program.

1.27 "Public Agency" means those agencies included within the definition of public agency as set forth in Government Code § 6500, as amended from time to time, and the provisions of succeeding law.

1.28 "Public Education Agency" means a school District, a County office of Education, a Community College District, a Regional Occupation Program, or a Charter School.

1.29 "Reserves" means that part of a Member's Contribution held by the Authority to make future payments with respect to Losses and expenses that have been incurred but are unpaid and/or those funds held by the Authority to stabilize contribution rates.

1.30 "Self-insurance", means funds and reserves to pay for losses not covered through insurance.

1.31 "Subrogation" means the process for recovering payments from a third party which the Authority has paid on behalf of a Member.

1.32 "Termination of Participation in Program" means a Member's election, which may be made only after three (3) consecutive years of membership in a Program, to cease participating in that Program, whether for an employee group of the Member or for the member itself.

1.33 "Withdrawal from the Authority" means a Member's election, which may be made only after three (3) consecutive years of membership in the Authority, to terminate its membership, to cease being a party to the Agreement and to cease participating in all Programs offered by the Authority.

## SECTION 2

### RULES OF CONSTRUCTION

- 2.1 The present includes the past or future tenses; the future includes the present tense.
- 2.2 The singular includes the plural; the plural includes the singular.
- 2.3 “Shall” is mandatory and “may” is permissive.
- 2.4 The masculine gender includes the feminine and neuter.

## SECTION 3

### FUNCTIONS OF THE AUTHORITY

- 3.1 The Authority may perform all functions set out in Section 4 of the Agreement and such other functions as are set forth in these Bylaws.
- 3.2 The Authority may provide a self-funded risk pooling plans and systems for workers’ compensation coverage or any other risk for the Members. The Authority shall perform, or contract for the performance of, financial, administration, policy formulation, loss servicing, legal representation, safety engineering, health education and other services as necessary or appropriate for the payment and handling of all Claims of Loss, and the performance of all administrative functions, for each approved Program.

## SECTION 4

### MEMBERSHIP

- 4.1 Any Public Agency which desires to become a party to the Agreement must be eligible for membership in the Authority. Membership is open to any Public Agency that the Executive Committee determines, in its sole discretion, has similar exposures and interests to the Members. All such Public Agencies may become Members of the Authority as provided below. Each Public Agency which becomes a Member of the Authority shall be entitled to the rights and privileges, and shall be subject to the duties and obligations, of membership as provided in these Bylaws and MERMA’s policies and plan provisions developed pursuant to these Bylaws.
- 4.2 Any Public Agency located within the State of California may apply for membership in the Authority and in any one or more of its Programs. Application is complete when the Executive Director receives a fully executed resolution from the applicant’s governing board seeking membership pursuant to MERMA’s policies. All applications must be received by January 1 of a Fiscal Year, unless otherwise specifically waived by the Executive Committee, in order to be considered for acceptance for the ensuing Fiscal Year. Membership in the Authority and in any Program is contingent upon satisfying such standards for membership the

Executive Committee may set. Approval or denial of an application for membership in the Authority or any Program is within the sole and absolute discretion of the Authority.

4.3 The Executive Committee may appoint a Membership committee to review and consider the application of each prospective Member. As part of its review, the Membership Committee shall consider the applicant's past appropriate insurance experience and may consult with professionals as appropriate. Following the review, the membership committee shall recommend approval or denial of the applicant's request for membership to the Executive Committee.

4.4 In regard to an application for membership, the Executive Committee shall:

4.4.1 Review and consider the recommendation of the Membership Committee if one has been appointed;

4.4.2 Decide whether or not to approve the applicant's request for membership and notify the applicant of its decision.

4.5 If the applicant's request for membership is approved, the Executive committee shall:

4.5.1 Determine the conditions and terms under which the applicant is to be admitted to the Authority;

4.5.2 Determine the effective date of membership for the applicant which shall be the first day of a Coverage Year, unless otherwise specifically determined;

4.5.3 Request the applicant to execute a copy of the Agreement together with a written acknowledgment that the applicant will comply with all MERMA's plan provisions and policies developed pursuant to these Bylaws; and file with the Executive Director a resolution formally adopted by the applicant's governing board approving membership or, in the case of a County Office of Education, an appropriate document signed by the County Superintendent of Schools.

4.6 The Executive Committee shall report its decisions on all membership applications to the Board of Directors at least once each Fiscal Year.

4.7 In order to be eligible to participate in any Program, a returning or new Member:

- (1) May be required to "Buy In" to any Reserves or retained earnings not specifically identified with Losses of current Members. The "Buy In" shall be calculated by the Executive Committee.
- (2) Shall agree that the Member will participate in the Program(s) for which membership is sought for three consecutive years following acceptance as a member.

- (3) Shall pay all Contributions due to MERMA for the Programs in which the Member elects to participate for all years of participation, and in any event, whether participating or not, for the three years following acceptance as a member.

## SECTION 5

### BOARD OF DIRECTORS

5.1 The Board of Directors is hereby established as the governing body of the Authority and shall develop policies for and provide general direction to the Executive Committee, which shall be the governing body and manage the business and operations of the Authority during the interim between meetings of the Board of Directors. The following authority is retained by the Board of Directors and shall not be delegated: approval of budget; approval of rates; approval of major policies and, approval of amendments to these Bylaws. Those specific items shall not be delegated.

5.2 Each Member of the Authority shall appoint one (1) delegate, and the authorized number of Directors at any point in time shall be equal to the number of Members at that time. Further, each Member is entitled to appoint one (1) alternate to the Board of Directors. The delegate and the alternate shall be designated by written notice from the Member to the Executive Director. Both the delegate and the alternate must be Employees of the Member appointing them, and each must be either a school administrator or a management level Employee of the Member, except that the alternate may be a "confidential" Employee. Except as provided in Section 5.6.1 below, the delegate and the alternate shall serve at the pleasure of the appointing Member. Only the delegate or alternate may represent a Member, but both may attend all meetings of the Board of Directors.

5.3 Each vote to which a Member is entitled may be cast only by the delegate, if in physical attendance; or the alternate, if in physical attendance, when the delegate is absent. No proxy or absentee voting is permitted. Except as otherwise provided by law or in these Bylaws, every act or decision done or made by a majority of the delegates (or alternates acting in place of delegates) present at a meeting duly held at which a quorum is present shall be the act of the Board of Directors. A meeting at which less than a majority of a quorum is present may be adjourned to a later date.

5.4 The voting rights of each Member shall be determined as follows:

5.4.1 If an issue before the Board of Directors is identified with only one (1) Program, each Member then participating in that Program shall have one (1) vote.

5.4.2 If an issue before the Board of Directors is identified with the Authority as a whole and is not appropriately identified with a single Program, each Member shall have one (1) vote.

5.5 A quorum for the transaction of business by the Board of Directors shall be determined as follows:

5.5.1 The quorum for an issue identified with only one (1) Program consists of the majority of those Directors whose Members are then participating in that Program.

5.5.2 The quorum for an issue identified with the Authority as a whole consists of the majority of the authorized number of Directors.

5.6 It is the responsibility of each Member to have its delegate, or in the absence of the delegate, its alternate:

5.6.1 Attend meetings of the Board of Directors, and, if selected or elected to the Executive Committee, attend Executive Committee meetings.

5.6.2 Disseminate information within the Member's district.

5.6.3 Review agendas and minutes.

5.6.4 Provide copies of the annual financial report to the chief administrative officer of the Member.

5.7 The Board of Directors may hold regular, adjourned regular, special and adjourned special meetings; provided, however, that it shall hold at least one (1) regular meeting annually. The date, time and place for the annual and other regular meetings shall be as fixed by resolution of the Executive Committee which resolution shall be filed with each Member. Special meetings may be called by the Board of Directors, the Executive Committee or by the written request of not less than twenty-five percent (25%) of the Members.

5.8 All meetings of the Board of Directors shall be called, held and conducted in accordance with the terms and provisions of the Ralph M. Brown Act, California Government code Sections 54950, et seq., as amended, and rules of the Board of Directors consistent therewith. Except as otherwise provided or permitted by law, all meetings of the Board of Directors shall be open and public. Meetings may be via electronic telecommunications as provided by law. Seventy-two (72) hours prior to a regular meeting and twenty-four (24) hours prior to special meetings of the Board of Directors, notice of the meeting and a copy of the proposed agenda shall be publicly posted within each county with Members at such locations as are designated by the Board of Directors and shall be sent to the delegate of each Member.

5.9 The Executive Director shall send to the delegate of each Member a copy of the minutes of each meeting within thirty (30) days after the meeting.

5.10 The Board of Directors, by resolution, shall designate a specific location to which notices, correspondence, and other communications to the Authority must be sent, and shall designate one of its members or the Executive Director as an officer for the purpose of receiving service on behalf of the Board of Directors.

5.11 The Board of Directors shall comply with the provisions of Sections 6503.5 and 53051 of the California Government Code requiring the filing of a statement with the Secretary of State and with the County Clerk.

5.12 The Board of Directors may establish rules governing its own conduct and procedure; and shall have such express and implied authority as is consistent with and not contrary to the laws of the State of California, these Bylaws, or the Agreement.

5.13 No one serving on the Board of Directors shall receive any salary or compensation from the Authority. However, the Board of Directors may authorize reimbursement for actual and necessary expenses incurred by a Director in connection with that Director's duties as an officer or a member of the Board of Directors.

5.14 If a quorum of the Board of Directors is not present at a regular or special meeting of the Board of Directors, the Executive Committee is specifically empowered to act as the governing body of the Authority on those matters which were to be considered by the Board of Directors at that meeting. Within twenty (20) working days after acting on any such matters, the Executive Committee shall give written notice to each Director of its decisions in regard to such matters and follow the procedures set forth in Section 9.2.

## SECTION 6

### FUNCTIONS OF THE BOARD OF DIRECTORS

6.1 The Board of Directors shall provide general direction to the Executive Committee and the Executive Director regarding the administration and operation of the Programs and affairs of the Authority.

6.2 The Board of Directors shall have the Authority to carry out all functions of the Authority, including but not limited to, making and entering into contracts; employing agents and employees; acquiring, holding and disposing of property in the name of the Authority; incurring debts, liabilities or obligations necessary for the operation of the Authority; receiving, accepting, expending or disbursing funds by contract or otherwise, for purposes consistent with the provisions herein; directing the investment of funds pursuant to California Government Code Section 6509 and Education Code Sections 17566 and 81602; and maintaining at all times a complete and accurate system of accounting of all monies of the Authority.

6.3 The Board of Directors shall have the power and authority to receive, accept and utilize the services of personnel offered by any of the Members, or their representatives or agents; to receive, accept, utilize property, real or personal, from any of the Members, or their agents or representatives; and to receive, accept, and expend funds by contract or otherwise for purposes consistent with the provisions of these Bylaws and the Agreement, which funds may be provided by any of the Members or their agents or representatives.

6.4 The Board of Directors shall cause the Executive Committee to develop personnel policies for employees of the Authority.

6.5 The Board of Directors may appoint and dissolve working committees from its active membership or contract for the services of others in keeping with the Agreement and these Bylaws.



6.6 The Board of Directors shall have the power to appoint such other officers and employees as it may deem necessary and may contract with such consultants or other professional persons or firms as may be necessary to carry out the purposes of the Agreement and these Bylaws.

6.7 The Board of Directors shall cause the Executive Committee to determine and report the formulas and methods by which Contributions will be decided and paid to the Authority. The Board of Directors may also provide for the assessment of additional Contributions during a Fiscal Year, if necessary or appropriate to provide for increased costs and expenses as may occur.

6.8 The Board of Directors shall ensure that a complete and accurate system of accounting of the Authority's Funds shall be maintained at all times consistent with established auditing standards and accounting procedures.

6.9 The Board of Directors shall determine, after receiving recommendations from the Executive Committee, the manner in which liability, property damage, fire damage, or any other insurable risk or program and related costs shall be processed for each Program. Such processing shall conform to all provisions of law now in effect or later enacted. The Board of Directors shall maintain, or cause to be maintained, accurate case records for all covered risks and accurate records of all losses paid. The Board shall also provide for loss control services.

6.10 The Board of Directors shall utilize the surpluses in the various Funds to realize the concept of self-insurance.

6.11 The Board of Directors expressly delegates its power to pursue a Member's subrogation rights to the Executive Director.

6.12 The Board of Directors shall provide each Member with the annual independent auditor's report.

6.13 The Board of Directors shall annually prior to July 1 adopt a budget showing each of the purposes for which the Authority will need money and the estimated amount of money that will be needed for each such purpose for the ensuing Fiscal Year. A copy of the budget shall be provided to each Member.

6.14 The Board of Directors, may implement new Programs for any risk or peril permitted by law and not then being provided by the Authority.

6.15 From the members of the Executive Committee, the Board of Directors shall select a president ("President"), vice-president ("Vice-President"), secretary ("Secretary") who shall serve as officers of the Authority and of the Executive Committee. Subject to Section 7, these officers shall serve a two (2) year term. The term shall commence on July 1 of even numbered years. Any one or more of these officers may be the same as those who held office the prior term.

6.16 The Board of Directors expressly delegates all of the powers except for those items listed in Section 5.1, set forth herein to the Executive Committee subject to its general power of oversight and review as more fully discussed in Section 9.2.

## SECTION 7

### OFFICERS

7.1 The principal officers of the Authority shall be a President, Vice-President and Secretary elected by the Board of Directors pursuant to Section 6.15.

7.2 Any person selected as an officer shall be automatically removed from that position should that person miss three (3) Executive Committee meetings within one Fiscal Year without the approval of the President; and may be removed at any time with or without cause by the Board of Directors.

7.3 An interim appointment to replace any officer removed pursuant to Section 7.2. shall be made by the Executive Committee and such appointment shall last until the vacancy is filled for the remainder of the existing term by the Board of Directors.

7.4 The officers of the Authority shall be the custodians of its property. The Authority shall obtain a blanket faithful performance bond covering all officers and Employees in an amount determined by the Board of Directors, but in no event less than that mandated by law.

7.5 The President shall have general supervision of and direction over the business of the Authority, shall preside at all meetings of the Authority, and shall see that all orders and resolutions of the Board of Directors and Executive Committee are carried into effect. The President may at his or her option appoint ad hoc committees and shall have such other powers and perform such other duties as may be prescribed from time to time by the Board of Directors or the Executive Committee.

7.6 In the absence or disability of the President, the Vice-President shall be vested with all the powers and authorized to perform all the duties of the President. The Vice-President shall in addition have such powers and perform such duties as may be prescribed from time to time by the Board of Directors, the Executive Committee, or the President.

7.7 Should a conflict of interest arise which involves the President, the Vice-President shall conduct that portion of the meeting which relates to the conflict.

7.8 The Secretary shall attend all meetings of the Board of Directors and the Executive Committee and shall record or cause to be recorded all proceedings of the Authority in the minutes of the Authority.

7.9 Pursuant to Government Code Section 6505.6 the Monterey County Superintendent of Schools, or his or her designee, shall perform the role of financial officer ("Treasurer") and Auditor of the Authority who shall assume the duties described in Government Code Section 6505.5, as amended, as follows:

7.9.1 Receive and receipt for all monies of the Authority and place them in the Authority's treasury.

7.9.2 Execute on behalf of the Authority all Contracts for deposit of monies as required by Government Code Sections 53630 et seq., as amended.

7.9.3 Be responsible for the safekeeping and disbursement of all monies of the Authority held in the Treasury.

7.9.4 Pay, when due, out of monies of the Authority so held in the Treasury, all sums payable by the Authority only upon checks or warrants authorized and drawn by the Treasurer, or his or her authorized representatives, subject to the policies and procedures established by the Executive Committee.

7.9.5 Verify and report in writing to the Executive Committee on a quarterly basis during each Fiscal Year all assets, liabilities, amounts received, and amounts paid out for all funds held by the Authority.

7.9.6 Cause an independent audit to be conducted annually as required by Government Code Sections 6505 and 6505.6.

7.9.7 The Treasurer shall have such other powers and perform such other duties as may be prescribed from time to time by the Board of Directors, the Executive Committee or the President.

## SECTION 8

### EXECUTIVE COMMITTEE

8.1 The members of the Executive Committee shall serve terms of two (2) years beginning on July 1 of each calendar year. The Executive Committee shall be composed of five (5) persons selected as follows:

8.1.1 The three officers selected pursuant to Section 6.15 shall serve on the Executive Committee

8.1.2 Two (2) members of the Executive Committee shall be elected by the Board of Directors for terms of office commencing in odd-numbered years; and

8.1.3 Terms of office shall be two (2) years duration commencing with the regular semi-annual meeting of the Board of Directors held in September.

8.2 No Member may have more than one delegate serving on the Executive Committee at the same time.

8.3 In the event of the physical absence of a delegate member of the Executive Committee at any meeting of the Executive Committee, the alternate appointed under

Section 5 by the Member whose delegate is absent may act and vote in place of the absent delegate. Other than as so provided, no proxy or absentee voting is permitted.

8.4 If a delegate member of the Executive Committee misses three (3) meetings of the Executive Committee within one Fiscal Year without the approval of the President, the Board of Directors may designate a replacement to the Executive Committee member.

8.5 The Executive Committee shall be the governing body and manage the business and operations of the Authority during the interim between meetings of the Board of Directors.

8.6 The Executive Committee may hold regular, adjourned regular, special and adjourned special meetings; provided, however, that it shall hold at least one (1) regular meeting in each quarter of each Fiscal Year. The date, time, and place for these regular meetings shall be as fixed by resolution of the Executive Committee, which resolution shall be filed with each Member. Except as otherwise provided or permitted by law, all meetings of the Executive Committee shall be open and public. Meetings may be via electronic telecommunications as provided by law. Special meetings may be called by the President, or by the written request of one of the members.

8.7 All meetings of the Executive Committee shall be called, held and conducted in accordance with the terms and provisions of the Ralph M. Brown Act, as amended, and the rules of the Executive Committee consistent therewith. Notice of any meeting shall be given in the same manner as provided in Section 5.8 for meetings of the Board of Directors.

8.8 Every act or decision done or made by a majority of the Executive Committee members (including alternates acting in place of delegates) present at a meeting duly held at which a quorum is present shall be an act of the Executive Committee. A meeting at which a quorum is initially present may continue to transact the Executive Committee's properly noticed business notwithstanding the withdrawal of committee members, if any action taken is approved by at least a majority of the required quorum for the meeting. A meeting at which less than a quorum is present may be adjourned to a later date.

8.9 All delegates and alternates to the Board of Directors may attend any meeting of the Executive Committee but may not vote if not a member of the Executive Committee. Only Executive Committee members may vote.

8.10 The Executive Director shall send to the delegate of each Member a copy of the minutes of each meeting within thirty (30) days after the meeting.

## SECTION 9

### EXECUTIVE COMMITTEE DUTIES

9.1 The Executive Committee shall act as the governing body of the Authority and exercise all of the powers of the Board of Directors during the interim between meetings of the Board of Directors, except those powers that are specifically reserved for the Board of Directors and provided that no action taken shall be in conflict with the expressed policies of the Board of Directors.

9.2 All decisions of the Executive Committee shall constitute the decisions of the Board of Directors, unless, within twenty (20) days after mailing of the notice specified below, written requests signed by one Director is received at the Authority's office requesting that such matters be placed upon the agenda of the next meeting for consideration by the Board of Directors. In the event such requests are received, the Executive Committee shall set within thirty (30) days, a special meeting of the Board of Directors to consider such matters. The date set for the meeting shall not be less than thirty-five (35) days nor more than sixty (60) working days after receipt of the requisite number of requests. For purposes of these provisions, the sending of minutes of meetings of the Executive committee as required by Section 8.12 shall constitute the mailing of notice required by this Section; except that any notice given pursuant to Section either 5.14 or 19.3 shall constitute the required notice for decisions made under those Sections. If the Board of Directors does not act on a decision by requesting review of the decision as set forth herein, the decision of the Executive Committee shall stand as though a decision of the Board of Directors.

9.3 The Executive Committee shall have the authority to carry out all functions of the Authority, including, but not limited to, making and entering into contracts; employing agents and employees; acquiring, holding and disposing of property in the name of the Authority; incurring debts, liabilities, or obligations necessary for the operation of the Authority; receiving, accepting, expending or disbursing monies by contract or otherwise, for purposes consistent with the provisions hereof; directing the investment of monies pursuant to California Government Code Section 6509 and Education Code Sections 17566 and 81602; and maintaining at all times a complete and accurate system of accounting of all monies of the Authority.

9.4 The Executive Committee shall have the power and authority to receive, accept and utilize the services of personnel offered by any of the Members, or their representatives or agents; to receive, accept, utilize property, real or personal, from any of the Members, or their agents or representatives; and to receive, accept, and expend funds by contract or otherwise for purposes consistent with the provisions of these Bylaws and the Agreement, which funds may be provided by any of the Members or their agents or representatives.

9.5 The Executive Committee may retain the services of an Executive Director to administer the day-to-day operations of the Authority.

9.6 The Executive Committee shall, oversee, assist and direct the Executive Director in the performance of his or her duties.

9.7 The Executive Committee shall develop personnel policies for Employees of the Authority.

9.8 The Executive Committee shall determine the self-insured retention of liability limit for the Members and the Authority, if any. Excess liability protection, i.e., protection above and beyond the protection provided by this Authority, shall be determined by the Executive Committee for each Program.

9.9 The Executive Committee shall determine formulas and methods by which the amount of Contributions will be decided and paid to the Authority. Such formulas and methods may include experience modification factors for the purpose of adjusting the Contributions of individual Members based on a Member's actual loss experience.

9.10 The Executive Committee may implement new Programs and Plans not currently being provided.

9.11 The Executive Committee may determine that additional Contributions are necessary from all Members or from individual Members in a particular Program during a Program Year, if necessary or appropriate to allow or provide for increased costs and expenses that have occurred or may occur. The Executive Committee shall direct the Executive Director to calculate and collect from the Members participating in the Program for the relevant Program year the additional Contributions so determined to be due.

9.12 The Executive Committee shall ensure that the system of accounting for the Authority's Funds be maintained in a manner which at all times is consistent with established auditing standards and accounting practices and procedures.

9.13 The Executive Committee shall determine the manner in which workers' compensation, liability, property damage, fire damage, or any other insurable risk or peril and related costs shall be processed for each Program. Such processing shall conform to all provisions of law now in effect or later enacted.

9.14 The Executive Committee shall maintain, or cause to be maintained, accurate case records for all risks insured against and accurate records of all Losses paid or reserved.

9.15 An annual independent auditor's report shall be forwarded to Members on at least an annual basis.

9.16 The Executive Committee shall provide for loss control services.

9.17 The Executive Committee shall determine standards and methods by which an applicant may become a Member of the Authority.

9.18 The Executive Committee shall evaluate applications for membership from prospective new members and approve or deny participation by the applicant, all as more fully set forth in Section 4.

9.19 The Executive Committee shall make appropriate periodic reports to the Members on the status of the Authority and its Programs.

9.20 The Executive Committee shall develop, or cause to be developed, and recommend to the Board of Directors for approval, a projected annual budget for the Authority.

9.21 The Executive Committee shall establish subcommittees as necessary or appropriate to serve under the direction of the Executive Committee. The subcommittees shall investigate, study and make recommendations to the Executive Committee or the Board of Directors, as appropriate. Membership of the subcommittees must be composed of delegates (or alternates acting in place of delegates) of Members; other persons may be appointed to the subcommittees in an advisory capacity only.

9.22 The Executive Committee may approve modifications and revisions to the budget during each Fiscal Year. At the next scheduled Board of Directors' meeting, the Executive Committee shall report its action and the basis for the action to the Board of Directors.

9.23 The Executive Committee shall review the expenditures of the Funds of the Authority to make certain such expenditures fall within the categories approved by the Board of Directors and shall authorize such expenditures.

9.24 The Executive Committee may delegate such duties to the Executive Director as are consistent with the terms of the Agreement, these Bylaws and statutes.

9.25 The Executive Committee may by resolution increase or decrease the upper limit on the authority of the Executive Director under Section 10 to settle appropriate Claims of Loss without prior approval. The Executive Director may delegate this authority with approval of the Executive Committee.

9.26 The Executive Committee shall cause to be created at least annually an investment policy setting forth directions regarding appropriate investments. Following approval of the policy by the Executive Committee, the Executive Committee is specifically empowered and directed to advise the Treasurer of the County, which acts as the Authority's depository, of investments which it should pursue on behalf of the Authority.

9.27 The Executive Committee shall enforce the terms of the Agreement and these Bylaws and shall pursue legal action for late payment or nonpayment of Contributions. If legal action is commenced, a defaulting Member shall pay actual attorneys' fees and costs to the Authority as determined by the court.

## SECTION 10

### EXECUTIVE DIRECTOR

10.1 The executive director ("Executive Director") shall be selected by the Executive Committee as the chief operating officer of the Authority.

10.2 The Executive Director shall be an ex-officio Member of all committees and subcommittees of the Authority and shall attend all committee meetings.

10.3 The Executive Director shall attend all meetings of the Board of Directors and the Executive Committee.

10.4 The Executive Director shall be responsible for giving notice of, and providing the proposed agenda for, all meetings of the Board of Directors and the Executive Committee as required by these Bylaws.

10.5 When the Executive Committee authorizes the retention of additional employees, the Executive Director shall hire, supervise, direct, evaluate and assign Employees of the Authority.

10.6 The Executive Director shall recommend policies, regulations, rules and procedures deemed necessary or appropriate for the well-being of the Authority.

10.7 The Executive Director shall perform all duties usually vested in the office of chief executive officer and such other duties as may be prescribed by the Board of Directors, the Executive Committee, or the President.

10.8 The Executive Director shall supervise all third party administrators retained by the Authority and may approve settlements suggested by the third party administrator to the limits set by the Executive Committee.

## SECTION 11

### FINANCE

11.1 The Authority shall operate on a Fiscal Year from July 1<sup>st</sup> to June 30<sup>th</sup>.

11.2 Each Member shall pay to the Authority each Fiscal Year the annual Contribution as set by the Executive Committee and approved by the Board of Directors pursuant to these Bylaws for each Program in which the Member participates. The integrity of the Authority rests on all Contributions being paid in a timely manner. The annual rate of contributions is based on the participation of all then current Members. Contributions are due and payable on receipt of the invoice and shall be considered past due on the eleventh day of the month following the month in which the invoice was issued at which point interest shall begin to accrue at the lesser of (i) the rate of twelve percent (12%) per annum, or (ii) the maximum rate permitted by law. The Authority will continue to pay losses for Members delinquent in making payments for no more than ninety (90) calendar days, at which point it will cease paying losses until the Member is brought current. Within sixty (60) calendar days written notice will be mailed to the Member that losses will not be paid as of a date certain unless the Member's account is brought current.

11.3 A Member's failure to remain current is grounds for termination after ninety (90) days. The Authority will then pursue all relief against the Member as allowed in this Agreement.



11.4 Should a member fail to pay its annual Contribution the Executive Committee shall initiate legal action as allowed by Section 9.27 to recover the unpaid portion of the annual Contribution and other Contributions or assessments for the relevant Program Year, if any, plus interest at the lesser of (i) the rate of twelve percent (12%) per annum, or (ii) the maximum rate permitted by law, even if the Member withdraws or its membership is terminated.

11.5 Member Districts or employee groups of member Districts withdrawing from membership in a Program(s) before the elapse of the initial mandatory three years of participation, shall be responsible for all contributions for the three year term, as though the member or employee group continued to participate in the Program(s).

11.6 In determining a Member's Contribution or other payments for a Program Year, all of that Member's full-time Employees within a participating employee group which is, or is to be, covered under a Program will be treated as covered under the Program whether or not coverage is elected on an individual basis by any Employee(s) in that group.

11.7 It is the obligation of the Authority to handle, process and pay only those Losses of a Member which arise out of facts occurring during the period of that Member's membership in the Program to which the Loss relates.

11.8 Should the total Losses or Obligations against all of the Members participating in a Program exceed in any Program Year the total annual Contributions paid by those Members for that Program Year, those Members may be assessed by the Executive Committee an additional amount based upon the percentage of annual Contributions paid by each Member relative to the total annual Contributions paid by all Members for that Program Year.

11.9 All expenditures and disbursements of money from each Fund shall be authorized in accordance with rules and procedures established by the Executive Committee and approved by the Board of Directors.

11.10 The Authority shall establish and fund over a period of time such stabilization and contingency reserves as are necessary to provide for the stability of each Program offered by the Authority. The Executive Committee shall establish and review the level of each account.

11.11 After the purposes of the Authority have been fully realized including rate stabilization and contingency reserves, the Board of Directors, upon recommendation of the Executive Committee, may return to the Members surplus funds on a pro-rata basis pursuant to such formula as may be set by the Executive Committee.

11.12 In the event the acquisition of real property or equipment becomes necessary, the Executive Committee shall have the authority to transfer monies from any available Fund or other source and, if necessary, to assess then current or future Members an additional amount to provide for any such acquisitions. The Executive Committee may reserve any monies collected in excess of the actual cost of purchases or transfer them to other Fund categories.

11.13 Each Program Year shall operate separately and be segregated from every other Program Year in regard to its assets, Funds, Losses and Obligations. Those assets, Funds, Losses and Obligations are pooled assets, Funds, Losses and Obligations of each Program for each Program Year.

11.13.1 All Program revenues, Contributions, Obligations, expenditures and disbursements that can be separately and distinctly identified by Program Year shall be accounted for separately by each Program Year.

11.13.2 All Program revenues, Contributions, Obligations, expenditures and disbursements that cannot be separately and distinctly identified by Program Year (such as interest income, auditor fees, travel and meeting expenses, and the like) shall be allocated to each Program Year in a logical and consistent manner, as determined by the Executive Director subject to Executive Committee approval.

11.14 By the last day of each Fiscal Year, the Executive Committee shall provide to the Members of a Program the Basis of Contribution for the ensuing Program Year.

## SECTION 12

### ACCOUNTS AND RECORDS

12.1 The Authority is strictly accountable for all monies received and disbursed by it and, to that end, the Authority shall establish and maintain such Funds and accounts as may be required by good accounting practice or by any provision of law or by the Board of Directors. The following Funds shall be established:

12.1.1 Loss Funds: Losses shall be paid from these Funds, but only to the extent that a Loss exceeds a member's threshold deductible, if any, established annually by the Executive Committee, as limited by the actual amount of the Loss.

12.1.2 Operating Funds: These Funds shall be established and maintained for each Program for the purpose of paying for the costs associated with the administration and operation of a Program including but not limited to:

- (a) Insurance premiums,
- (b) Loss management costs,
- (c) Cost of administration,
- (d) Safety engineering,
- (e) Data processing costs,
- (f) Investigative costs,
- (g) Administrative legal costs,

(h) Audit costs, and

(i) Such other costs as deemed necessary or appropriate by the Executive Committee.

12.1.3 The Authority may create and dissolve such other Funds as needed.

12.2 The Executive Committee shall make, or contract with a certified public accountant to make, an annual audit of the accounts, records and financial affairs of the Authority. In each case, the minimum requirements of the audit shall be those prescribed by the State Controller for special districts under Section 6505 of the California Government Code, and shall conform to generally accepted auditing standards and accounting principles. When such an audit or accounts and records is made by the certified public accountant, a report thereof shall be filed as a public record with each member. Such report shall be filed within twelve (12) months of the end of the Fiscal Year under examination. Any costs of the audit, including contracts with or employment of certified public accountants in making the audit shall be borne by the Authority and shall be a charge against any unencumbered funds of the Authority available for that purpose.

12.3 The Executive Director, or his or her authorized representatives, shall draw checks or warrants to pay demands against the Authority.

## SECTION 13

### INVESTMENT OF SURPLUS FUNDS

13.1 The Executive Committee shall have the power in compliance with Section 6509.5 of the Government Code, as amended, to cause the Treasurer of the County acting as the designated depository or the Treasurer of the Authority to invest such reserved or surplus funds as are not necessary for the immediate operation of the Authority in such investments as are allowed by law.

13.2 The level of cash to be retained for the actual operation of the Authority shall be determined by the Executive Committee.

## SECTION 14

### RISK MANAGEMENT

14.1 The Executive Committee shall develop guidelines of risk management practices for each Program.

14.2 Each Member shall implement the guidelines of risk management practices developed by the Executive Committee. Failure to implement the risk management programs developed by the Executive Committee is grounds for involuntary termination from the Authority under Section 17.

## SECTION 15

### TERMINATION OF MEMBERSHIP IN A PROGRAM

15.1 Each member must participate in any Program it enters for an initial three year period following membership in the Program. Any Member having completed three (3) consecutive Fiscal Years in a Program may terminate participation in that Program at the end of the third Fiscal Year or at the end of any ensuing Fiscal Year by notifying the Executive Committee in writing prior to January 1 of the Fiscal Year in question. A Member so indicating an intent to withdraw cannot rescind the notice of withdrawal without seeking and obtaining approval of the Executive Committee, which approval may be granted or denied in the sole and absolute discretion of the Executive Committee. In any event, notice of rescission of intent to withdraw shall be delivered no later than April 1 of the fiscal year in question.

15.2 Any Member which terminates its participation in a Program shall be considered for readmission to that Program, but will be treated as a new member with regard to the Program and will be required to "buy-in" to the Program in the same manner as new Members; unless such "buy-in" is waived by the Executive Committee which waiver may be granted or denied in the sole and absolute discretion of the Executive Committee.

15.3 A Member which terminates its participation in any Program shall have no residual rights in any Funds or other assets of the Authority whether or not resulting from that Member's participation in that Program except as provided in Section 18.2.

15.4 A Member which terminates its participation in any Program shall continue to be responsible for the amount of any costs, liabilities, assessments or contingencies due to Losses against the Member or the Authority for the Program Year(s) in which the Member participated in the Program.

## SECTION 16

### WITHDRAWAL FROM THE AUTHORITY

16.1 Any Member having completed three (3) consecutive Fiscal Years as a Member may withdraw from the Authority and as a party to the Agreement at the end of the third Fiscal Year or at the end of any ensuing Fiscal Year following completion of the third by delivering to the Executive Committee a resolution from its governing board stating its intent to withdraw prior to January 1 of the Fiscal Year in question.

16.2 Upon the withdrawal of a Member from the Authority, the Board of Directors shall follow the same procedures as provided for the termination of participation in a Program as set forth in Section 15 for each Program in which the Member participated.

16.3 A Member which withdraws from the Authority shall have no residual rights in any Funds or other assets of the Authority whether or not resulting from the Member's participation in the Authority. The only right such a Member has to receive any assets of the Authority is that set forth in Section 18.

16.4 A Member which withdraws from the Authority shall continue to be responsible for the amount of any costs, liabilities, assessments or contingencies due to Losses against the Member or the Authority for the Program Year(s) in which the Member participated in any Program.

## SECTION 17

### INVOLUNTARY TERMINATION

17.1 A Member may be involuntarily terminated from the Authority or from any Program at any time upon recommendation of the Executive Committee and a majority vote of the authorized number of directors of the Board of Directors or by a vote of two-thirds (2/3) vote of the authorized members of the Executive Committee when a quorum of the Board of Directors is not available. Involuntary termination from the Authority shall have the effect of eliminating the Member as a signatory of the Agreement and as a Member, effective at the end of the Fiscal Year in which the action is taken or at such other date as the Board of Directors or Executive Committee may specify in its sole and absolute discretion. Should a Member be involuntarily terminated from the Authority or from any Program, the provisions of either Section 15 or 16 will apply as though the Member were voluntarily withdrawing as a Member of the Authority or terminating its participation in a Program, as the case may be. The Member shall continue to be responsible for the amount of any costs, liabilities, assessments or contingencies due to the Member's participation in the Authority or a Program as set forth in Sections 15 and 16.

17.2 Grounds for involuntary termination include, but are not limited to, the following:

17.2.1 Failure or refusal of a Member to abide by the Bylaws, any amendment to the Bylaws or MERMA's policies.

17.2.2 Failure or refusal to pay Contributions or assessments to the Authority as provided in Section 11.2 or elsewhere in the Bylaws.

17.2.3 Persistent failure or refusal to follow risk management practices.

17.2.4 Failure to comply with safety programs adopted by the Authority.

17.2.5 The making of any untrue statement of a material fact by a Member to the Authority, or the failure of a Member to disclose a material fact to the Authority, resulting in fraud, misrepresentation or concealment for the purposes of obtaining or continuing loss protection with the Authority.

17.3 A Member which is involuntarily terminated from the Authority shall have no residual rights in any Funds or other assets of the Authority whether or not resulting from the Member's participation in the Authority. The only right such a Member has to receive any assets of the Authority is that set forth in Section 18.

## SECTION 18

### DISPOSITION OF ASSETS

18.1 In the event a Member terminates its participation in a Program in whole or in part, or withdraws from, or is involuntarily terminated by, the Authority, the Member shall have no right to receive any share of the Authority's assets until such time as the Authority is dissolved and all Obligations are paid.

18.2 In the event of termination of the Agreement and the dissolution of the Authority, after determining that all known Obligations have been paid or adequately provided for, the Board of Directors shall distribute all remaining assets of the Authority in the manner determined by the Board of Directors in its sole and absolute discretion, with the objective of returning to each Public Agency then a Member, and to each Public Agency not then a Member but which was a Member at any time on or after August 31, 1990, a proportionate return on the Contributions made by such parties ("Pro-Rata Share").

18.3 A party's Pro-Rata Share shall be based on the total Contributions paid by the Member or former Member from and after July 1, 1990 divided by the total Contributions paid by all Members and former Members from and after July 1, 1990 to the date of the Authority's dissolution. The Executive Committee, in its sole and absolute discretion, may pay a party's Pro-Rata Share through a transfer of property or through a payment of cash. Any such transfers or payments shall be made within a reasonable time following dissolution of the Authority.

18.4 The then current fair value of the Authority properties shall be deemed to be the amount of money those properties would bring at a public sale.

## SECTION 19

### AMENDMENT

19.1 Amendment of these Bylaws may be proposed by any Member by written notice to the Authority. Within thirty (30) working days after receipt of notice, the proposed amendment shall be referred to the Executive Committee for its consideration. A copy of the proposed amendment, with the Executive Committee's recommendations and reasons therefore, shall be forwarded to the Board of Directors within ninety (90) calendar days after submission to the Executive Committee. The Board of Directors shall then notify each Member of the proposed amendment and the Executive Committee's recommendations and reasons.

19.2 The Board of Directors and the Executive Committee may also propose amendments to the Bylaws. Any such proposal shall be immediately submitted to the Executive Committee and then shall be handled as provided in Section 19.1 above.

19.3 The Bylaws may be amended by a majority vote of the authorized number of Directors of the Board of Directors or by a two-thirds (2/3) vote of the authorized number of members of the Executive Committee when a quorum of the Board of Directors is not available; however, any amendment of the Bylaws by the Executive Committee shall be effective

only after notice of the action is given to the Board of Directors as provided in Section 9.2 and no request for consideration by the Board of Directors is timely made under that Section. Amendments shall be binding upon all Members of the Authority. The effective date of any amendment will be on July 1 following adoption, unless otherwise stated in the resolution adopting the amendment.

## SECTION 20

### SEVERABILITY

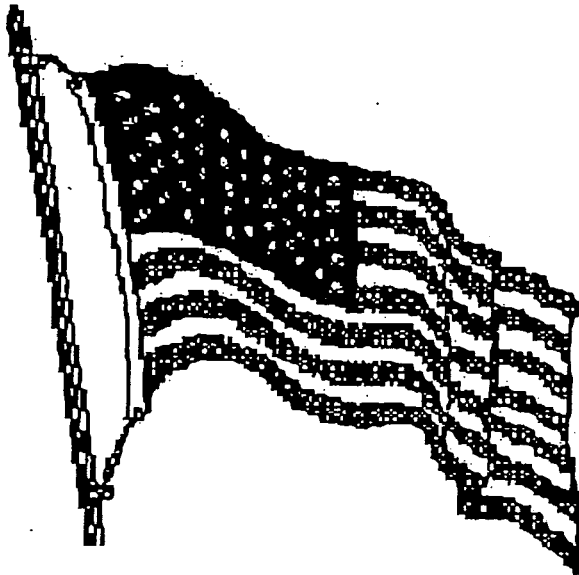
20.1 Should any portion, term, condition or provision of these Bylaws be decided by a court of competent jurisdiction to be illegal or in conflict with any law of the State of California, or be otherwise rendered unenforceable or ineffectual, the validity of the remaining portions, terms, conditions and provisions shall not be affected thereby.

Adopted: February 24, 2011 – Special Board of Directors Meeting

C:\JPA Bylaws\MERMA.Final

# **JOINT POWERS AGREEMENT**

**TO ESTABLISH, OPERATE, AND MAINTAIN  
THE MONTEREY COUNTY SCHOOLS'  
WORKERS' COMPENSATION JOINT POWERS AGENCY**



**REVISED AUGUST 31, 1990**



R E V I S E D

J O I N T   P O W E R S   A G R E E M E N T

TO ESTABLISH, OPERATE, AND MAINTAIN  
THE MONTEREY COUNTY SCHOOLS'  
WORKERS' COMPENSATION JOINT POWERS AGENCY

THIS REVISED AGREEMENT is entered into pursuant to the provisions of the Joint Exercise of Powers Act, Title 1, Division 7, Chapter 5, Article 1(commencing with section 6500) of the California Government Code between the following public education agencies:

Monterey County Superintendent of Schools  
Alisal Union School District  
Bradley Union School District  
Carmel Unified School District  
Chualar Union School District  
Gonzales Union High School District  
Gonzales Union School District  
Graves School District  
Greenfield Union School District  
Hartnell Community College District  
King City Joint Union High School District  
King City Union School District  
Lagunita School District  
Mission Union School District

Pacific Grove Unified School District  
Pacific Unified School District  
Salinas City School District  
Salinas Union High School District  
San Antonio Union School District  
San Ardo Union School District  
San Lucas Union School District  
Santa Rita Union School District  
Soledad Union School District  
Spreckels Union School District  
Washington Union School District  
Monterey County Schools Insurance Group  
Monterey County Schools Workers' Compensation JPA .

**W I T N E S S E T H:**

**WHEREAS**, it is to the mutual benefit of the parties hereto and in the best public interest that said parties join together to establish a fund to self-insure the participating public educational agencies for workers' compensation claims and to pay for the administration of said fund and the costs of insurance and excess insurance; and

**WHEREAS**, sections 39602-39603 and 81602-81603 of the Education Code authorize the county superintendent of schools and the governing boards of school districts and community college districts to establish a fund or funds individually or jointly to districts to self-insure against workers' compensation claims and to provide insurance protection in whole or in part for such claims; and

**WHEREAS**, the California Attorney General has concluded that the governing boards of the two or more school districts may legally enter into a joint exercise of powers agreement relating to workers' compensation benefits consequent to which the districts may combine funds of the districts into one fund for the payment of particular workers' compensation claims; and

**WHEREAS**, a feasibility study has been conducted which recommends that the public educational agencies signatory hereto combine all funds for the payment of workers' compensation claims, for the provision of insurance protection for such claims, and for the administration of a joint self-insurance program for workers' compensation benefits, the costs of which claims, insurance, and administration are to be shared proportionately by all participants.

**NOW, THEREFORE**, for and in consideration of all the mutual benefits, covenants, and conditions herein contained, the parties hereby agree as follows:

**A. FORMATION OF ENTITY**

**1. CREATION OF JOINT POWERS ENTITY**

1.1 A joint powers entity, separate and apart from the public educational agencies signatory hereto, shall be and is hereby created and shall hereafter be designated as the **MONTEREY COUNTY SCHOOLS WORKERS' COMPENSATION JOINT POWERS AGENCY** (hereinafter referred to as the "JPA").

## 2. PURPOSES OF THE JPA

2.1 The JPA is established for the purposes of administering this revised agreement, pursuant to the joint exercise of powers provisions of the California Education Code, and providing the services and other items necessary and appropriate for the establishment, operation, and maintenance of self-insurance program for workers' compensation claims filed against the public educational agencies which are parties to this agreement.

2.2 The functions of the JPA are:

2.2.1 To develop a plan of workers' compensation insurance covering the employees of each of the members of the JPA and to provide for the establishment, operation, and maintenance of a fund for the purposes of paying the costs of self-insured retention levels and excess insurance premiums, administration of the JPA, and such other expenses as deemed necessary.

2.2.2 To provide a system for processing workers' compensation claims filed against members of the JPA and as such, to perform or contract for the performance of, Administration, policy formulation, claims service, legal representation, safety engineering, and other functions as necessary.

2.2.3 To provide industrially-injured employees of the members all benefits required under the workers' compensation laws of the State of California.

2.2.4 To pursue any member's right to subrogation to the rights of an injured employee against a third party when in discretion of the Executive Committee the same is appropriate. Any and all proceeds resulting from the assertion of such subrogation rights shall accrue to the benefit of the JPA.

2.2.5 To enter into contracts.

2.2.6 To obtain excess coverage insurance in an amount to be determined by the Executive Committee.

2.2.7 To acquire, hold, and dispose of property, real and personal, all for the purpose of providing the members with the necessary education, study, development, and implementation of a self-insurance program for workers' compensation claims; including, but not limited to, the acquisition of facilities and equipment; the employment of personnel; and the operation and maintenance of a system for the handling of the self-insurance plan.

2.2.8 To incur debts, liabilities, and obligations necessary to accomplish the purpose of this agreement.

2.2.9 To receive gifts, contributions, and donations of property, funds, service, and other forms of assistance from persons, firms, corporations, associations, and any public entity.

2.2.10 To invest funds as deemed appropriate by the Executive Committee.

2.2.11 To sue and be sued in the name of the JPA.

2.2.12 To perform such other functions as may be necessary or appropriate to carry out this agreement, so long as such other functions so performed are not prohibited by any provision of the law.

### 3. POWERS OF THE JPA

3.1 The JPA shall have the power and authority to exercise any power common to the public educational agencies which are parties to this agreement, provided that the same are in furtherance of the functions and objectives set forth herein. Pursuant to section 6509 of the California Government Code, the exercise of the aforesaid powers of the JPA shall be subject to the restrictions upon the manner of exercising such powers by a public educational agency having the same status as a general law public school district of Monterey County, except as otherwise provided in this agreement.

### 4. TERM OF THE AGREEMENT

4.1 This revised agreement shall be effective upon the execution hereof by the parties or by their duly authorized representatives and shall supersede and replace any agreement or agreements between the parties relating to the JPA. This agreement shall continue in effect until lawfully terminated as provided herein.

## **B. ORGANIZATION**

### **5. MEMBERSHIP IN THE JPA**

5.1 Membership in the JPA shall consist of public educational agencies and other public entities which have the powers set forth herein and which agree to comply with the terms of this agreement. Each party which becomes a member of the JPA shall be entitled to the rights and privileges of, and shall be subject to the obligation of, membership as provided herein.

5.2 Parties originally forming the JPA and agreeing to comply with the terms of this revised agreement shall become members of the JPA upon effective date of this agreement.

5.3 For all other public educational agencies or public entities which desire to become members of the JPA after the effective date of this agreement, such membership is contingent upon official action of the agency's governing body requesting such membership, transmitted in writing to the JPA's Executive Committee not later than June 1 prior to the fiscal year of planned participation and approved in writing by a majority of all members of the JPA, and upon execution of this agreement. Such additional parties shall forthwith pay to the JPA their full manual State Compensation Insurance Fund rate for the first year of participation.

### **6. Board of Directors**

6.1 A Board of Directors is hereby established to direct and control the JPA.

6.2 Each member of the JPA shall be entitled to appoint to the Board of Directors one representative and one alternate who shall be designated in writing. The JPA shall be notified in writing of the persons so designated. Each representative and each alternate shall serve at the pleasure of the members by which appointed.

6.3 Each member shall have one vote, which may be cast only by the designated representative, or in his/her absence by the designated alternate. No proxy or absentee votes shall be permitted. Except as otherwise provided, a vote of the majority of those members present at a meeting of the Board of Directors shall be sufficient to constitute action, provided that a quorum is present. A quorum shall consist of not less than eight (8) members of the JPA.

6.4 The Board of Directors shall conduct regular semi-annual meetings to be held on the third Friday in September and May at a time and place to be designated by the Executive Committee.

6.4.1 In addition, the Board of Directors may conduct other regular, adjourned regular, special, and adjourned special meetings as it determines necessary or appropriate. Each member of the JPA shall be given advance written notice of the date, time, and place of such additional meetings.

6.4.2 In addition, the chairman shall call a special meeting of the Board of Directors within thirty days (30) after receiving written request to do so signed by not less than eight (8) authorized representatives of members of the JPA. Each member of the JPA shall be given advance written notice of the date, time, place of such special meeting.

6.5 All meetings of the Board of Directors shall be called, held, and conducted in accordance with the provisions of the Ralph M. Brown Act, Sections 54950 et seq., of the California Government Code, as said Act may be amended by subsequent legislation and augmented by rules of the Board of Directors not inconsistent therewith. Except as otherwise provided or permitted by law, all meetings of the Board of Directors shall be open and public. The Board of Directors shall cause minutes of its meetings to be kept, and shall promptly transmit to the members of the JPA a true and correct copy of such minutes.

6.6 The Board of Directors, by resolution, shall designate a specific location at which it will receive notices, correspondence, and other communications, and shall designate one of its members as an officer for the purpose of receiving service on behalf of the Board of Directors. The Board of Directors shall comply with the provisions of sections 6503.5 and 53051 of the Government Code requiring the preparation and filing of a statement with the Secretary of State and with the County Clerk.

6.7 The Board of Directors may appoint and dissolve working committees from its membership.

6.8 No one serving on the Board of Directors shall receive any salary or compensation from the JPA for service on the Board of Directors.

6.9 The Board of Directors shall elect an Executive Committee as hereinafter provided.

## 7. EXECUTIVE COMMITTEE

7.1 The Board of Directors shall elect from its members an Executive Committee of five (5) members as follows:

7.1.1 Three (3) members of the Executive Committee shall be elected by the Board of Directors for terms of office commencing in even-numbered years.

7.1.2 Two (2) members of the Executive Committee shall be elected by the Board of Directors for terms of office commencing in odd-numbered years.

7.1.3 Terms of office shall be two (2) years duration commencing with the regular semi-annual meeting of the Board of Directors held in September.

7.2 Annually after commencement of their terms of office, the Executive Committee shall appoint from its members a chairman and a vice-chairman, who shall serve in such capacities for both the Board of Directors and the Executive Committee. The terms of office shall be one year. Any person appointed chairman or vice-chairman may be removed at any time with or without cause, and all vacancies arising in such positions may be filled at any time by action of a majority of the Executive Committee.

7.2.1 The chairman shall have general supervision and direction of the business of the JPA by insuring that all orders and resolutions of the Board of Directors and/or Executive Committee are put into effect, and shall be a member of all committees appointed by the Board of Directors and/or Executive Committee. The chairman shall have such other powers and perform such other duties as may be prescribed by the Board of Directors.

7.2.2 The vice-chairman shall have such powers and perform such duties as may be prescribed from time to time by the Board of Directors, Executive Committee, or chairman. In the absence or disability of the chairman, the vice-chairman shall be vested with all the powers and authorized to perform all the duties of chairman.

7.2.3 The chairman shall designate a person to attend the meeting of the Board of Directors and Executive Committee to record all votes and the minutes of all proceedings in minute books to be kept for that purpose; and to give or cause to be given notice of all meetings of the Board of Directors and Executive Committee when notice is required by this agreement.

7.2.4 The Executive Committee shall designate a treasurer from one of the JPA members, or in lieu thereof, the Monterey County treasurer, to perform each and every duty set forth in section 6505.5 of the Government Code.

7.3 The Executive Committee shall be responsible for the ongoing operation of the JPA and is hereby empowered to implement and enforce rules, regulations, and procedures as the Board of Directors and the Executive Committee may adopt.

7.4 The Executive Committee shall provide for its regular, adjourned regular, special, and adjourned special meetings provided however that it shall hold at least one regular meeting each quarter. The date, time and place at which such regular meetings shall be held shall be fixed by resolution of the Executive Committee, which resolution shall be posted publicly prior to the meeting and filed with each member of the JPA.

7.5 All meetings of the Executive Committee shall be called, held, and conducted in accordance with the provisions of the Ralph M. Brown Act, sections 45950 et seq., of the California Government Code, as said Act may be amended by subsequent legislation and augmented by rules of the Executive Committee not inconsistent therewith. Except as otherwise provided or permitted by law, all meetings of the Executive Committee shall be open and public. The Executive Committee shall cause minutes of its meetings to be kept, and shall promptly transmit to the members of the Executive Committee and to each member of the JPA a true and correct copy of such minutes.

7.6 A majority of all members of the Executive Committee shall constitute a quorum for the transaction of business, except that less than a quorum may adjourn from time to time. A vote of not less than three (3) members of the Executive Committee shall be necessary to constitute action and to transact business.



7.7 The members of the Executive Committee may be removed at any time, with or without cause, by action of the Board of Directors, which shall elect a replacement to the Executive Committee for the balance of the unexpired term. Except as provided herein, all other vacancies on the Executive Committee shall be filled by the Executive Committee by appointment from among members of the Board of Directors. A person so appointed shall serve until the next regular semi-annual meeting of the Board of Directors when the balance of the vacant term, if any shall be filled by action of the Board of Directors.

## **8. JPA STAFF**

8.1 An Executive Director shall be employed by the JPA to conduct day-to-day operations under the general direction of the Executive Committee.

8.2 The Executive Director shall, under general direction of the Executive Committee, plan, organize and direct the program and activities of the JPA.

8.3 The Executive Committee shall be responsible for the supervision and evaluation of the Executive Director. The Chairman of the Executive Committee shall carry out the orders of the Executive Committee relating to the direct supervision of the Executive Director.

8.4 The Executive Director shall recommend to the Executive Committee any necessary support staff to be employed by the JPA as deemed appropriate. Such support staff shall be hired, terminated and function under the direction of the Executive Director.

## **C. OPERATIONS**

### **9. ANNUAL BUDGET**

9.1 The Governing Board shall annually, on or before June 1 adopt a budget showing each of the purposes for which the JPA will need money and the estimated amount of money that will be needed for each such purpose for the ensuing fiscal year. A copy of the budget shall be transmitted to each of the members of the JPA.

### **10. FINANCES**

10.1 The JPA shall operate on a fiscal year from July 1 to June 30.

10.2 The Executive Committee shall annually have each member's premiums and other costs necessary to maintain the JPA calculated, subject to adoption of the Board of Directors, which rates and other costs shall be subject to audit adjustment at the end of the fiscal year. The JPA shall endeavor to notify the members of their projected rates and other costs for the ensuing fiscal year no later than June 1. All such rates shall be calculated in a reasonable and prudent manner and may be based upon such factors as member total payroll, member loss history, and risk management program.

10.3 The annual premium for each member shall be calculated as follows:

10.3.1 The product of the member's payroll multiplied by the premium rate, established by the Executive Committee, multiplied by the member's experience modification rate.

10.3.2 Should the total workers' compensation benefits obligations against all members of the JPA exceed in any year the total annual premiums paid by all members of the JPA for that year, the members may be assessed by the Board of Directors an additional pro rata amount based upon the percentage of annual premiums paid by each member relative to the total annual premiums paid by all members for that year.

10.3.3 The annual premiums and additional pro rata amounts, if any, as calculated above, and other monies accruing to the benefit of the JPA, shall be deposited in the Monterey County Treasury and shall be known as the MONTEREY COUNTY SCHOOLS WORKERS' COMPENSATION JPA.

10.4 The Monterey County Superintendent of Schools shall be authorized to transfer from each member's appropriate fund the amount of such monies.

10.5 The Executive Committee may, by resolution, establish funds or trust accounts pursuant to sections 1274, 39602, and 81602 of the Education Code to cover workers' compensation losses and payments.

10.6 Any additional benefits recovered by an employee against a member of the JPA of the type which the State Compensation Insurance Fund would not insure against, including but not limited to any additional benefits granted pursuant to sections 132A, 4553, or 4557 of the California Labor Code, shall be assessed directly against and shall be the sole financial responsibility of the member involved. Said member shall additionally assume the legal and financial responsibilities for defending all alleged violations of said Labor Code sections or other claims for penalties or additional benefits.

## **11. EXCESS INSURANCE**

11.1 From monies budgeted for that purpose, the JPA shall take out and maintain a policy of excess insurance in the minimum amount of \$10,000,000.00 per each occurrence covering losses resulting from workers' compensation claims of all the members of the JPA. The policy shall have a deductible amount for each occurrence as specified by the Executive Committee and shall name as insureds the JPA and each of the members of the JPA. The policy shall commence as to each named insured on a date set forth in the policy, and the policy shall run concurrently with the fiscal year of the JPA.

## **12. ACCOUNTS AND RECORDS**

12.1 The treasurer of Monterey County is designated depository of the JPA.

12.2 The JPA is strictly accountable for all monies received and dispersed by it and, to that end, the Executive Committee shall establish and maintain such funds and accounts as may be required by good accounting practice or by any provision of law or any resolution of the Board of Directors or Executive Committee. Books and records of the JPA shall be open to inspection at all reasonable times by representatives of the members. The JPA, as soon as practicable, and in no event more than 120 days, after the close of each fiscal year, shall give, or cause to be given, a complete written report of all financial activities for such fiscal year to each member of the Board of Directors and to each member of the JPA.

12.3 The Executive Committee shall contract with a certified public accountant to make, an annual audit of the accounts, records, and financial affairs of the JPA. In each case, the minimum requirements of the audit shall be those prescribed by the State Controller for special districts under section 26909 of the California Government Code and shall conform to generally accepted auditing standards and accounting principles. When such an audit of accounts and reports is made by a certified public accountant, a report thereof shall be filed as 2A public record and with each of the members of the JPA, and also with the Auditor-Controller of Monterey County. Such reports shall be filed within twelve (12) months of the end of the fiscal year under examination. Any costs of the audit, including contracts with, or employment of, certified public accountants in making the auditor(s) provided for herein, shall be borne by the JPA and shall be a charge against the funds of the JPA available for that purpose.

### **13 BONDING**

3.1 Pursuant to section 6505.1 of the California Government Code, the Monterey County Superintendent of Schools is hereby designated as the public office having charge of, handling, or having access to the property of the JPA. The Monterey County Superintendent of Schools, on behalf of himself and his employees, shall file an official bond in such manner as is fixed by the Board of Directors.

### **14 INVESTMENT OF SURPLUS FUNDS**

14.1 The Executive Committee shall have the power to invest or cause to be invested in compliance with section 6509.5 of the California Government Code. Such reserve surplus funds as are not necessary for the immediate operation of the JPA in such securities as allowed by section 53601 of the California Government Code.

14.2 The level of cash retained for the actual operation of the JPA shall be determined by the Executive Committee.

**D. DISSOLUTION OF AGENCY AND DISPOSITION  
OF FUNDS AND PROPERTY**

**15. TERMINATION OF AGREEMENT**

15.1 This agreement may be terminated at the end of any fiscal year by affirmative action of two-thirds (2/3) of the then participating members; provided, however, that the JPA and this agreement shall continue to exist for the purpose of disposing of liabilities, distribution of assets, and all other functions necessary to wind up the affairs of the JPA.

**16. WITHDRAWAL OR REMOVAL FROM MEMBERSHIP**

16.1 Any member of the JPA may voluntarily withdraw from its status as a member and a party to the joint powers agreement at the end of any fiscal year by notifying the Executive Committee of the JPA in writing prior to May 15th preceding the fiscal year of withdrawal. Except as provided below, no refund or repayment shall be made to any withdrawing member.

16.2 Upon withdrawal:

16.2.1 Withdrawing member shall assume total liability of all of its incurred open claims plus its incurred-but-not-reported claims as of withdrawal date.

16.2.2 The Board of Directors shall establish the withdrawing member's amount of County cash balance (reserves) based upon percentage of assessments paid into JPA during active participation in the JPA. Such County Cash balance shall be paid to withdrawing member within 60 days of withdrawal date.

16.2.3 Withdrawing member shall provide in writing a release to the JPA from all liability of withdrawing member's claims as of date of withdrawal. Such release shall be filed with the State of California by the JPA.

16.3 A member may be involuntarily terminated from the JPA at any time upon recommendation of the Executive Committee and a vote of two-thirds (2/3) of the members of the Board of Directors. Involuntary termination shall have the effect of eliminating the member as a signatory of the joint powers agreement and as member of the JPA. Such termination shall be effective on June 30 or on such other date recommended by the Executive Committee and shall be preceded by not less than 120 days written notice of termination. Should a member be involuntarily terminated, liability and accounts shall be established pursuant to subdivision 16.2 above as though the member were voluntarily withdrawing. Grounds for involuntary termination include, but are not limited to the following:

16.3.1 Failure or refusal to pay contributions or assessments to the JPA as provided in Article 10.

16.3.2 Consistently jeopardizing the JPA by failing or refusing to correct the member's excessive accident rate.

## 17. DISSOLUTION OF JPA

17.1 In the event of the dissolution of the JPA, the complete rescission or other final termination of the joint powers agreement by all members then a party to the agreement, the following shall occur:

17.1.1 Each member of the JPA shall assume total liability of all of its incurred open claims plus its incurred but not reported claims as of dissolution date of the JPA.

17.1.2 The Board of Directors shall establish each member's amount of County Cash balance (reserves) based on member's percentage of assessments paid into JPA during active participation in the JPA.

17.1.3 Any real and/or personal property interests and other assets remaining in the JPA following a discharge of all liabilities and obligations shall be disposed of by the Executive Committee. Proceeds from disposition shall be distributed to members based on member's percentage of assessments paid into JPA during active participation in the JPA, providing that assets are of sufficient value to defray the cost of disposition.

17.1.4 The dissolution of the JPA shall be filed in writing with the State of California by the JPA.

17.1.5 The Executive Committee shall appoint an administrator to oversee the closing business of the JPA.

## **E. MISCELLANEOUS PROVISIONS**

### **18. AMENDMENTS**

18.1 This agreement may be amended at any time with a subsequent written agreement signed by two-thirds (2/3) of members of the JPA. Any such amendment shall be effective upon the date of final execution thereof, unless otherwise provided in the amendment.

### **19. SEVERABILITY**

19.1 Should any portion, term, condition, or provision of this agreement be decided by a court of competent jurisdiction to be illegal or in conflict with any law of the State of California, or be otherwise rendered unenforceable or ineffectual, the validity of the remaining portions, terms, conditions, and provisions shall not be effected thereby.

### **20. LIABILITY**

20.1 It is expressly agreed by all parties to this agreement and by the Board of Directors that, in contemplation of sections 985.6 and 6508.1 of the Government Code respecting the right of contribution of public entities that are parties to a joint powers agreement, no public entity a party hereto shall be jointly or severally liable upon any judgment for damages caused by negligent or wrongful act or omission to act occurring in the performance of this agreement. Unless the party shall have authorized or consented to the same by an appropriately adopted resolution.

20.2 The JPA may insure itself, to the extent required by law and deemed appropriate by the Board of Directors, against loss, liability, and claims arising out of or connected with this agreement.

### **21. ENFORCEMENT**

21.1 The JPA is hereby given authority to enforce this agreement. In the event suit is brought upon this agreement by the JPA and judgment is rendered against a member, the member shall pay all costs incurred by the JPA, including reasonable attorney's fees as fixed by the court.

IN WITNESS WHEREOF, the parties have caused this revised agreement to be executed by their respective duly-authorized representatives effective August 31, 1990.

\*\*\*\*\*

APPROVED AS TO FORM

RALPH R. KUCHLER, COUNTY COUNSEL

BY: LEROY W. BLANKENSHIP  
DEPUTY COUNTY COUNSEL

(Signature on file in JPA Administration Office)

APPROVED BY MEMBER DISTRICTS

BY: MEMBER DISTRICTS' BOARD RESOLUTIONS

(Resolutions on file in JPA Administration Office)

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# SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

**SUBJECT:** ROP Cosmetology Contracts

**MEETING:** November 16, 2011

**AGENDA SECTION:**

☐ **ACTION**

☐ **INFORMATION**

☒ **ACTION/CONSENT**

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## GOVERNING BOARD

### Board Goals:

- ☒ Improve/Sustain Student Achievement through STAR Test and Other Assessment Measures
- ☐ Improve School Climate and Student Discipline in Support of Teaching, Learning and Student Safety
- ☐ Develop/Sustain Fiscal Crisis Long-Term Solution
- ☐ Ensure Board and Administrator Participation in CSBA's Masters in Governance and Other Trainings
- ☐ Ensure that Facilities are Safe for Staff and Students
- ☐ Ensure compliance with Education/Other Codes/Updating Board Policies and Administrative Regulations

### Summary:

The South Monterey County Joint Union High School District has the opportunity to enter an agreement with the Salinas Beauty Academy to offer cosmetology training services for ROP students. This will increase our elective course offerings to students and expand our participation in ROP.

### Recommendation:

It is recommended that the State Administrator accept the contract agreements with the Salinas Beauty College, Inc. and Wayne's Beauty College, Inc.

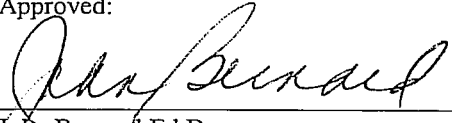
### Fiscal Impact:

With the additional course offering, the district will be able to sustain the higher level of funding for ROP funds.

Submitted By:

Daniel R. Moirao, Ed.D.  
Assistant Superintendent Educational Services/  
Human Resources

Approved:

  
John Bernard Ed.D.  
State Administrator

**STANDARD AGREEMENT FOR VOCATIONAL EDUCATION**

THIS AGREEMENT, made and entered into this 1st day of January 2012, in the State of California, by and between a local educational agency (LEA) through it's duly elected or appointed qualified officer.

Title of officer acting for LEA Director	Local educational agency (LEA) South Monterey County Joint Union High School District	Code
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Region Coastal	Code yy	County Monterey	Code 27
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hereinafter called the LEA, and Mission Trails Regional Occupational Program

Name of private postsecondary school (Contractor)  
Wayne's Beauty College, Inc.

hereinafter called the Contractor, a private postsecondary school authorized or approved pursuant to the provisions of Education Code sections 94300 through 94350 and which has been in operation not less than two full calendar years prior to the effective date of this contract, to provide vocational skill training authorized by this code.

The parties do agree as follows:

**I. Term of Contract.** The beginning date of this contract is January 1, 2012, and the ending date is June 30, 2012

Any amendments to this contract may only be made by submittal of a new contract.

**II. Statement of Work.** The Contractor shall provide vocational skill training in the following course.

Title Cosmetology	ID 17-011-7-7
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USOE program title Cosmetology	USOE program code 5812
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and Contractor agrees that this course of instruction shall meet the standards set forth in the *California Five-Year State Plan for Vocational Education*. Such instruction shall be provided at the following location(s): *Wayne's Beauty College, 1271 North Main Street, Salinas, CA 93906*

**III. Compensation.** The LEA shall compensate the Contractor for services provided under the contract at the rate of **\$2.36** per student hour. The contractor agrees to perform the additional services and to meet the additional conditions described in Appendix A, which is attached hereto and by this reference incorporated herein. The maximum number of hours payable under this contract shall be **3,813 hours**.

**IN WITNESS WHEREOF**, this agreement has been executed by the parties hereto, upon the date first above written.

Local Educational Agency	Contractor (If other than an individual, state whether a corporation, partnership, or other.)
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South Monterey County Joint Union High School District/MTROP	Wayne's Beauty College, Inc.
--	------------------------------

By (Authorized signature)	By (Authorized signature)
---------------------------	---------------------------

Name/Title  
Daniel R. Moirao, Ed. D., Assistant Superintendent

Name/Title  
James M. Edwards, Owner  
Address  
916 S. Main Street, Salinas, CA 93901

For State Use Only

Approved by

Date

**STANDARD AGREEMENT FOR VOCATIONAL EDUCATION**

THIS AGREEMENT, made and entered into this 1st day of July 2011 in the State of California, by and between a local educational agency (LEA) through it's duly elected or appointed qualified officer.

Title of officer acting for LEA Director	Local educational agency (LEA) South Monterey County Joint Union High School District	Code
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Region Coastal	Code yy	County Monterey	Code 27
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hereinafter called the LEA, and Mission Trails Regional Occupational Program

Name of private postsecondary school (Contractor)  
Salinas Beauty College, Inc.

hereinafter called the Contractor, a private postsecondary school authorized or approved pursuant to the provisions of Education Code sections 94300 through 94350 and which has been in operation not less than two full calendar years prior to the effective date of this contract, to provide vocational skill training authorized by this code.

The parties do agree as follows:

**I. Term of Contract.** The beginning date of this contract is January 1, 2012 and the ending date is June 30, 2012.

Any amendments to this contract may only be made by submittal of a new contract.

**II. Statement of Work.** The Contractor shall provide vocational skill training in the following course.

Title Cosmetology	ID 17-011-7-7
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USOE program title Cosmetology	USOE program code 5812
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and Contractor agrees that this course of instruction shall meet the standards set forth in the *California Five-Year State Plan for Vocational Education*. Such instruction shall be provided at the following location (s): **916 S. Main Street, Salinas, CA 93901**

**III. Compensation.** The LEA shall compensate the Contractor for services provided under the contract at the rate of **\$2.36** per student hour. The contractor agrees to perform the additional services and to meet the additional conditions described in Appendix A, which is attached hereto and by this reference incorporated herein. The maximum number of hours payable under this contract shall be **3,814 hours**.

**IN WITNESS WHEREOF**, this agreement has been executed by the parties hereto, upon the date first above written.

Local Educational Agency	Contractor (If other than an individual, state whether a corporation, partnership, or other.)
--------------------------	---

South Monterey County Joint Union High School District/MTROP	Salinas Beauty College, Inc.
--	------------------------------

By (Authorized signature)	By (Authorized signature)
---------------------------	---------------------------

Name/Title  
**Daniel R. Moirao, Ed.D., Assistant Superintendent**

Name/Title  
**James M. Edwards, Owner**  
Address  
916 S. Main Street, Salinas, CA 93901

**For State Use Only**

Approved by

Date

# SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

**SUBJECT:** Part-time Credit Recovery Teachers

**MEETING:** November 16, 2011

**AGENDA SECTION:**

☐ **ACTION**

☐ **INFORMATION**

☒ **ACTION/CONSENT**

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## GOVERNING BOARD

### Board Goals:

- ☒ Improve/Sustain Student Achievement through STAR Test and Other Assessment Measures
- ☐ Improve School Climate and Student Discipline in Support of Teaching, Learning and Student Safety
- ☐ Develop/Sustain Fiscal Crisis Long-Term Solution
- ☐ Ensure Board and Administrator Participation in CSBA's Masters in Governance and Other Trainings
- ☐ Ensure that Facilities are Safe for Staff and Students
- ☐ Ensure compliance with Education/Other Codes/Updating Board Policies and Administrative Regulations

### Summary:

At different times the Board and State Administrator have discussed the issue of credit recovery for students needing such assistance. We negotiated an agreement with Odyssey Online learning and will have the license to support our students as they recover deficient credits. Teachers are needed to monitor and guide this process. The attached job description has been posted for interested teachers.

### Recommendation:

It is recommended that the Part-time, hourly, temporary job description for teachers be accepted.

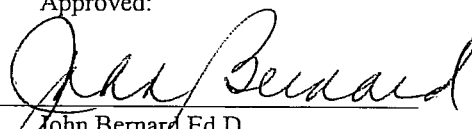
### Fiscal Impact:

Title I and Independent Study program funds will pay for these teachers. The negotiated hourly rate is \$40.00.

Submitted By:

Daniel R. Moirao, Ed.D.  
Assistant Superintendent Educational Services/  
Human Resources

Approved:

  
John Bernard Ed.D.  
State Administrator

# South Monterey County Joint Union High School District

## Part Time Hourly Online Credit Recovery Instructors (temporary)

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### **DISTINGUISHING CHARACTERISTICS, IF APPLICABLE:**

To perform the job successfully, an individual must be able to satisfactorily perform each essential duty. The requirements listed are **representative** of the knowledge, skills, and abilities required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential duties.

### **ESSENTIAL JOB FUNCTIONS:**

#### **Curriculum**

- Monitor the use of formative and summative assessments to inform instruction and focus on critical areas for program improvement within a course and/or across the department.
- Assist with diagnostic testing and data collection necessary for appropriate student placement.
- Work collaboratively with administration to determine appropriate course offerings and sections required to meet student and program needs.
- Provide an accurate inventory of materials.
- Complete reports and surveys as needed.

#### **Communication**

- May coordinate parent/teacher conferences.
- Disseminate information to appropriate faculty.
- Assist in the distribution of District and school information.
- Assist the site administration and leadership teams in sending and receiving feedback from staff and students.
- Perform other duties as assigned by the supervisor.

### **MINIMUM QUALIFICATIONS:**

#### **Knowledge, skills and abilities:**

##### Knowledge of:

- Office practices, procedures and equipment, including filing systems, customer service, telephone etiquette, and letter/report writing.
- Computer-based software programs.
- Communication skills using the English language, grammar, spelling, punctuation, and proofreading/editing as necessary.
- Human relations skills to present a positive image of the school site/district, maintain harmony among peers, convey technical information to others and in dealing with difficult situations/people.

##### Ability to:

- Read, write, understand and communicate in English at a level necessary for successful job performance.
- Communicate effectively with and convey information to co-workers, parents, and administration.
- Collect and interpret data, evaluate reasons, define problems, establish facts, draw valid conclusions make valid judgments and decisions.
- Plan, organize and prioritize work in order to meet schedules, timelines and deadlines.
- Complete assigned duties despite frequent interruptions.
- Interact appropriately with students, parents and others.
- Maintain confidentiality of private and/or sensitive information.

### **PHYSICAL DEMANDS / WORKING CONDITIONS:**

**Physical Demands:** While performing the essential functions and responsibilities of this job, the employee is regularly required to sit for long periods of time; stand, kneel, walk, push/pull, lift, bend, reach, climb; speak and hear effectively; use near vision to read printed materials; auditory ability to carry on conversations in person and over the telephone; manual and finger dexterity to write, use a computer keyboard or other standardized office equipment. Physical stamina sufficient to sustain light physical labor for up to 8 hours, sit and/or walk for prolonged periods of time. Physical mobility sufficient to move about the work environment (office, District, school site-to-site) for sustained periods of time on hard flooring, climb slopes, stairs, ramps and to respond to emergency situations. Physical strength sufficient to periodically lift and/or carry 25 pounds of materials or supplies; occasionally lift pounds with assistance. Some repetitive motions may be required. Reasonable accommodations may be made to enable individuals with disabilities to perform these essential functions.

**Working Conditions:** Typically indoor work environment.

### **EDUCATION AND EXPERIENCE:**

- Bachelor's degree from an accredited college or university
- Appropriate California Teaching Credential (in a core content area preferred (English, Social Studies, Mathematics, and/or Science)
- EL Authorization

# South Monterey County Joint Union High School District

## Part Time Hourly Online Credit Recovery Instructors (temporary)

---

### **ABILITY TO:**

- Serve as a role model
- Relate positively with staff and students
- Develop best possible educational programs for all students that embrace diversity

**SALARY RANGE:** Hourly per negotiated agreement

**WORK YEAR:** Varies: (Maybe, 6:55 AM– 7:45 AM and/or 3:15 PM – 4:15 PM)

**SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**  
**GOVERNING BOARD**

**SUBJECT:** Approval of Consulting Agreement Between  
CSBA and the SMCJUHSD for Board Governance  
Workshop on January 16 & 17, 2012

**MEETING:** November 16, 2011

**AGENDA SECTION:**

☐ **ACTION**

☐ **INFORMATION**

☒ **ACTION/CONSENT**

---

Board Goals:

- \_\_\_\_\_ Improve/Sustain Student Achievement through STAR Test and Other Assessment Measures
- \_\_\_\_\_ Improve School Climate and Student Discipline in Support of Teaching, Learning and Student Safety
- \_\_\_\_\_ Develop/Sustain Fiscal Crisis Long-Term Solution
- ☒ \_\_\_\_\_ Ensure Board and Administrator Participation in CSBA's Masters in Governance and Other Trainings
- \_\_\_\_\_ Ensure that Facilities are Safe for Staff and Students
- \_\_\_\_\_ Ensure compliance with Education/Other Codes/Updating Board Policies and Administrative Regulations

Summary:

The Board is required to continue their Governance Training. CSBA will be providing two 3-hour sessions on January 16 and 17, 2012.

Recommendation:

The recommendation is to approve the agreement.

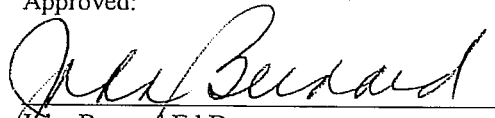
Fiscal Impact:

The base pay is \$2,000 plus reasonable expenses.

Submitted By:

  
\_\_\_\_\_

Approved:

  
\_\_\_\_\_  
John Bernard Ed.D.  
State Administrator

# **California School Boards Association**

## **AGREEMENT FOR SERVICES**

THIS Agreement made and entered into by and between the CALIFORNIA SCHOOL BOARDS ASSOCIATION, INCORPORATED, a nonprofit California corporation, hereinafter referred to as "CSBA" and South Monterey County Jt. Union High School District hereinafter referred to as "District."

CSBA agrees to provide a Good Beginnings workshop. The workshop will be completed no later than June 30, 2012.

The parties hereby agree as follows:

### **1. DUTIES AND RESPONSIBILITIES OF DISTRICT**

#### **1.1 District agrees to:**

- a. assure attendance by all board members, and the superintendent of South Monterey County Jt. Union High School District as requested by CSBA;
- b. provide appropriate facilities for each session; and
- c. provide necessary food and refreshments.

### **2. DUTIES, RESPONSIBILITIES AND RECOMMENDATIONS OF CSBA**

#### **2.1 CSBA agrees to:**

- a. provide all copyrighted course materials as needed for each session
- b. conduct phone interviews with board members and superintendent as appropriate;
- c. perform the consulting services described above;
- d. provide summary materials from the consulting services.

### **3. COMPENSATION AND OTHER EXPENSES**

3.1 In consideration for the consulting services, the District agrees to pay CSBA a base fee of \$2,200, plus reasonable expenses.

3.2 Payment is due upon receipt of invoice from CSBA, following the service delivery, or as described here:

### **4. CONTRACT TERMINATION**

4.1 The terms of the Agreement shall terminate no later than June 30, 2012, or sooner if all provisions have been satisfied.



- 4.2 Unless otherwise terminated pursuant to this Agreement. CSBA or District may terminate this contract without cause by giving thirty (30) days written notice to the other party.
- 4.3 Should CSBA default in the performance of this Agreement or materially breach any of its provisions, District at District's option, may terminate this Agreement by giving written notification to CSBA.
- 4.4 Should District default in the performance of this Agreement or materially breach any of its provisions, CSBA, at CSBA's option, may terminate this Agreement by giving written notification to District.

## 5. GENERAL PROVISIONS

- 5.1 For the purposes of communication between the parties, the following shall be the representatives of the parties:

John C. Bernard, Ed.D.  
State Administrator  
South Monterey Co. Jt.  
Union HSD  
800 Broadway

King City, CA 93930

Phone: 831 385-0606

c/o Angelo Williams, Ed.D.  
Assistant Executive Director,  
Leadership Dev. & Policy Analysis

California School Boards  
Association  
3100 Beacon Boulevard  
West Sacramento, CA 95691  
Phone: (916) 669-3293  
Fax: (916) 669-3293

- 5.2 This Agreement is the entire agreement and supersedes any oral or written agreements previously entered into concerning the conduct of the consulting services.
- 5.3 If any provision in this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions will nevertheless continue in full force.
- 5.4 This Agreement will be governed and construed according to the laws of the State of California.

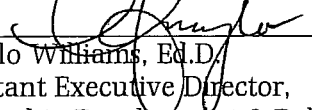
## AGREED

### SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

BY: \_\_\_\_\_  
John C. Bernard, Ed.D., State Administrator

DATED: \_\_\_\_\_

### CALIFORNIA SCHOOL BOARDS ASSOCIATION

BY:  \_\_\_\_\_  
Angelo Williams, Ed.D.  
Assistant Executive Director,  
Leadership Development & Policy Analysis

DATED: 10 28 11

**SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**  
**GOVERNING BOARD**

**SUBJECT:** Approval of Resolution 8:11/12

**MEETING:** November 16, 2011

**AGENDA SECTION:**

☐ **ACTION**

☐ **INFORMATION**

**X ACTION/CONSENT**

---

Board Goals:

_____	Improve/Sustain Student Achievement through STAR Test and Other Assessment Measures
_____	Improve School Climate and Student Discipline in Support of Teaching, Learning and Student Safety
<u>X</u> _____	Develop/Sustain Fiscal Crisis Long-Term Solution
_____	Ensure Board and Administrator Participation in CSBA's Masters in Governance and Other Trainings
_____	Ensure that Facilities are Safe for Staff and Students
_____	Ensure compliance with Education/Other Codes/Updating Board Policies and Administrative Regulations

Summary:

State Senator, Joseph Simitian has authorized Senate Constitutional Amendment 5 which would allow school districts, community college districts, and county offices of education to pass a parcel tax with a 55 percent majority vote rather than the currently required two-thirds. The resolution would be submitted to the Legislature to put SCA 5 on the ballot.

Recommendation:


The recommendation is being made to approve the resolution

Fiscal Impact:

Submitted By:

---

Approved:

  
\_\_\_\_\_  
John Bernard Ed.D.  
State Administrator

**RESOLUTION OF THE GOVERNING BOARD OF THE  
SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**

**RESOLUTION 08:11/12**

**RESOLUTION IN SUPPORT OF SENATE CONSTITUTIONAL AMENDMENT (SCA) 5**

**WHEREAS**, Senate Constitutional Amendment 5 (Simitian), which reduces the two-thirds vote requirement on parcel taxes, will be acted on by the California State Legislature; and

**WHEREAS**, reductions in the state General Fund revenue have led to reduced school funding; and

**WHEREAS**, state General Fund revenue is unstable and erratic, which results in unpredictable funding levels for school districts and county offices of education; and

**WHEREAS**, parcel tax revenue can provide a stable, predictable source of school revenue; and

**WHEREAS**, passage of SCA 5 will empower local voters to invest in their schools based on the needs of their communities by requiring a tough, but fair 55 percent vote to pass local parcel taxes, while protecting taxpayers and homeowners with accountability provisions that will ensure that funds generated from parcel taxes are not wasted or mismanaged; and

**WHEREAS**, revenue from parcel taxes can be spent according to local priorities and are not subject to state control; and

**WHEREAS**, the two-thirds vote requirements results in minority rule by requiring two "yes" votes to cancel out one no vote; and

**WHEREAS**, passage of SCA 5 will allow local voters to decide to make investments in their neighborhood schools in addition to state funding; and

**NOW, THEREFORE, BE IT RESOLVED** that the governing board of the South Monterey County Joint Union High School District strongly urges the California State Legislature to support and adopt SCA 5.

PASSED AND ADOPTED THIS 16<sup>th</sup> day of November, 2011 at a regular board meeting.

---

John Bernard, Ed.D., State Administrator

# SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

**SUBJECT:** Credit Recovery: Online

**MEETING:** November 16, 2011

**AGENDA SECTION:**

☐ **ACTION**

☐ **INFORMATION**

☒ **ACTION/CONSENT**

---

## GOVERNING BOARD

### Board Goals:

- ☒ Improve/Sustain Student Achievement through STAR Test and Other Assessment Measures
- ☐ Improve School Climate and Student Discipline in Support of Teaching, Learning and Student Safety
- ☐ Develop/Sustain Fiscal Crisis Long-Term Solution
- ☐ Ensure Board and Administrator Participation in CSBA's Masters in Governance and Other Trainings
- ☐ Ensure that Facilities are Safe for Staff and Students
- ☐ Ensure compliance with Education/Other Codes/Updating Board Policies and Administrative Regulations

### Summary:

It is the goal of the district to increase the graduation rate of our student population. One way we will pursue that goal is to offer a credit recovery during "zero" and "seventh" period. The program will be online and students will be self-paced, under the supervision of a credentialed teacher.

### Recommendation:

It is recommended that the State Administrator approve the contract with Odyssey Ware for the district Credit Recovery Program.

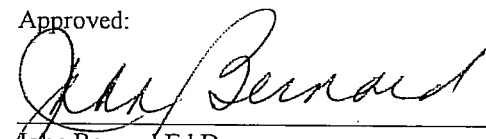
### Fiscal Impact:

Title I funds will be the primary source of funding.

Submitted By:

Daniel R. Moirao, Ed.D.  
Assistant Superintendent Educational Services/  
Human Resources

Approved:

  
John Bernard Ed.D.  
State Administrator



School/District: South Monterey County Joint Union High School Dist.

Contact: Dr. Daniel Molrao/ Carolyn McCombs  
 Phone: 831 385 0606 ext 4315 - Office  
 Fax: 831 385 0695 Fax  
 Email: dmoirao@kingcity.k12.ca.us  
 Address: 800 Broadway  
 King City, CA 93930

Date: 11/1/2011  
 Contact: Kevin Sangiovanni  
 Phone: 310-601-6945  
 Fax: 480-323-2951  
 Email: ksangiovanni@odysseyware.com  
☒ New Customer ☐ Existing Customer

### OdysseyWare® Online Licenses

OdysseyWare® Online : Licenses of OdysseyWare® Full Academic content grades 3-12 for core curriculum (Social Studies/History, Science, Math, Language Arts), Electives, Placement Testing, CRx, Prescriptive and GED Prep Course. 24/7 Online Access, Technical Support, and OdysseyCare included.

Number of Licenses		Per concurrent User per year. Licenses are renewable annually	
Other	100	Cost \$ 650	\$ 65,000
Subtotal			\$ 65,000

### Content Delivery Network (CDN)

DART (1-100 Users)	Qty	\$4500 with 1 year Maintenance Program	\$ -
Single Site	Qty	\$6000 with 3 year Maintenance Program	\$ -
E85 (1-1000 Users)	Qty	\$7000 with 1 year Maintenance Program	\$ -
Single Site	Qty	\$8500 with 3 year Maintenance Program	\$ -
1 Yr Maintenance Plan \$995 <input type="checkbox"/>			
3 Yr Maintenance Plan \$2500 <input type="checkbox"/>			
Subtotal			\$ -

### Professional Development and Training

Conversion Training		Please Select Type Of Training (DropDown)		\$	-
BRONZE					
BRONZE A	<input type="checkbox"/>	8 Hour Webinar	T10002		
BRONZE B	<input checked="" type="checkbox"/>	3 Hour Webinar 1 Day On-Site	T10003	\$	3,500
SILVER					
SILVER A	<input type="checkbox"/>	10 Hour Webinar	T10005		
SILVER B	<input type="checkbox"/>	2 Hour webinar, 2 Day On-Site (Consecutive Days)	T10006		
SILVER C	<input type="checkbox"/>	4 Hour Webinar, 2 Day On-Site (Non-Consecutive Days)	T10009		
GOLD					
GOLD A	<input type="checkbox"/>	20 Hours Webinar	C10001		
GOLD B	<input type="checkbox"/>	3 Days On-Site training: 2 Consecutive Days, 1 Non-consecutive Day, Plus a 2 Hour Webinar	C10002		
PLATINUM					
PLATINUM	<input type="checkbox"/>	6 Days Total Training (2 Days Consecutive On-Site, 1 Non-consecutive Day, 2 Hour Webinar 16 Additional Hours of Webinar training	C10003		
Additional Professional Training Options - Existing Customer (Select Minimum of 6 Hours Options from Dropdown List)					
Onsite Modules Click for Course Descriptions		Professional Development & Training - up to 6 Hours with 12 Trainees. OdysseyWare will invoice School/District \$250.00 for each ADDITIONAL ATTENDEES above 12 (twelve).			
1	Course (Select Cell for Dropdown)			\$	-
2	Course (Select Cell for Dropdown)			\$	-
3	Course (Select Cell for Dropdown)			\$	-
		Enter Number of Additional Attendees		\$	-
Webinar Modules (Select Up to 4 Hours with 12 Trainees Options from Dropdown List)					
Webinar Modules Click for Course Descriptions					
1	Course (Select cell for Dropdown)			\$	-
2	Course (Select cell for Dropdown)			\$	-
3	Course (Select cell for Dropdown)			\$	-
Subtotal				\$	3,500

### Section 4

Comments:	
South Monterey County JUHSD - Dr. Daniel Molrao - Assistant Superintendent of Educational Services - Carolyn McCombs - Principal Alternative Education Please Contact Kevin Sangiovanni -310 601 6945 ksangiovanni@odysseyware.com and/or Trisha Hendren 480 735 7987thendren@odysseyware.com for ongoing questions/support/et al.	
Total \$ 68,500	
Basic Terms:	
This proposal is good for 30 days. Total may be adjusted as necessary to reflect applicable state and local taxes.	
Professional Development & Training: OdysseyWare will invoice School/District \$250.00 for each additional attendees above 12 (twelve). Training requires minimum three-week lead time. Rush training subject to additional charges. Changes to scheduled training dates are subject to a rescheduling fee.	
Kevin Sngiovanni	10/1/2011
Signature	Date

# SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

**SUBJECT:** Donations to SMCJUHSD Agriculture Program

**MEETING:** November 16, 2011

**AGENDA SECTION:**

☐ **ACTION**

☐ **INFORMATION**

☒ **ACTION/CONSENT**

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## GOVERNING BOARD

### Board Goals:

- ☒ Improve/Sustain Student Achievement through STAR Test and Other Assessment Measures
- ☐ Improve School Climate and Student Discipline in Support of Teaching, Learning and Student Safety
- ☐ Develop/Sustain Fiscal Crisis Long-Term Solution
- ☐ Ensure Board and Administrator Participation in CSBA's Masters in Governance and Other Trainings
- ☐ Ensure that Facilities are Safe for Staff and Students
- ☐ Ensure compliance with Education/Other Codes/Updating Board Policies and Administrative Regulations

### Summary:

The Salinas Valley High School Agriculture Foundation has donated a tractor, a trailer and almost \$6500.00 of tools to the Agriculture Program at both King City and Greenfield High School. The State Administrator and the SMCJUHSD must accept these gifts so they become the property of the school district and can be insured appropriately.

The teachers and staff are very appreciative of these donations.

### Recommendation:

It is recommended that the State Administrator accept the gifts of a tractor, trailer and miscellaneous tools from the Salinas Valley High School Agriculture Foundation.


### Fiscal Impact:

The materials are at no cost to the district, however long-term maintenance and insurance does become a district expense.

Submitted By:

Daniel R. Moirao, Ed.D.  
Assistant Superintendent Educational Services/  
Human Resources

Approved:

  
John Bernard Ed.D.  
State Administrator

SALINAS VALLEY HIGH SCHOOL AG, INC.  
955 Blanco Circle, Suite B  
Salinas, CA 93901  
831-422-2611

November 1, 2011

Dr. John Bernard, State Administrator  
Board of Education, South Monterey County Joint Union HS District  
800 Broadway  
King City, CA 93930

Re: Equipment Donations to District

Dear Dr. Bernard and Board Members:

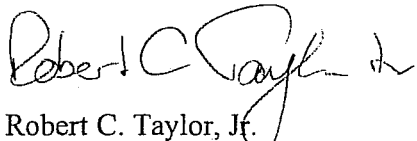
SVHSA, a public charity dedicated to support high school agricultural education in the Salinas Valley, has donated to your district a farm tractor (for which we paid \$31,971.23) and a bumper pull trailer, still on order (for which we paid \$10,294.49). We expect that these items will see good use in the King City High School Ag program.

We similarly have set aside funds to assist the Ag program at Greenfield High School and expect to donate further items to the District for that program in the very near future.

I appreciated the opportunity to meet and discuss our goals with Dr. Bernard and we look forward to a continuing relationship with your District. We have the highest regard for your Ag programs, teachers and students.

We hope that you will continue to recognize the importance your Ag programs and FFA chapters have for the Salinas Valley community. We draw our funds from community donations, and these programs are very highly viewed by them.

Very truly yours,



Robert C. Taylor, Jr.  
Executive Director, SVHSA, Inc.

**SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**  
**GOVERNING BOARD**

**SUBJECT:** Williams Settlement Report

**MEETING:** November 16, 2011

**AGENDA SECTION:**

☐ ACTION

☒ INFORMATION

☐ ACTION/CONSENT

---

Board Goals:

- ☐ Improve/Sustain Student Achievement through STAR Test and Other Assessment Measures
- ☐ Improve School Climate and Student Discipline in Support of Teaching, Learning and Student Safety
- ☐ Develop/Sustain Fiscal Crisis Long-Term Solution
- ☐ Ensure Board and Administrator Participation in CSBA's Masters in Governance and Other Trainings
- ☐ Ensure that Facilities are Safe for Staff and Students
- ☒ Ensure compliance with Education/Other Codes/Updating Board Policies and Administrative Regulations

Summary:

Attached is the first quarterly report which covers the time period of August and September 2011. Some items remaining to be completed are major cost items, for which there is no funding.

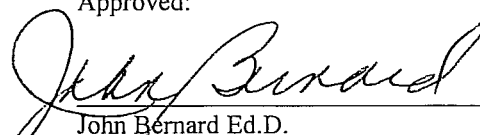
Recommendation:

Fiscal Impact:

Submitted By:

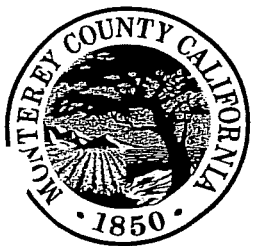
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Approved:



John Bernard Ed.D.  
State Administrator





# Monterey County Office of Education

*Leadership, Support, and Service to Prepare All Students for Success*

---

Dr. Nancy Kotowski  
County Superintendent of Schools

October 24, 2011

Dr. John Bernard  
State Administrator  
South Monterey County Joint USD  
800 Broadway Street  
King City, CA 93930

Dear Dr. Bernard:

California *Education Code* Section 1240 requires that the County Superintendent of Schools visit schools identified for compliance review in accordance with the *Williams and Valenzuela* Settlements and report to you the results. I am pleased to provide, for submission to your governing board at a regularly scheduled meeting, the **first** quarterly report for fiscal year 2011-2012 as required by *Education Code* section 1240(c)(2)(G) pursuant to the *Williams* and *Valenzuela* Settlements. This report presents the results of the review of the **South Monterey County Joint USD** for the period of **August and September 2011**.

The purpose of the review visitation(s) as specified in California Education Code 1240 was to:

1. Determine if students have "sufficient" standards-aligned instructional materials in four core subject areas (English language arts, mathematics, history/social science and science), including science laboratory equipment in grades 9-12, and, as appropriate, in foreign languages, and health;
2. Determine if there is any facility condition that "poses an emergency or urgent threat to the health or safety of pupils or staff";
3. Determine if the school has provided accurate data on the annual school accountability report card related to the sufficiency of instructional materials and the safety, cleanliness, and adequacy of school facilities, including "good repair"; and
4. Determine the extent to which pupils who have not passed the California High School Exit Examination (CAHSEE) by the end of grade 12 are informed that they are entitled to receive CAHSEE intensive instruction and services for up to two consecutive years after completion of grade 12 and the extent to which pupils who have elected to receive services are being served.

The law further requires that the County Superintendent:

1. Annually monitor and review teacher misassignments and teacher vacancies in schools ranked in deciles 1-3 (2009 Base API);
2. Receive quarterly reports on complaints filed within the school district concerning insufficient instructional materials, teacher vacancies and misassignments, emergency or urgent facilities

issues, and CAHSEE intensive instruction and services under the Uniform Complaint Procedure; and

3. Review audit exceptions under expanded authority in the areas of use of instructional materials program funds, teacher misassignments, and information reported on the school accountability report card and determine whether the exceptions are either corrected or an acceptable plan of correction has been developed.

While the Uniform Complaint data is not mandated to be a part of this report, it is included so that you and the citizens of our community will have a complete understanding of the environment in which the district is functioning.

Definitions of basic terms are as follows:

- “Sufficient textbooks or instructional materials” means each pupil, including English language learners, has a standards-aligned textbook or instructional materials, or both, to use in class and to take home.
- A school facility condition that poses an “emergency or urgent threat” is a “condition that poses a threat to the health or safety of pupils or staff while at school.”
- “Good Repair” means the school facilities are clean, safe and functional as determined pursuant to the school facility inspection and evaluation instrument developed by the Office of Public School Construction [the Facility Inspection Tool (FIT)] or a local evaluation instrument that meets the same criteria. Each school district that receives state funding for facilities maintenance is required to establish a facilities inspection system to ensure that each of its schools is maintained in “good repair.”
- The meaning of each overall rating:
  - **Exemplary:** The school meets most or all standards of good repair. Deficiencies noted, if any, are not significant and/or impact a very small area of the school.
  - **Good:** The school is maintained in good repair with a number of non-critical deficiencies noted. These deficiencies are isolated, and/or resulting from minor wear and tear, and/or in the process of being mitigated.
  - **Fair:** The school is not in good repair. Some deficiencies noted are critical and/or widespread. Repairs and/or additional maintenance are necessary in several areas of the school site.
  - **Poor:** The school facilities are in poor condition. Deficiencies of various degrees have been noted throughout the site. Major repairs and maintenance are necessary throughout the campus.

Findings are as follows:

- Instructional Materials – *See Attached Report.*
- Facilities-- *See Attached Report.*
- School Accountability Report Card – *Sufficient.*
- Teacher Misassignments and Teacher Vacancies – *See Attached Schedule..*
- Uniform Complaint Procedure –*See Attached Report.*
- Valenzuela/CAHSEE Intensive Instruction and Services Program – *Annual documentation was submitted to Monterey County Office of Education on August 11, 2011. Documentation determined the extent to which students were informed of their entitlement to receive services. Verification that services are being provided was received. No discrepancies were found (see attached report).*

Please extend to your governing board, administration and site staff my appreciation for their professionalism in addressing the compliance requirements for the *Williams* and *Valenzuela* Settlements Legislation.

Sincerely,

A handwritten signature in cursive script, reading "Nancy Kotowski". The signature is fluid and elegant, with the first name "Nancy" and last name "Kotowski" clearly distinguishable.

Nancy Kotowski, Ph.D.  
Monterey County  
Superintendent of Schools

## Monterey County Superintendent of Schools

This report summarizes the results of the *Williams* site visits and documentation reviews at deciles 1, 2, and 3 schools (2009 Base API) for the months of August – September 2011.

## INSTRUCTIONAL MATERIALS:

chools were reviewed for sufficient textbooks and instructional materials\*\* as noted below:

[illegible]

\* Unannounced school(s)

ake home in the four core areas (including science laboratory equipment in grades 9-12) as well as, for middle and high school, in foreign language and health.

**Valenzuela/CAHSEE Intensive Instruction and Services Program Lawsuit Settlement**  
**Districtwide Student Notice and Service Data Summary**

<August 2011>

Name of LEA: South Monterey County Joint Union High

Districtwide Summary	Class of 2010	Passed CAHSEE English/Lang Arts After Services Provided	Passed CAHSEE Math After Services Provided
Number of pupils who did not pass one or both parts of the CAHSEE by the end of grade 12	17		
Number of pupils notified of the availability of services	17		
Number of pupils who elected to receive intensive instruction and services	17		
Number of pupils served	17		
Districtwide Summary	Class of 2011	Passed CAHSEE English/Lang Arts After Services Provided	Passed CAHSEE Math After Services Provided
Number of pupils who did not pass one or both parts of the CAHSEE by the end of grade 12	16		
Number of pupils notified of the availability of services	16		
Number of pupils who elected to receive intensive instruction and services	16		
Number of pupils served	16		

1. How are students notified? (check all that apply)

☒ Letter to student/guardian ☒ Part of a counseling program ☐ On the district website ☐ Other \_\_\_\_\_

2. When are students notified? During the spring and summer.

3. What services are provided? (check all that apply)

☐ Diagnostic assessment ☒ Individual instruction in CAHSEE academic content  
☒ English language development for English learners geared to passage of the CAHSEE  
☐ Instruction in test taking skills, individual or group ☐ Academic counseling services, individual or group  
☒ Group instruction in CAHSEE academic content ☐ Technology-based instruction  
☒ Served by an outside entity ☐ Other \_\_\_\_\_

**STATEMENT OF ASSURANCE**

I assure that the above information provided accurately represents our services to post-grade 12 students.

Signed \_\_\_\_\_

Local Educational Agency Superintendent or designee

WILLIAMS SETTLEMENT LEGISLATION  
FIRST QUARTERLY REPORT FOR SOUTH MONTEREY COUNTY JOINT UNIFIED SCHOOL DISTRICT  
OCTOBER 2011

This report summarizes the results of the Williams Site Visits and documentation reviews at deciles 1, 2, and 3 schools (2009 Base API) for the months of August - September 2011.

SCHOOL FACILITIES:

Schools were reviewed for condition of facilities, whether they were in "good repair" or pose an "emergency" as noted below:

School	Review Date	Room/Location	Condition	Priority	Recommendation	Completed On
Greenfield HS	8/23/11	Admin BLDG	Paint peeling on down spouts/gutters.	Hazardous materials		
		Rm 101	Carpet tears and waves/trip/stained ceiling tiles.	Interior surfaces		
		Rm 106	Water stains ceiling tiles-carpet tears and waves/trip hazard/floor elect. Cover broke/trip hazard.	Interior surfaces		
		Rm 202	Water stains ceiling tiles/carpet has tears.	Interior surfaces		
		Rm 205	Carpet tears and waves/trip hazard.	Interior surfaces		
		Rm 203	Carpet tears and waves/trip hazard.	Interior surfaces		
		Rm 204	Carpet tears and waves/trip hazard/elect. covers broken (Trip hazard).	Interior surfaces		
		P-Rm 603	Carpet tears and waves/trip hazard. Rust under exterior eaves.	Interior surfaces, Hazardous materials.		
		P-Rm 605	Carpet tears and waves/trip hazard.	Interior surfaces		
		P-Rm 608	Exposed wires (Computer and phone lines)	Electrical		
		P-Rm 609	Carpet tears and waves/trip hazard/missing baseboard on back wall. book case is not anchored.	Interior surfaces		
		Gymnasium	Damaged louvered vent. Apparent block floor drain.	Interior surfaces, restroom		

"Good repair" means the facilities are clean, safe and functional as determined pursuant to the school facility inspection and evaluation instrument developed by the Office of Public School Construction or a local evaluation instrument that meets the same criteria.

"Emergency condition" means a facility condition that poses a threat to the health or safety of pupils or staff while at school.

**WILLIAMS SETTLEMENT LEGISLATION**  
**FIRST QUARTERLY REPORT FOR SOUTH MONTEREY COUNTY JOINT UNIFIED SCHOOL DISTRICT**  
**OCTOBER 2011**

This report summarizes the results of the Williams Site Visits and documentation reviews at deciles 1, 2, and 3 schools (2009 Base API) for the months of August - September 2011.

**SCHOOL FACILITIES:**

Schools were reviewed for condition of facilities, whether they were in "good repair"\* or pose an "emergency"\*\*\* as noted below:

Greenfield HS (CONT)	8/23/11	Men's Locker Rm	Missing bubbler on exterior drinking fountain. 2 <sup>nd</sup> , 3 <sup>rd</sup> , and 4 <sup>th</sup> faucets are no working.	Sinks/fountains		
		Boys RR	Leaking flush valve.	Restroom		
		Women's Locker Rm	Missing exterior fountain. Last faucet does not work.	Sinks/fountains		
		Training Rm	Water damage on wall.	Interior surfaces		
		Rm 405 VIS-ART	Water stains ceiling tiles/outside hallway.	Interior surfaces		
		AUTO shop	Elect. closet needs better ventilation.	MECH/HVAC		
		Girls RR	No water exterior fountains, handicap door sticks.	Sinks/fountains		
		Student Union	Water stains ceiling tile outside entry/door stop is broken, interior door on west side entrance is damage.	Interior surfaces, windows/doors/gates/fences		
		Men's RR	Water stains ceiling/paint bubbling due to moisture.	Interior surfaces		
		Library	Some lights on main floor do not work, Paint peeling on down spouts and gutters.	Electrical, hazardous materials		
		Outdoor courts	Basketball courts: missing cover tile @ Volleyball pole location.	Playground/school grounds		

\*\*\*"Good repair" means the facilities are clean, safe and functional as determined pursuant to the school facility inspection and evaluation instrument developed by the Office of Public School Construction or a local evaluation instrument that meets the same criteria.

\*\*\*"Emergency condition" means a facility condition that poses a threat to the health or safety of pupils or staff while at school.

# WILLIAMS SETTLEMENT LEGISLATION

## FIRST QUARTERLY REPORT FOR SOUTH MONTEREY COUNTY JOINT UNIFIED SCHOOL DISTRICT

### OCTOBER 2011

This report summarizes the results of the Williams Site Visits and documentation reviews at deciles 1, 2, and 3 schools (2009 Base API) for the months of August - September 2011.

#### SCHOOL FACILITIES:

Schools were reviewed for condition of facilities, whether they were in "good repair" or pose an "emergency" as noted below:

School	Review Date	Room	Facility	Condition	Emergency	Correction Action	Completed
King City HS	8/22/11	Rm 181	Hole in window.	Windows/doors/gates/fences			
		Rm 184	Dry rot on exterior beams.	Structural damage			
		Rm 197	Bookcase is not secured to wall.	Interior surfaces			
		Rm 194	Fan is loud/rattling	MECH/HVAC			
		Rm 193/SHOP	Dry rot header and walls note: Guards missing on grinders.	Structural Damage			
		Rm 191	Termites in baseball.	Pest/Vermin Infestation			
		Cafeteria	Floor tile missing at entry to food line.	Interior surfaces			
		Kitchen	Tile missing, light panel missing/elect panel has water stains on casing (See pic).	Interior surfaces, Electrical			
		RR	Exhaust not working.	MECH/HVAC			
		Gymnasium	Water stains ceiling tiles/ceiling tiles missing	Interior surfaces			
		Girls RR	Exhaust fan not working.	MECH/HVAC			
		Rm 122	Damaged room divider. Bookcase not secured to wall.	Structural damage			
		Rm 131	Water stains ceiling tiles.	Interior surfaces			
		Rm 133	Water stains ceiling tiles.	Interior surfaces			
		Boys RR	Damaged sinks.	Sinks/fountains			

\*\*\*"Good repair" means the facilities are clean, safe and functional as determined pursuant to the school facility inspection and evaluation instrument developed by the Office of Public School Construction or a local evaluation instrument that meets the same criteria.

\*\*\*"Emergency condition" means a facility condition that poses a threat to the health or safety of pupils or staff while at school.



**WILLIAMS SETTLEMENT LEGISLATION**  
**FIRST QUARTERLY REPORT FOR SOUTH MONTEREY COUNTY JOINT UNIFIED SCHOOL DISTRICT**  
**OCTOBER 2011**

This report summarizes the results of the Williams Site Visits and documentation reviews at deciles 1, 2, and 3 schools (2009 Base API) for the months of August - September 2011.

**SCHOOL FACILITIES:**

Schools were reviewed for condition of facilities, whether they were in "good repair"\*\*\* or pose an "emergency"\*\*\* as noted below;

School	Review Date	Room	Floor worn by entry door.	Interior surfaces	Condition	Emergency
King City HS (CONT)	8/22/11	Rm 173	Floor worn by entry door.	Interior surfaces		
		Rm 171	Water stains ceiling tiles room not in use.	Interior surfaces		
		DRAMA 162	Paint chipping at base and doors.	Hazardous materials		
		Mens RR	Faucet leaks.	Sinks/fountains		
		Auditorium	Damaged doors on southeast exit.	Windows/doors/gates/fences		
		Library	Exposed wires on northeast exterior evel/ Copy machine blocking electrical panel. Driasy chained ext. cords in office.	Electrical		
		Ext. Admin Bld	Termite and dry out at bean ends.	Pest/Vermin Infestation		
		Girls RR 161 Bld	2 Faucets damaged.	Restroom		
		Rm 101	2 windows broken.	Windows/doors/gates/fences		
		Rm 104	1 broken window.	Windows/doors/gates/fences		
		Boys Locker Rm	Paint chipping at doors and windows.	Interior surfaces		
		Weight Rm	Stained and broken ceiling tile and Door hardware damaged at 2 doors.	Interior surfaces and Windows/doors/gates/fences		
		Girls RR at Stadium	Windows broken are missing.	Windows/doors/gates/fences		

"Good repair" means the facilities are clean, safe and functional as determined pursuant to the school facility inspection and evaluation instrument developed by the Office of Public School Construction or a local evaluation instrument that meets the same criteria.

\*\*\*"Emergency condition" means a facility condition that poses a threat to the health or safety of pupils or staff while at school.

WILLIAMS SETTLEMENT LEGISLATION

FIRST QUARTERLY REPORT FOR SOUTH MONTEREY COUNTY JOINT UNIFIED SCHOOL DISTRICT  
OCTOBER 2011

This report summarizes the results of the Williams Site Visits and documentation reviews at deciles 1, 2, and 3 schools (2009 Base API) for the months of August - September 2011.

SCHOOL FACILITIES:

Schools were reviewed for condition of facilities, whether they were in "good repair" or pose an "emergency" as noted below:

SCHOOL FACILITIES				
School	Condition	Emergency	Recommendation	Comments

King City HS (CONT)	8/22/11	Boys RR at Stadium	Windows missing.	Windows/doors/gates/fences	
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"Good repair" means the facilities are clean, safe and functional as determined pursuant to the school facility inspection and evaluation instrument developed by the Office of Public School Instruction or a local evaluation instrument that meets the same criteria.

"Emergency condition" means a facility condition that poses a threat to the health or safety of pupils or staff while at school.

## WILLIAMS SETTLEMENT LEGISLATION

### FOURTH QUARTERLY REPORT FOR SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT\*\*\* 2011-2012 FISCAL YEAR OCTOBER 2011

The results of teacher misassignments\* and teacher vacancy\*\* reviews for the following schools were:

(Note: The annual report will include the teacher misassignments and vacancies reported to the CCTC on July 1 for the prior year. The quarterly reports will include the misassignments and vacancies identified in the current year.)

**\*\*Scheduled visitation for Williams Teacher Assignment Monitoring will be February 22, 2012.**

Schools	Greenfield H.S.	King City H.S.
Number of misassignments for the 2011-2012 school year		
Number of misassignments that were corrected within 30 calendar days		
Number of classes in which the teacher was lacking the appropriate authorization and training to teach English Language Learners and 20% or more of students were English Language Learners		
Number of Teacher Vacancies for the 2011-2012 school year		
Number of Teacher Vacancies Filled in the 2011-2012 school year		

\*CCTC considers it a misassignment when a teacher lacks the proper subject-matter authorization to teach the class, a proper teaching credential, or the appropriate authorization or credential to teach English Learners and one or more English Learners are assigned to the class. The Williams settlement requires that the county superintendent also report to the CCTC the number of English Learner related misassignments involving classes in which 20% or more of the students are English Learners.

\*\*A "teacher vacancy" occurs if 20 working days after school begins for the semester, a single designated teacher has still not been assigned to teach the class for the entire year or semester. [E.C. Section 35186(h)(3) and C.C.R. Title 5 Section 4600(b)]

\*\*\* Formerly known as King City Joint Union High School District

Monterey County Superintendent of Schools  
**WILLIAMS SETTLEMENT LEGISLATION**  
 FIRST QUARTER REPORT FOR SOUTH MONTEREY COUNTY JOINT UNION SCHOOL DISTRICT  
 2011-2012 FISCAL YEAR  
 OCTOBER 2011

**FORM COMPLAINTS:**

number of complaints filed within the district during the quarter, their nature, and resolution are noted below:

General Subject Area	Total # of Complaints	# Resolved	# Unresolved
Textbooks and Instructional Materials	0	0	0
Teacher Misassignments or Vacancies	0	0	0
Facilities Conditions	0	0	0
TOTALS	0	0	0

# SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

## GOVERNING BOARD

**SUBJECT:** Cash Flow Report from July 1, 2011 through  
October 31, 2011

**MEETING:** November 16, 2011

**AGENDA SECTION:**

☐ **ACTION**

☒ **INFORMATION**

☐ **ACTION/CONSENT**

---

Board Goals:

- \_\_\_\_\_ Improve/Sustain Student Achievement through STAR Test and Other Assessment Measures
- \_\_\_\_\_ Improve School Climate and Student Discipline in Support of Teaching, Learning and Student Safety
- ☒ \_\_\_\_\_ Develop/Sustain Fiscal Crisis Long-Term Solution
- \_\_\_\_\_ Ensure Board and Administrator Participation in CSBA's Masters in Governance and Other Trainings
- \_\_\_\_\_ Ensure that Facilities are Safe for Staff and Students
- \_\_\_\_\_ Ensure compliance with Education/Other Codes/Updating Board Policies and Administrative Regulations

Summary:

Attached is the cash flow information from July 1, 2011 through October 31, 2011

Recommendation:


Fiscal Impact:

None

Submitted By:

Linda Grundhoffer  
CBO

Approved:

  
John Bernard Ed.D.  
State Administrator

General Fund/County School Service Fund

Cashflow

Fiscal Year: 2011/12

Name	Object Code	Budget	Jul Actual	Aug Actual	Sep Actual	Oct Actual	Nov Projected	Dec Projected
<b>Beginning Cash Balance</b>			\$615,705.03	\$581,132.38	(\$348,719.59)	\$1,911,221.17	\$604,453.85	\$251,109.29
<b>Receipts</b>								
Revenue Limit Sources	8010 - 8099	\$10,663,258.51	\$36,549.26	(\$22,813.37)	\$1,647,810.09	\$261,649.36	\$0.00	\$2,250,178.59
Federal Revenues	8100 - 8299	\$1,447,904.00	\$0.00	\$432,901.62	\$0.00	(\$1,156.93)	\$130,695.54	\$12,210.66
Other State Revenues	8300 - 8599	\$2,538,896.00	\$163,850.00	\$74,555.00	\$334,527.54	\$171,560.37	\$201,813.38	\$149,888.85
Other Local Revenues	8600 - 8799	\$1,029,300.00	\$4,754.38	\$37,970.88	\$102,411.05	\$83,630.11	\$50,710.60	\$131,624.36
Interfund Transfers In	8800 - 8829	\$200,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
All Other Financing Sources	8930 - 8979	\$2,000,000.00	\$0.00	\$0.00	\$2,000,000.00	\$0.00	\$0.00	\$0.00
<b>Total Receipts</b>		\$17,879,158.51	\$205,153.64	\$522,614.13	\$4,084,748.68	\$515,682.91	\$383,219.52	\$2,543,902.45
<b>Disbursements</b>								
Certificated Salaries	1000 - 1999	\$7,436,541.00	\$101,510.24	\$710,839.43	\$716,370.62	\$742,767.05	\$716,846.18	\$716,846.18
Classified Salaries	2000 - 2999	\$2,454,142.89	\$131,602.39	\$207,980.99	\$205,191.54	\$192,815.19	\$205,986.14	\$205,986.14
Employee Benefits	3000 - 3999	\$3,279,573.45	\$77,144.36	\$414,212.24	\$332,140.96	\$349,822.65	\$278,023.40	\$278,023.40
Books and Supplies	4000 - 4999	\$642,502.00	\$297,553.81	\$156,352.49	\$172,588.24	\$2,037.31	\$2,037.31	\$2,037.31
Services and Other Operating	5000 - 5999	\$2,150,662.00	\$0.00	\$0.00	\$0.00	\$233,650.46	\$202,638.55	\$202,638.55
Capital Outlay	6000 - 6900	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Other Outgo	7000 - 7299	\$574,076.00	\$20,043.97	\$42,092.34	\$42,092.34	\$19,584.29	\$0.00	\$0.00
Direct Support/Indirect Cost	7300 - 7399	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Debt Service	7430 - 7439	\$1,245,143.76	\$0.00	\$0.00	\$944,107.82	\$0.00	\$0.00	\$301,035.94
Interfund Transfers Out	7600 - 7629	\$116,719.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
All Other Financing Uses	7630 - 7699	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total Disbursements</b>		\$17,899,360.10	\$627,854.77	\$1,531,477.49	\$2,412,491.52	\$1,540,676.95	\$1,405,531.58	\$1,706,567.52
<b>Assets</b>								
Revolving Cash Account	9130	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Cash with a Fiscal Agent/Trustee	9135	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Accounts Receivable	9200	\$2,270,773.19	\$619,841.15	\$1,036,195.64	\$724,297.99	(\$326,322.30)	\$216,760.71	\$0.00
Due from Other Funds	9310	\$24,035.71	\$0.00	\$24,035.71	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total Assets</b>		\$2,294,808.90	\$619,841.15	\$1,060,231.35	\$724,297.99	(\$326,322.30)	\$216,760.71	\$0.00
<b>Liabilities</b>								
Accounts Payable (Current Liabilities)	9500	\$468,743.65	\$231,712.67	\$597,172.40	\$136,614.39	(\$44,549.02)	(\$452,206.79)	\$0.00
Due to Grantor Governments	9590	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Due to Other Funds	9610	\$384,047.56	\$0.00	\$384,047.56	\$0.00	\$0.00	\$0.00	\$0.00
Deferred Revenue	9650	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total Liabilities</b>		\$852,791.21	\$231,712.67	\$981,219.96	\$136,614.39	(\$44,549.02)	(\$452,206.79)	\$0.00
<b>Ending Cash Balance</b>			\$581,132.38	(\$348,719.59)	\$1,911,221.17	\$604,453.85	\$251,109.29	\$1,088,444.23
Blue - projected								
Black - actuals								

General Fund/County School Service Fund  
Cashflow  
Fiscal Year: 2011/12

Jan	Feb	Mar	Apr	May	Jun	YTD Actuals Plus Projected Cash	Accruals	Totals	Variance
Projected	Projected	Projected	Projected	Projected	Projected				
\$1,088,444.23	\$1,686,136.56	\$784,123.55	(\$574,509.17)	\$1,405,800.60	\$378,005.86				
\$1,493,397.52	\$13,450.19	\$0.00	\$2,951,526.52	\$152,034.05	\$217,246.25	\$9,001,028.46	\$1,662,230.05	\$10,663,258.51	\$0.00
\$42,396.60	\$310,458.44	\$48,162.66	\$65,347.77	\$69,530.59	\$155,106.20	\$1,265,653.15	\$182,250.85	\$1,447,904.00	\$0.00
\$446,300.19	\$67,060.41	\$67,481.84	\$266,142.13	\$105,532.25	\$34,013.83	\$2,082,725.79	\$455,970.21	\$2,538,696.00	\$0.00
\$953.29	\$202,602.46	\$21,307.29	\$192,566.82	\$167,777.92	\$26,800.00	\$1,023,128.16	\$6,170.84	\$1,029,300.00	\$0.00
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$200,000.00	\$200,000.00	\$0.00	\$200,000.00	\$0.00
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,000,000.00	\$0.00	\$2,000,000.00	\$0.00
\$1,983,047.60	\$593,571.50	\$136,951.79	\$3,475,603.24	\$494,874.81	\$633,166.28	\$15,572,536.56	\$2,306,621.95	\$17,879,158.51	\$0.00
\$716,846.18	\$716,846.18	\$716,846.18	\$716,846.18	\$716,846.18	\$141,140.66	\$7,430,551.26	\$5,989.74	\$7,436,541.00	\$0.00
\$230,686.86	\$205,986.14	\$205,986.14	\$205,986.14	\$225,732.48	\$28,873.21	\$2,452,823.36	\$1,319.53	\$2,454,142.89	\$0.00
\$287,399.41	\$278,023.40	\$278,023.40	\$278,023.40	\$287,399.41	\$139,013.29	\$3,277,249.32	\$2,324.13	\$3,279,573.45	\$0.00
\$2,037.31	\$2,037.31	\$2,037.31	\$1,746.27	\$0.00	\$0.00	\$640,464.67	\$2,037.33	\$642,502.00	\$0.00
\$148,375.51	\$202,638.55	\$202,638.55	\$202,638.55	\$202,638.55	\$148,375.51	\$1,746,232.78	\$404,429.22	\$2,150,662.00	\$0.00
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
\$0.00	\$90,052.93	\$90,052.93	\$90,052.93	\$90,052.93	\$90,052.93	\$574,077.59	(\$1.59)	\$574,076.00	\$0.00
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$116,719.00	\$116,719.00	\$0.00	\$116,719.00	\$0.00
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
\$1,385,355.27	\$1,495,584.51	\$1,495,584.51	\$1,495,293.47	\$1,522,669.55	\$864,174.60	\$17,483,261.74	\$416,098.36	\$17,899,360.10	\$0.00
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,270,773.19	\$0.00	\$2,270,773.19	\$0.00
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$24,035.71	\$0.00	\$24,035.71	\$0.00
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,294,808.90	\$0.00	\$2,294,808.90	\$0.00
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$468,743.65	\$0.00	\$468,743.65	\$0.00
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$384,047.56	\$0.00	\$384,047.56	\$0.00
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$852,791.21	\$0.00	\$852,791.21	\$0.00
\$1,686,136.56	\$784,123.55	(\$574,509.17)	\$1,405,800.60	\$378,005.86	\$146,997.54				

**SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**

**GOVERNING BOARD**

**SUBJECT:** Revenue and Expenditure Report from July 1, 2011  
through October 31, 2011

**MEETING:** November 16, 2011

**AGENDA SECTION:**

☐ **ACTION**

☒ **INFORMATION**

☐ **ACTION/CONSENT**

---

Board Goals:

- \_\_\_\_\_ Improve/Sustain Student Achievement through STAR Test and Other Assessment Measures
- \_\_\_\_\_ Improve School Climate and Student Discipline in Support of Teaching, Learning and Student Safety
- X   \_\_\_\_\_ Develop/Sustain Fiscal Crisis Long-Term Solution
- \_\_\_\_\_ Ensure Board and Administrator Participation in CSBA's Masters in Governance and Other Trainings
- \_\_\_\_\_ Ensure that Facilities are Safe for Staff and Students
- \_\_\_\_\_ Ensure compliance with Education/Other Codes/Updating Board Policies and Administrative Regulations

Summary:

Attached is the revenue and expenditure report information from July 1, 2011 through October 31, 2011

Recommendation:


Fiscal Impact:

None

Submitted By:

Linda Grundhoffer  
CBO

Approved:

  
John Bernard Ed.D.  
State Administrator



# Board Report

From 7/1/2011 thru 10/31/2011

: 01 General Fund

	Approved	Working	Expended		Encumbered	Unencumbered
			Current	Year To Date		Balance %
**** Total Adjusted Beginning Balance	\$1,039,406.19	\$1,630,821.09	\$1,630,821.09	\$1,630,821.09	\$0.00	\$0.00 0.00
1100 Revenue Limit State Aid - Current Year	\$6,059,759.00	\$6,093,770.00	\$1,601,783.00	\$1,601,783.00	\$0.00	\$4,491,987.00 73.71
1900 Revenue Limit State Aid - Prior Years	\$0.00	\$0.00	\$252,909.96	\$252,909.96	\$0.00	(\$252,909.96) 0.00
2100 Home Owners Exemption	\$26,000.00	\$26,000.00	\$0.00	\$0.00	\$0.00	\$26,000.00 100.00
4100 Secured Tax Rolls	\$4,369,500.00	\$4,369,500.00	\$0.00	\$0.00	\$0.00	\$4,369,500.00 100.00
4200 Unsecured Roll Taxes	\$165,000.00	\$165,000.00	\$0.00	\$0.00	\$0.00	\$165,000.00 100.00
4300 Prior Years' Taxes	\$160,000.00	\$160,000.00	\$53,873.99	\$53,873.99	\$0.00	\$106,126.01 66.33
4400 Supplemental Taxes	\$25,000.00	\$25,000.00	\$5,924.84	\$5,924.84	\$0.00	\$19,075.16 76.30
4700 Community Redevelopment Funds	\$28,309.00	\$28,309.00	\$353.49	\$353.49	\$0.00	\$27,955.51 98.75
4800 Penalties and Interest from Delinquent Taxes	\$0.00	\$0.00	(\$4,642.27)	(\$4,642.27)	\$0.00	\$4,642.27 0.00
2200 PERS Reduction Transfer	\$33,116.00	\$27,694.00	\$12,992.33	\$12,992.33	\$0.00	\$14,701.67 53.09
0600 Transfers to Charter Schools In-Lieu of Property Tax	(\$220,000.00)	(\$220,000.00)	\$0.00	\$0.00	\$0.00	(\$220,000.00) 100.00
8100 Special Education - Entitlement per UDC	\$356,305.00	\$356,305.00	(\$69,452.74)	(\$69,452.74)	\$0.00	\$425,757.74 119.49
0900 All Other Federal Revenues	\$1,091,599.00	\$1,104,799.17	\$501,197.43	\$501,197.43	\$0.00	\$603,601.74 54.63
1100 Other State Apportionments - Current Year	\$593,488.00	\$609,876.00	\$143,943.93	\$143,943.93	\$0.00	\$465,932.07 76.40
5000 Mandated Cost Reimbursements	\$0.00	\$0.00	\$69,357.00	\$69,357.00	\$0.00	(\$69,357.00) 0.00
5000 State Lottery Revenue	\$211,904.00	\$211,904.00	\$6,616.96	\$6,616.96	\$0.00	\$205,287.04 96.88
0000 All Other State Revenues	\$1,722,904.00	\$1,730,794.00	\$524,575.02	\$524,575.02	\$0.00	\$1,206,218.98 69.69
2500 Comm. Redevelop. Fds Not Sub. to RL Deduct.	\$30,000.00	\$30,000.00	\$462.86	\$462.86	\$0.00	\$29,537.14 98.46
5000 Leases and Rentals	\$26,800.00	\$26,800.00	\$4,304.00	\$4,304.00	\$0.00	\$22,496.00 83.94
5000 Interest	\$4,000.00	\$4,000.00	\$1,551.10	\$1,551.10	\$0.00	\$2,448.90 61.22
7700 Interagency Services Between LEAs	\$50,000.00	\$50,000.00	\$0.00	\$0.00	\$0.00	\$50,000.00 100.00
9900 All Other Local Revenues	\$268,500.00	\$157,597.56	\$134,142.46	\$134,142.46	\$0.00	\$23,455.10 14.88
2200 Transfers of Apportionments From County Offices	\$650,000.00	\$739,924.00	\$88,306.00	\$88,306.00	\$0.00	\$651,618.00 88.07

Board Report

From 7/1/2011 thru 10/31/2011

Fund: 01 General Fund

		Approved	Working	Expended		Encumbered	Unencumbered	
				Current	Year To Date		Balance	%
1900	Other Authorized Interfund Transfers In	\$0.00	\$200,000.00	\$0.00	\$0.00	\$0.00	\$200,000.00	100.00
3100	Emergency Apportionments	\$2,000,000.00	\$2,000,000.00	\$2,000,000.00	\$2,000,000.00	\$0.00	\$0.00	0.00
8000	Contributions from Unrestricted Revenues	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
9000	Contributions/Transfers from Restricted Revenues	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
**** 8000 Totals		\$17,652,184.00	\$17,897,272.73	\$5,328,199.36	\$5,328,199.36	\$0.00	\$12,569,073.37	70.23
**** Total Income & Beginning Balance		\$18,691,590.19	\$19,528,093.82	\$6,959,020.45	\$6,959,020.45	\$0.00	\$12,569,073.37	64.36
0000	Teachers' Salaries	\$5,770,366.00	\$5,884,126.00	\$1,793,202.36	\$1,793,202.36	\$0.00	\$4,090,923.64	69.52
0001	Substitute Teachers	\$173,850.00	\$173,850.00	\$43,542.59	\$43,542.59	\$0.00	\$130,307.41	74.95
0002	Teachers Salaries - Hourly	\$14,120.00	\$26,059.00	\$11,730.00	\$11,730.00	\$0.00	\$14,329.00	54.99
0003	Teachers Salaries - Stipends	\$14,000.00	\$14,000.00	\$0.00	\$0.00	\$0.00	\$14,000.00	100.00
0004	Certificated Pupil Support Salaries	\$195,612.00	\$203,604.00	\$61,000.80	\$61,000.80	\$0.00	\$142,603.20	70.04
0005	Certificated Supervisors' and Administrators' Salaries	\$1,036,755.00	\$998,592.00	\$309,896.43	\$309,896.43	\$0.00	\$688,695.57	68.97
0006	Certificated Supervisor and Administrator Salaries-Su	\$32,000.00	\$32,000.00	\$25,660.16	\$25,660.16	\$0.00	\$6,339.84	19.81
0007	Other Certificated Salaries - Other	\$90,000.00	\$90,000.00	\$0.00	\$0.00	\$0.00	\$90,000.00	100.00
0008	Other Certificated Salaries - Hourly	\$0.00	\$17,920.00	\$23,995.00	\$23,995.00	\$0.00	(\$6,075.00)	(33.90)
0009	Other Certificated Salaries - Stipend	\$16,000.00	\$16,000.00	\$2,460.00	\$2,460.00	\$0.00	\$13,540.00	84.63
**** 1000 Totals		\$7,342,703.00	\$7,456,151.00	\$2,271,487.34	\$2,271,487.34	\$0.00	\$5,184,663.66	69.54
0000	Instructional Aides' Salaries	\$296,464.30	\$331,805.00	\$107,567.11	\$107,567.11	\$0.00	\$224,237.89	67.58
0001	Instructional Aides- Substitute	\$5,000.00	\$5,000.00	\$984.15	\$984.15	\$0.00	\$4,015.85	80.32
0002	Instructional Aides Salaries - Hourly	\$5,000.00	\$5,000.00	\$199.38	\$199.38	\$0.00	\$4,800.62	96.01
0003	Classified Support Salaries	\$1,055,617.40	\$1,051,617.40	\$290,295.11	\$290,295.11	\$0.00	\$761,322.29	72.40
0004	Substitute Classified Support Salaries	\$10,000.00	\$10,000.00	\$11,285.16	\$11,285.16	\$0.00	(\$1,285.16)	(12.85)
0005	Classified Support Salaries - Hourly	\$7,000.00	\$13,000.00	\$9,178.09	\$9,178.09	\$0.00	\$3,821.91	29.40
0006	Classified Support Salaries - Overtime	\$64,500.00	\$29,500.00	\$12,678.82	\$12,678.82	\$0.00	\$16,821.18	57.02

# Board Report

From 7/1/2011 thru 10/31/2011

: 01 General Fund

	Approved	Working	Expend Current	Year To Date	Encumbered	Unencumbered Balance	%
0000 Classified Supervisors' and Administrators' Salaries	\$481,180.00	\$481,180.00	\$162,963.96	\$162,963.96	\$0.00	\$318,216.04	66.13
0000 Clerical & Office Salaries	\$446,881.19	\$453,358.19	\$134,482.23	\$134,482.23	\$0.00	\$318,875.96	70.34
0010 Substitute Clerical and Office Salaries	\$0.00	\$0.00	\$603.88	\$603.88	\$0.00	(\$603.88)	0.00
0030 Clerical and Office Salaries - Hourly	\$0.00	\$0.00	\$7,352.22	\$7,352.22	\$0.00	(\$7,352.22)	0.00
0020 Other Classified Salaries - Other	\$82,500.00	\$82,500.00	\$0.00	\$0.00	\$0.00	\$82,500.00	100.00
**** 2000 Totals	\$2,454,142.89	\$2,462,960.59	\$737,590.11	\$737,590.11	\$0.00	\$1,725,370.48	70.05
0100 State Teachers' Retirement Svstem. certificated	\$562,905.00	\$581,940.00	\$177,005.14	\$177,005.14	\$0.00	\$404,934.86	69.58
0200 Public Employees' Retirement Svstem. classified	\$249,062.45	\$249,670.45	\$75,665.08	\$75,665.08	\$0.00	\$174,005.37	69.69
0100 Social Security/Medicare/Alternative. certificated	\$103,180.00	\$106,505.00	\$31,093.95	\$31,093.95	\$0.00	\$75,411.05	70.81
0200 Social Security/Medicare/Alternative. classified	\$185,376.00	\$185,872.00	\$53,675.05	\$53,675.05	\$0.00	\$132,196.95	71.12
0100 Health & Welfare Benefits. certificated	\$913,372.00	\$933,464.00	\$384,035.50	\$384,035.50	\$0.00	\$549,428.50	58.86
0200 Health & Welfare Benefits. classified	\$559,142.00	\$558,533.00	\$161,363.13	\$161,363.13	\$0.00	\$397,169.87	71.11
0100 State Unemployment Insurance. certificated	\$114,225.00	\$116,569.00	\$35,865.74	\$35,865.74	\$0.00	\$80,703.26	69.23
0200 State Unemployment Insurance. classified	\$40,675.00	\$40,780.00	\$11,512.80	\$11,512.80	\$0.00	\$29,267.20	71.77
0100 Worker's Compensation Insurance. certificated	\$174,179.00	\$179,425.00	\$54,442.86	\$54,442.86	\$0.00	\$124,982.14	69.66
0200 Worker's Compensation Insurance. classified	\$60,662.00	\$60,821.00	\$17,454.86	\$17,454.86	\$0.00	\$43,366.14	71.30
0100 Retiree Benefits. certificated	\$135,000.00	\$83,965.00	\$36,157.44	\$36,157.44	\$0.00	\$47,807.56	56.94
0200 Retiree Benefits. classified	\$45,000.00	\$32,028.00	\$2,621.24	\$2,621.24	\$0.00	\$29,406.76	91.82
0200 PERS Reduction. Classified	\$32,306.00	\$26,884.00	\$12,988.37	\$12,988.37	\$0.00	\$13,895.63	51.69
0100 Other Benefits. certificated	\$150,325.00	\$150,325.00	\$119,439.05	\$119,439.05	\$0.00	\$30,885.95	20.55
**** 3000 Totals	\$3,325,409.45	\$3,306,781.45	\$1,173,320.21	\$1,173,320.21	\$0.00	\$2,133,461.24	64.52
0000 Approved Textbooks and Core Curricula Materials	\$76,502.00	\$109,999.00	\$39,548.04	\$39,548.04	\$0.00	\$70,450.96	64.05

# Board Report

From 7/1/2011 thru 10/31/2011

11/2/2011 1:58:12PM

01 General Fund

	Approved	Working	Expend Current	Year To Date	Encumbered	Unencumbered Balance %
0000 Books and Reference Materials	\$17,864.00	\$158,931.62	\$31,549.00	\$31,549.00	\$570.48	\$126,812.14 79.79
0000 Materials and Supplies	\$430,636.00	\$593,885.58	\$141,246.35	\$141,246.35	\$84,610.40	\$368,028.83 61.97
0010 Materials and Supplies - Gasoline/Fuel	\$90,000.00	\$93,350.00	\$26,228.53	\$26,228.53	\$67,027.26	\$94.21 0.10
0011 Materials and Supplies - Tires	\$12,000.00	\$12,000.00	\$255.60	\$255.60	\$4,744.40	\$7,000.00 58.33
0000 Noncapitalized Equipment	\$15,500.00	\$19,037.00	\$8,963.44	\$8,963.44	\$5,458.71	\$4,614.85 24.24
**** 4000 Totals	\$642,502.00	\$987,203.20	\$247,790.96	\$247,790.96	\$162,411.25	\$577,000.99 58.45
0000 Contracted Services	\$195,000.00	\$199,685.00	\$32,446.25	\$32,446.25	\$167,238.75	\$0.00 0.00
0000 Travel and Conferences	\$65,206.00	\$72,459.00	\$18,418.27	\$18,418.27	\$6,440.00	\$47,600.73 65.69
0000 Dues and Memberships	\$23,820.00	\$26,421.00	\$14,448.53	\$14,448.53	\$4,814.00	\$7,158.47 27.09
0000 Insurance	\$10,725.00	\$10,725.00	\$0.00	\$0.00	\$0.00	\$10,725.00 100.00
0000 Other Insurance	\$130,000.00	\$130,000.00	\$129,786.00	\$129,786.00	\$0.00	\$214.00 0.16
0010 Gas	\$56,700.00	\$48,700.00	\$2,991.56	\$2,991.56	\$42,608.44	\$3,100.00 6.37
0020 Electricity	\$262,300.00	\$267,855.00	\$99,594.83	\$99,594.83	\$165,405.17	\$2,855.00 1.07
0030 Water	\$13,200.00	\$15,800.00	\$3,333.12	\$3,333.12	\$11,316.88	\$1,150.00 7.28
0040 Sewer	\$17,800.00	\$18,500.00	\$2,589.23	\$2,589.23	\$4,410.77	\$11,500.00 62.16
0050 Garbage	\$72,000.00	\$70,400.00	\$21,269.84	\$21,269.84	\$43,193.36	\$5,936.80 8.43
0070 Pest Control	\$800.00	\$800.00	\$0.00	\$0.00	\$0.00	\$800.00 100.00
0010 Maintenance Agreements	\$20,757.00	\$22,461.00	\$7,602.48	\$7,602.48	\$7,581.60	\$7,276.92 32.40
0020 Repairs	\$67,000.00	\$66,117.00	\$30,120.86	\$30,120.86	\$13,481.27	\$22,514.87 34.05
0030 Leases and Rentals	\$62,994.00	\$63,810.00	\$7,847.23	\$7,847.23	\$27,170.77	\$28,792.00 45.12
0030 Direct Costs for Transfer of Services - Field Trips	\$0.00	\$0.00	\$0.00	\$0.00	\$1,830.96	(\$1,830.96) 0.00
0035 Direct Costs for Transfer of Services - Motor Pool	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00 0.00
0000 Professional/Consulting Services and Operating Expe	\$649,595.00	\$951,359.56	\$200,843.09	\$200,843.09	\$449,120.73	\$301,395.74 31.68
0010 Prof. Services & Operating Expenses- Legal	\$55,000.00	\$51,000.00	\$7,904.64	\$7,904.64	\$47,093.36	(\$3,998.00) (7.84)

# Board Report

From 7/1/2011 thru 10/31/2011

11/2/2011 1:58:12PM

Item: 01 General Fund

	Approved	Working	Expended		Encumbered	Unencumbered
			Current	Year To Date	Balance	%
00020 Prof. Services & Operating Expenses - Transportatio	\$7,120.00	\$500.00	\$0.00	\$0.00	\$500.00	100.00
00040 Prof. Services & Operating Expenses - Advertising	\$0.00	\$93.00	\$77.50	\$77.50	\$0.00	16.67
00050 Prof Services & Operating Expenses-Software Licens	\$396,385.00	\$304,258.31	\$10,792.40	\$10,792.40	\$13,745.00	91.94
00060 Prof Services and Operating Expenses - Fingerprint/	\$3,000.00	\$3,000.00	\$1,009.00	\$1,009.00	\$47.00	64.80
00010 Communications - Telephone	\$1,200.00	\$1,200.00	\$1,074.24	\$1,074.24	\$0.00	10.48
00030 Communications - Postage	\$28,250.00	\$29,834.00	\$18,309.94	\$18,309.94	\$3,728.91	26.13
00040 Communications - Cellular Phones	\$11,810.00	\$14,235.00	\$3,932.34	\$3,932.34	\$2,402.38	55.50
**** 5000 Totals	\$2,150,662.00	\$2,369,212.87	\$614,391.35	\$614,391.35	\$1,011,629.35	31.37
**** 1000 - 5000	\$15,915,419.34	\$16,582,309.11	\$5,044,579.97	\$5,044,579.97	\$1,174,040.60	62.50
3000 State Special Schools	\$12,420.00	\$12,420.00	\$0.00	\$0.00	\$0.00	100.00
4200 Other Tuition. Excess Costs. and/or Deficits Payment	\$533,656.00	\$533,656.00	\$123,812.94	\$123,812.94	\$0.00	76.80
8200 All Other Transfers to County Offices	\$28,000.00	\$28,000.00	\$0.00	\$0.00	\$0.00	100.00
1000 Transfers of Indirect Costs	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
5000 Transfers of Indirect Costs-Interfund	(\$44,613.00)	\$0.00	\$0.00	\$0.00	\$0.00	0.00
3800 Debt Service Interest	\$927,843.76	\$975,144.00	\$674,107.82	\$674,107.82	\$0.00	30.87
3900 Other Debt Service Payments	\$277,000.00	\$277,000.00	\$270,000.00	\$270,000.00	\$0.00	2.53
1600 From General Fund to Cafeteria Fund	\$116,719.00	\$116,719.00	\$0.00	\$0.00	\$0.00	100.00
**** 7000 Totals	\$1,851,025.76	\$1,942,939.00	\$1,067,920.76	\$1,067,920.76	\$0.00	45.04
**** 1000 - 7000	\$17,766,445.10	\$18,525,248.11	\$6,112,500.73	\$6,112,500.73	\$1,174,040.60	60.67

# Board Report

From 7/1/2011 thru 10/31/2011

01 General Fund

	Approved	Working	Expended		Encumbered	Unencumbered	
			Current	Year To Date		Balance	\$
Total: Beginning Balance	\$1,039,406.19	\$1,630,821.09	\$1,630,821.09	\$1,630,821.09	\$0.00	\$0.00	0.00
Total: Income Current Year	\$17,652,184.00	\$17,897,272.73	\$5,328,199.36	\$5,328,199.36	\$0.00	\$12,569,073.37	70.23
Total: 1000 - 5000	\$15,915,419.34	\$16,582,309.11	\$5,044,579.97	\$5,044,579.97	\$1,174,040.60	\$10,363,688.54	62.50
Total: 1000 - 6000	\$15,915,419.34	\$16,582,309.11	\$5,044,579.97	\$5,044,579.97	\$1,174,040.60	\$10,363,688.54	62.50
Total: 1000 - 7000	\$17,766,445.10	\$18,525,248.11	\$6,112,500.73	\$6,112,500.73	\$1,174,040.60	\$11,238,706.78	60.67
Total: 9710 - 9719	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: 9770 - 9780	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: Estimated Fund Balance (9790)	\$925,145.09	\$1,002,845.71	\$846,519.72	\$846,519.72	(\$1,174,040.60)	\$1,330,366.59	132.66
Total: Income & Beginning Balance	\$18,691,590.19	\$19,528,093.82	\$6,959,020.45	\$6,959,020.45	\$0.00	\$12,569,073.37	64.36
Total Expenditures & Ending Balance	\$18,691,590.19	\$19,528,093.82	\$6,959,020.45	\$6,959,020.45	\$0.00	\$12,569,073.37	64.36

# Board Report

From 7/1/2011 thru 10/31/2011

11/2/2011 1:58:12PM

it: 09 Charter Schools Fund

	Approved	Working	Expend Current	Year To Date	Encumbered	Unencumbered Balance	%
**** Total Adjusted Beginning Balance	\$137,733.00	\$234,988.51	\$234,988.51	\$234,988.51	\$0.00	\$0.00	0.00
1500 Charter Schools Gen Purpose Entitlement-State Aid	\$327,000.00	\$370,998.00	\$87,034.00	\$87,034.00	\$0.00	\$283,964.00	76.54
1900 Revenue Limit State Aid - Prior Years	\$0.00	\$0.00	\$39,738.91	\$39,738.91	\$0.00	(\$39,738.91)	0.00
1960 Transfers to Charter Schools In-Lieu of Property Tax	\$150,000.00	\$150,000.00	\$0.00	\$0.00	\$0.00	\$150,000.00	100.00
19000 All Other State Revenues	\$30,500.00	\$36,086.00	\$8,466.00	\$8,466.00	\$0.00	\$27,620.00	76.54
16000 Interest	\$100.00	\$100.00	(\$14.66)	(\$14.66)	\$0.00	\$114.66	114.66
1800 Contributions from Unrestricted Revenues	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
**** 8000 Totals	\$507,600.00	\$557,184.00	\$135,224.25	\$135,224.25	\$0.00	\$421,959.75	75.73
**** Total Income & Beginning Balance	\$645,333.00	\$792,172.51	\$370,212.76	\$370,212.76	\$0.00	\$421,959.75	53.27
00000 Teachers' Salaries	\$57,608.00	\$62,105.00	\$29,500.40	\$29,500.40	\$0.00	\$32,604.60	52.50
00010 Substitute Teachers	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
00030 Teachers Salaries - Hourly	\$155,000.00	\$155,000.00	\$14,640.00	\$14,640.00	\$0.00	\$140,360.00	90.55
00000 Certificated Supervisors' and Administrators' Salaries	\$46,856.00	\$84,554.00	\$28,184.52	\$28,184.52	\$0.00	\$56,369.48	66.67
**** 1000 Totals	\$259,464.00	\$301,659.00	\$72,324.92	\$72,324.92	\$0.00	\$229,334.08	76.02
00000 Clerical & Office Salaries	\$35,038.00	\$35,038.00	\$10,780.70	\$10,780.70	\$0.00	\$24,257.30	69.23
**** 2000 Totals	\$35,038.00	\$35,038.00	\$10,780.70	\$10,780.70	\$0.00	\$24,257.30	69.23
01000 State Teachers' Retirement System. certificated	\$21,191.00	\$21,191.00	\$4,387.45	\$4,387.45	\$0.00	\$16,803.55	79.30
02000 Public Employees' Retirement System. classified	\$3,755.00	\$3,755.00	\$1,177.58	\$1,177.58	\$0.00	\$2,577.42	68.64
01000 Social Security/Medicare/Alternative. certificated	\$31,124.00	\$31,124.00	\$833.23	\$833.23	\$0.00	\$30,290.77	97.32
02000 Social Security/Medicare/Alternative. classified	\$2,680.00	\$2,680.00	\$824.75	\$824.75	\$0.00	\$1,855.25	69.23
01000 Health & Welfare Benefits. certificated	\$16,230.00	\$16,230.00	\$5,394.32	\$5,394.32	\$0.00	\$10,835.68	66.76

# Board Report

From 7/1/2011 thru 10/31/2011

: 09 Charter Schools Fund

	Approved	Working	Expend Current	Year To Date	Encumbered	Unencumbered Balance
0200 Health & Welfare Benefits. classified	\$10,820.00	\$10,820.00	\$3,116.31	\$3,116.31	\$0.00	\$7,703.69
0100 State Unemployment Insurance. certified	\$4,135.00	\$4,135.00	\$1,151.04	\$1,151.04	\$0.00	\$2,983.96
0200 State Unemployment Insurance. classified	\$564.00	\$564.00	\$173.56	\$173.56	\$0.00	\$390.44
0100 Worker's Compensation Insurance. certified	\$6,284.00	\$6,284.00	\$1,749.02	\$1,749.02	\$0.00	\$4,534.98
0200 Worker's Compensation Insurance. classified	\$857.00	\$857.00	\$263.76	\$263.76	\$0.00	\$593.24
0200 PERS Reduction. Classified	\$810.00	\$810.00	\$0.00	\$0.00	\$0.00	\$810.00
**** 3000 Totals	\$98,450.00	\$98,450.00	\$19,071.02	\$19,071.02	\$0.00	\$79,378.98
0000 Approved Textbooks and Core Curricula Materials	\$6,000.00	\$6,000.00	\$0.00	\$0.00	\$0.00	\$6,000.00
0000 Books and Reference Materials	\$1,500.00	\$173.00	\$0.00	\$0.00	\$0.00	\$173.00
0000 Materials and Supplies	\$2,500.00	\$3,571.00	\$1,384.54	\$1,384.54	\$116.68	\$2,069.78
**** 4000 Totals	\$10,000.00	\$9,744.00	\$1,384.54	\$1,384.54	\$116.68	\$8,242.78
0000 Travel and Conferences	\$5,500.00	\$2,872.00	\$0.00	\$0.00	\$0.00	\$2,872.00
0000 Dues and Memberships	\$150.00	\$150.00	\$0.00	\$0.00	\$0.00	\$150.00
0010 Maintenance Agreements	\$1,500.00	\$1,935.00	\$1,531.26	\$1,531.26	\$0.00	\$403.74
0030 Leases and Rentals	\$2,750.00	\$4,693.00	\$972.58	\$972.58	\$3,170.42	\$550.00
0000 Professional/Consulting Services and Operating Expe	\$1,000.00	\$1,506.00	\$925.46	\$925.46	\$0.00	\$580.54
**** 5000 Totals	\$10,900.00	\$11,156.00	\$3,429.30	\$3,429.30	\$3,170.42	\$4,556.28
**** 1000 - 5000	\$413,852.00	\$456,047.00	\$106,990.48	\$106,990.48	\$3,287.10	\$345,769.42
5000 Transfers of Indirect Costs-Interfund	\$44,613.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
900 Other Authorized Interfund Transfers Out	\$0.00	\$200,000.00	\$0.00	\$0.00	\$0.00	\$200,000.00
**** 7000 Totals	\$44,613.00	\$200,000.00	\$0.00	\$0.00	\$0.00	\$200,000.00
**** 1000 - 7000	\$458,465.00	\$656,047.00	\$106,990.48	\$106,990.48	\$3,287.10	\$545,769.42



# Board Report

From 7/1/2011 thru 10/31/2011

11/2/2011 1:58:12PM

: 09 Charter Schools Fund

	Approved	Working	Current	Expend Year To Date	Encumbered	Unencumbered Balance	%
Total: Beginning Balance	\$137,733.00	\$234,988.51	\$234,988.51	\$234,988.51	\$0.00	\$0.00	0.00
Total: Income Current Year	\$507,600.00	\$557,184.00	\$135,224.25	\$135,224.25	\$0.00	\$421,959.75	75.73
Total: 1000 - 5000	\$413,852.00	\$456,047.00	\$106,990.48	\$106,990.48	\$3,287.10	\$345,769.42	75.82
Total: 1000 - 6000	\$413,852.00	\$456,047.00	\$106,990.48	\$106,990.48	\$3,287.10	\$345,769.42	75.82
Total: 1000 - 7000	\$458,465.00	\$656,047.00	\$106,990.48	\$106,990.48	\$3,287.10	\$545,769.42	83.19
Total: 9710 - 9719	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: 9770 - 9780	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: Estimated Fund Balance (9790)	\$186,868.00	\$136,125.51	\$263,222.28	\$263,222.28	(\$3,287.10)	(\$123,809.67)	(90.95)
Total Income & Beginning Balance	\$645,333.00	\$792,172.51	\$370,212.76	\$370,212.76	\$0.00	\$421,959.75	53.27
Total Expenditures & Ending Balance	\$645,333.00	\$792,172.51	\$370,212.76	\$370,212.76	\$0.00	\$421,959.75	53.27

# Board Report

From 7/1/2011 thru 10/31/2011

11 Adult Education Fund

	Approved	Working	Expended		Encumbered	Unencumbered	
			Current	Year To Date		Balance	%
**** Total Adjusted Beginning Balance	\$4,522.41	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
	\$4,522.41	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00

Board Report

From 7/1/2011 thru 10/31/2011

11 Adult Education Fund

	Approved	Working	Expended		Encumbered	Unencumbered
			Current	Year To Date		Balance %
Total: Beginning Balance	\$4,522.41	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: Income Current Year	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: 1000 - 5000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: 1000 - 6000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: 1000 - 7000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: 9710 - 9719	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: 9770 - 9780	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: Estimated Fund Balance (9790)	\$4,522.41	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total Income & Beginning Balance	\$4,522.41	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total Expenditures & Ending Balance	\$4,522.41	\$0.00	\$0.00	\$0.00	\$0.00	0.00

# Board Report

From 7/1/2011 thru 10/31/2011

id: 13 Cafeteria Fund

	Approved	Working	Current	Expend Year To Date	Encumbered	Unencumbered Balance
**** Total Adjusted Beginning Balance	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2000 Child Nutrition Programs	\$216,000.00	\$216,000.00	\$73,100.55	\$73,100.55	\$0.00	\$142,899.45
2000 Child Nutrition	\$20,000.00	\$20,000.00	\$6,288.47	\$6,288.47	\$0.00	\$13,711.53
3400 Food Services Sales	\$74,000.00	\$74,000.00	\$20,000.80	\$20,000.80	\$0.00	\$53,999.20
6000 Interest	\$0.00	\$0.00	(\$410.16)	(\$410.16)	\$0.00	\$410.16
1600 To Cafeteria Fund. From General Fund	\$116,719.00	\$116,719.00	\$0.00	\$0.00	\$0.00	\$116,719.00
11600 **** 8000 Totals	\$426,719.00	\$426,719.00	\$98,979.66	\$98,979.66	\$0.00	\$327,739.34
11600 **** Total Income & Beginning Balance	\$426,719.00	\$426,719.00	\$98,979.66	\$98,979.66	\$0.00	\$327,739.34
00000 Classified Support Salaries	\$98,000.00	\$98,000.00	\$23,762.32	\$23,762.32	\$0.00	\$74,237.68
00000 Classified Supervisors' and Administrators' Salaries	\$45,886.00	\$45,886.00	\$15,289.56	\$15,289.56	\$0.00	\$30,596.44
**** 2000 Totals	\$143,886.00	\$143,886.00	\$39,051.88	\$39,051.88	\$0.00	\$104,834.12
02200 Public Employees' Retirement System. classified	\$6,968.00	\$6,968.00	\$2,363.30	\$2,363.30	\$0.00	\$4,604.70
02200 Social Security/Medicare/Alternative. classified	\$23,685.00	\$23,685.00	\$2,986.98	\$2,986.98	\$0.00	\$20,698.02
02200 Health & Welfare Benefits. classified	\$10,819.00	\$10,819.00	\$2,704.83	\$2,704.83	\$0.00	\$8,114.17
02200 State Unemployment Insurance. classified	\$2,127.00	\$2,127.00	\$628.61	\$628.61	\$0.00	\$1,498.39
02200 Worker's Compensation Insurance. classified	\$3,236.00	\$3,236.00	\$955.24	\$955.24	\$0.00	\$2,280.76
02200 PERS Reduction. Classified	\$0.00	\$0.00	\$3.96	\$3.96	\$0.00	(\$3.96)
**** 3000 Totals	\$46,835.00	\$46,835.00	\$9,642.92	\$9,642.92	\$0.00	\$37,192.08
00000 Materials and Supplies	\$10,000.00	\$10,000.00	\$706.03	\$706.03	\$793.97	\$8,500.00
00000 Noncapitalized Equipment	\$4,500.00	\$4,500.00	\$0.00	\$0.00	\$0.00	\$4,500.00
00000 Food	\$200,000.00	\$200,000.00	\$135,450.99	\$135,450.99	\$26,417.69	\$38,131.32
						19.07

# Board Report

From 7/1/2011 thru 10/31/2011

11/2/2011 1:58:12PM

: 13 Cafeteria Fund

	Approved	Working	Expend Current	Year To Date	Encumbered	Unencumbered Balance %
**** 4000 Totals	\$214,500.00	\$214,500.00	\$136,157.02	\$136,157.02	\$27,211.66	\$51,131.32 23.84
0000 Travel and Conferences	\$1,500.00	\$1,500.00	\$344.10	\$344.10	\$0.00	\$1,155.90 77.06
0000 Rentals. Leases and Repairs	\$13,485.00	\$13,485.00	\$156.75	\$156.75	\$0.00	\$13,328.25 98.84
0000 Professional/Consulting Services and Operating Expe	\$5,115.00	\$5,115.00	\$1,826.09	\$1,826.09	\$654.80	\$2,634.11 51.50
**** 5000 Totals	\$20,100.00	\$20,100.00	\$2,326.94	\$2,326.94	\$654.80	\$17,118.26 85.17
**** 1000 - 5000	\$425,321.00	\$425,321.00	\$187,178.76	\$187,178.76	\$27,866.46	\$210,275.78 49.44

# Board Report

From 7/1/2011 thru 10/31/2011

13 Cafeteria Fund

	Approved	Working	Expended		Encumbered	Unencumbered
			Current	Year To Date		Balance
Total: Beginning Balance	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total: Income Current Year	\$426,719.00	\$426,719.00	\$98,979.66	\$98,979.66	\$0.00	\$327,739.34
Total: 1000 - 5000	\$425,321.00	\$425,321.00	\$187,178.76	\$187,178.76	\$0.00	\$210,275.78
Total: 1000 - 6000	\$425,321.00	\$425,321.00	\$187,178.76	\$187,178.76	\$27,866.46	\$49.44
Total: 1000 - 7000	\$425,321.00	\$425,321.00	\$187,178.76	\$187,178.76	\$27,866.46	\$49.44
Total: 9710 - 9719	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total: 9770 - 9780	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total: Estimated Fund Balance (9790)	\$1,398.00	\$1,398.00	(\$88,199.10)	(\$88,199.10)	(\$27,866.46)	\$117,463.56
Total: Income & Beginning Balance	\$426,719.00	\$426,719.00	\$98,979.66	\$98,979.66	\$0.00	\$327,739.34
Total Expenditures & Ending Balance	\$426,719.00	\$426,719.00	\$98,979.66	\$98,979.66	\$0.00	\$327,739.34
						\$76.80
						\$76.80

## Board Report

From 7/1/2011 thru 10/31/2011

114 Deferred Maintenance Fund

	Approved	Working	Expend Current	Year To Date	Encumbered	Unencumbered Balance	%
**** Total Adjusted Beginning Balance	\$0.00	\$7,095.67	\$7,095.67	\$7,095.67	\$0.00	\$0.00	0.00
5000 Interest	\$0.00	\$0.00	\$7.89	\$7.89	\$0.00	(\$7.89)	0.00
**** 8000 Totals	\$0.00	\$0.00	\$7.89	\$7.89	\$0.00	(\$7.89)	0.00
**** Total Income & Beginning Balance	\$0.00	\$7,095.67	\$7,103.56	\$7,103.56	\$0.00	(\$7.89)	(0.11)
0020 Repairs	\$0.00	\$5,000.00	\$0.00	\$0.00	\$5,000.00	\$0.00	0.00
1 **** 5000 Totals	\$0.00	\$5,000.00	\$0.00	\$0.00	\$5,000.00	\$0.00	0.00
119 **** 1000 - 5000	\$0.00	\$2,000.00	\$2,000.00	\$2,000.00	\$0.00	\$0.00	0.00
1900 Other Debt Service Payments	\$0.00	\$2,000.00	\$2,000.00	\$2,000.00	\$0.00	\$0.00	0.00
**** 7000 Totals	\$0.00	\$2,000.00	\$2,000.00	\$2,000.00	\$0.00	\$0.00	0.00
**** 1000 - 7000	\$0.00	\$7,000.00	\$2,000.00	\$2,000.00	\$5,000.00	\$0.00	0.00

Board Report

From 7/1/2011 thru 10/31/2011

: 14 Deferred Maintenance Fund

	Approved	Working	Current	Expended Year To Date	Encumbered	Unencumbered Balance %
Total: Beginning Balance	\$0.00	\$7,095.67	\$7,095.67	\$7,095.67	\$0.00	0.00
Total: Income Current Year	\$0.00	\$0.00	\$7.89	\$7.89	\$0.00	0.00
Total: 1000 - 5000	\$0.00	\$5,000.00	\$0.00	\$0.00	\$0.00	0.00
Total: 1000 - 6000	\$0.00	\$5,000.00	\$0.00	\$0.00	\$5,000.00	0.00
Total: 1000 - 7000	\$0.00	\$7,000.00	\$2,000.00	\$2,000.00	\$5,000.00	0.00
Total: 9710 - 9719	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: 9770 - 9780	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: Estimated Fund Balance (9790)	\$0.00	\$95.67	\$5,103.56	\$5,103.56	(\$7.89)	(9.01)
Total Income & Beginning Balance	\$0.00	\$7,095.67	\$7,103.56	\$7,103.56	\$0.00	(0.11)
Total Expenditures & Ending Balance	\$0.00	\$7,095.67	\$7,103.56	\$7,103.56	\$0.00	(0.11)



# Board Report

From 7/1/2011 thru 10/31/2011

11/2/2011 1:58:12PM

17 Special Reserve Fund for Other than

	Approved	Working	Expend Current	Year To Date	Encumbered	Unencumbered Balance	%
**** Total Adjusted Beginning Balance	\$2,316,265.00	\$6,397,639.41	\$6,397,639.41	\$6,397,639.41	\$0.00	\$0.00	0.00
6000 Interest	\$0.00	\$0.00	\$55.05	\$55.05	\$0.00	(\$55.05)	0.00
**** 8000 Totals	\$0.00	\$0.00	\$55.05	\$55.05	\$0.00	(\$55.05)	0.00
**** Total Income & Beginning Balance	\$2,316,265.00	\$6,397,639.41	\$6,397,694.46	\$6,397,694.46	\$0.00	(\$55.05)	0.00

# Board Report

From 7/1/2011 thru 10/31/2011

id: 17 Special Reserve Fund for Other than

	Approved	Working	Current	Expend Year To Date	Encumbered	Unencumbered Balance	%
Total: Beginning Balance	\$2,316,265.00	\$6,397,639.41	\$6,397,639.41	\$6,397,639.41	\$0.00	\$0.00	0.00
Total: Income Current Year	\$0.00	\$0.00	\$55.05	\$55.05	\$0.00	(\$55.05)	0.00
Total: 1000 - 5000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: 1000 - 6000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: 1000 - 7000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: 9710 - 9719	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: 9770 - 9780	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: Estimated Fund Balance (9790)	\$2,316,265.00	\$6,397,639.41	\$6,397,694.46	\$6,397,694.46	\$0.00	(\$55.05)	0.00
122							
Total Income & Beginning Balance	\$2,316,265.00	\$6,397,639.41	\$6,397,694.46	\$6,397,694.46	\$0.00	(\$55.05)	0.00
Total Expenditures & Ending Balance	\$2,316,265.00	\$6,397,639.41	\$6,397,694.46	\$6,397,694.46	\$0.00	(\$55.05)	0.00

# Board Report

From 7/1/2011 thru 10/31/2011

11/2/2011 1:58:12PM

ad: 25 Capital Facilities Fund

	Approved	Working	Expend Current	Year To Date	Encumbered	Unencumbered Balance	%
**** Total Adjusted Beginning Balance	\$551,368.98	\$570,420.12	\$570,420.12	\$570,420.12	\$0.00	\$0.00	0.00
6000 Interest	\$2,500.00	\$2,500.00	\$647.21	\$647.21	\$0.00	\$1,852.79	74.11
8100 Mitigation/Developer Fees	\$5,000.00	\$5,000.00	\$2,147.15	\$2,147.15	\$0.00	\$2,852.85	57.06
**** 8000 Totals	\$7,500.00	\$7,500.00	\$2,794.36	\$2,794.36	\$0.00	\$4,705.64	62.74
**** Total Income & Beginning Balance	\$558,868.98	\$577,920.12	\$573,214.48	\$573,214.48	\$0.00	\$4,705.64	0.81
0000 Noncapitalized Equipment	\$0.00	\$2,500.00	\$2,412.60	\$2,412.60	\$0.00	\$87.40	3.50
**** 4000 Totals	\$0.00	\$2,500.00	\$2,412.60	\$2,412.60	\$0.00	\$87.40	3.50
0000 Professional/Consulting Services and Operating Expe	\$0.00	\$23,144.00	\$400.00	\$400.00	\$0.00	\$22,744.00	98.27
**** 5000 Totals	\$0.00	\$23,144.00	\$400.00	\$400.00	\$0.00	\$22,744.00	98.27
**** 1000 - 5000	\$0.00	\$25,644.00	\$2,812.60	\$2,812.60	\$0.00	\$22,831.40	89.03
0000 Equipment - Over \$5000 per unit	\$0.00	\$40,000.00	\$38,462.44	\$38,462.44	\$0.00	\$1,537.56	3.84
**** 6000 Totals	\$0.00	\$40,000.00	\$38,462.44	\$38,462.44	\$0.00	\$1,537.56	3.84
**** 1000 - 6000	\$0.00	\$65,644.00	\$41,275.04	\$41,275.04	\$0.00	\$24,368.96	37.12
3800 Debt Service Interest	\$30,447.00	\$30,447.00	\$0.00	\$0.00	\$0.00	\$30,447.00	100.00
9900 Other Debt Service Payments	\$78,226.00	\$78,226.00	\$2,000.00	\$2,000.00	\$0.00	\$76,226.00	97.44
**** 7000 Totals	\$108,673.00	\$108,673.00	\$2,000.00	\$2,000.00	\$0.00	\$106,673.00	98.16
**** 1000 - 7000	\$108,673.00	\$174,317.00	\$43,275.04	\$43,275.04	\$0.00	\$131,041.96	75.17

# Board Report

From 7/1/2011 thru 10/31/2011

: 25 Capital Facilities Fund

	Approved	Working	Current	Expended Year To Date	Encumbered	Unencumbered Balance	%
Total: Beginning Balance	\$551,368.98	\$570,420.12	\$570,420.12	\$570,420.12	\$0.00	\$0.00	0.00
Total: Income Current Year	\$7,500.00	\$7,500.00	\$2,794.36	\$2,794.36	\$0.00	\$4,705.64	62.74
Total: 1000 - 5000	\$0.00	\$25,644.00	\$2,812.60	\$2,812.60	\$0.00	\$22,831.40	89.03
Total: 1000 - 6000	\$0.00	\$65,644.00	\$41,275.04	\$41,275.04	\$0.00	\$24,368.96	37.12
Total: 1000 - 7000	\$108,673.00	\$174,317.00	\$43,275.04	\$43,275.04	\$0.00	\$131,041.96	75.17
Total: 9710 - 9719	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: 9770 - 9780	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: Estimated Fund Balance (9790)	\$450,195.98	\$403,603.12	\$529,939.44	\$529,939.44	\$0.00	(\$126,336.32)	(31.30)
Total: Income & Beginning Balance	\$558,868.98	\$577,920.12	\$573,214.48	\$573,214.48	\$0.00	\$4,705.64	0.81
Total Expenditures & Ending Balance	\$558,868.98	\$577,920.12	\$573,214.48	\$573,214.48	\$0.00	\$4,705.64	0.81

Board Report

From 7/1/2011 thru 10/31/2011

Item: 35 School Facility Program (Regular)

	Approved	Working	Expended		Encumbered	Unencumbered
			Current	Year To Date		Balance %
**** Total Adjusted Beginning Balance	\$3,354,735.95	\$3,368,521.51	\$3,368,521.51	\$3,368,521.51	\$0.00	\$0.00 0.00
6000 Interest	\$12,500.00	\$12,500.00	\$3,750.19	\$3,750.19	\$0.00	\$8,749.81 70.00
**** 8000 Totals	\$12,500.00	\$12,500.00	\$3,750.19	\$3,750.19	\$0.00	\$8,749.81 70.00
**** Total Income & Beginning Balance	\$3,367,235.95	\$3,381,021.51	\$3,372,271.70	\$3,372,271.70	\$0.00	\$8,749.81 0.26
0000 Professional/Consulting Services and Operating Expe	\$0.00	\$11,000.00	\$10,995.25	\$10,995.25	\$0.00	\$4.75 0.04
**** 5000 Totals	\$0.00	\$11,000.00	\$10,995.25	\$10,995.25	\$0.00	\$4.75 0.04
**** 1000 - 5000	\$0.00	\$11,000.00	\$10,995.25	\$10,995.25	\$0.00	\$4.75 0.04
0000 Buildings and Improvement of Buildings	\$3,300,000.00	\$3,244,788.00	\$401,938.74	\$401,938.74	\$0.00	\$2,842,849.26 87.61
0010 Buildings - Architect Fees	\$0.00	\$50,000.00	\$23,855.01	\$23,855.01	\$0.00	\$26,144.99 52.29
**** 6000 Totals	\$3,300,000.00	\$3,294,788.00	\$425,793.75	\$425,793.75	\$0.00	\$2,868,994.25 87.08
**** 1000 - 6000	\$3,300,000.00	\$3,305,788.00	\$436,789.00	\$436,789.00	\$0.00	\$2,868,999.00 86.79

# Board Report

From 7/1/2011 thru 10/31/2011

35 School Facility Program (Regular)

	Approved	Working	Current	Expend Year To Date	Encumbered	Unencumbered Balance	%
Total: Beginning Balance	\$3,354,735.95	\$3,368,521.51	\$3,368,521.51	\$3,368,521.51	\$0.00	\$0.00	0.00
Total: Income Current Year	\$12,500.00	\$12,500.00	\$3,750.19	\$3,750.19	\$0.00	\$8,749.81	70.00
Total: 1000 - 5000	\$0.00	\$11,000.00	\$10,995.25	\$10,995.25	\$0.00	\$4.75	0.04
Total: 1000 - 6000	\$3,300,000.00	\$3,305,788.00	\$436,789.00	\$436,789.00	\$0.00	\$2,868,999.00	86.79
Total: 1000 - 7000	\$3,300,000.00	\$3,305,788.00	\$436,789.00	\$436,789.00	\$0.00	\$2,868,999.00	86.79
Total: 9710 - 9719	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: 9770 - 9780	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: Estimated Fund Balance (9790)	\$67,235.95	\$75,233.51	\$2,935,482.70	\$2,935,482.70	\$0.00	(\$2,860,249.19)	1,801.86)
Total: Income & Beginning Balance	\$3,367,235.95	\$3,381,021.51	\$3,372,271.70	\$3,372,271.70	\$0.00	\$8,749.81	0.26
Total Expenditures & Ending Balance	\$3,367,235.95	\$3,381,021.51	\$3,372,271.70	\$3,372,271.70	\$0.00	\$8,749.81	0.26

# Board Report

From 7/1/2011 thru 10/31/2011

11/2/2011 1:58:12PM

: 51 Bond Interest and Redemption Fund

	Approved	Working	Expended		Encumbered	Unencumbered
			Current	Year To Date		Balance %
**** Total Adjusted Beginning Balance	\$1,303,373.00	\$1,303,373.00	\$0.00	\$0.00	\$0.00	\$1,303,373.00 100.00
	<u>\$1,303,373.00</u>	<u>\$1,303,373.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$1,303,373.00 100.00</u>

Board Report

From 7/1/2011 thru 10/31/2011

1: 51 Bond Interest and Redemption Fund

	Approved	Working	Expend Current	Year To Date	Encumbered	Unencumbered Balance	%
Total: Beginning Balance	\$1,303,373.00	\$1,303,373.00	\$0.00	\$0.00	\$0.00	\$1,303,373.00	100.00
Total: Income Current Year	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: 1000 - 5000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: 1000 - 6000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: 1000 - 7000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: 9710 - 9719	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: 9770 - 9780	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: Estimated Fund Balance (9790)	\$1,303,373.00	\$1,303,373.00	\$0.00	\$0.00	\$0.00	\$1,303,373.00	100.00
Total Income & Beginning Balance	\$1,303,373.00	\$1,303,373.00	\$0.00	\$0.00	\$0.00	\$1,303,373.00	100.00
Total Expenditures & Ending Balance	\$1,303,373.00	\$1,303,373.00	\$0.00	\$0.00	\$0.00	\$1,303,373.00	100.00



# SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

**SUBJECT:** Professional Development Plan

**MEETING:** Nov. 16, 2011

**AGENDA SECTION:**

☐ **ACTION**

☒ **INFORMATION**

☐ **ACTION/CONSENT**

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## GOVERNING BOARD

### Board Goals:

- ☒ Improve/Sustain Student Achievement through STAR Test and Other Assessment Measures
- ☐ Improve School Climate and Student Discipline in Support of Teaching, Learning and Student Safety
- ☐ Develop/Sustain Fiscal Crisis Long-Term Solution
- ☐ Ensure Board and Administrator Participation in CSBA's Masters in Governance and Other Trainings
- ☐ Ensure that Facilities are Safe for Staff and Students
- ☐ Ensure compliance with Education/Other Codes/Updating Board Policies and Administrative Regulations

### Summary:

With the help of several of our teachers and the use of student data the attached is the Professional Development Plan for the 2011-2012. As new data is reviewed and analyzed this plan will be modified, thus it will always be a work in process.

### Recommendation:

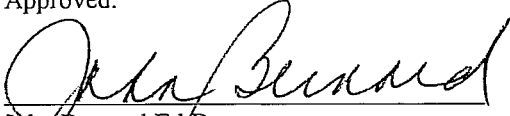
### Fiscal Impact:

Title II funds and Gear Up is funding this Professional Development Plan.

Submitted By:

Daniel R. Moirao, Ed.D.  
Assistant Superintendent Educational Services/  
Human Resources

Approved:

  
John Bernard Ed.D.  
State Administrator

**SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**

**Educational Services**

**Professional Development**

**GOAL: To increase student achievement by providing an instructional program that is equitable, rigorous and viable for all students, using a variety of learning which address the diversity of learners in South Monterey County Joint Union High School District.**

Objective	Measured Results	Action	Results	Time
Create a scope and sequence for the <ul style="list-style-type: none"> <li>English Dept.</li> <li>Math</li> <li>Science</li> <li>Social Studies</li> <li>Other departments as time permits</li> </ul>	Scope and sequence documents with benchmarks and test dates	Set meetings with GHS English Dept. Staff  Set meeting with KCHS and GHS to blend the thinking of the two schools	Scope and sequence for English; grades 9-12  Benchmark test	March 18, May 5, May 27,
A regular program of articulation among KCHS, GHS and KC Elementary and Greenfield Elementary	By the end of the school year, 2011 specific dates for articulation during the 2011-2012 school year will be determined	Set calendar date for general meeting and articulation dates	<ul style="list-style-type: none"> <li>Meeting to set dates and agenda with feeder districts</li> <li>Articulation meetings across all districts involved</li> <li>Discuss expectations of students based on scope and sequence</li> </ul>	
Three days of Constructing Meaning Training: 2 days late July, 2011 1 day to be determined	20 teachers participating in the training	Conduct the training and establish teacher leaders from the group	Teachers prepared and ready to implement	July 27, 28, 2011 Day three to be determined

Objective	Measured Results	Action	Results	Time
Attendance by a minimum of eight teachers and administrators combined in Communities at Work Institute (PLC) training	8 teachers participating in the Communities at work training	Register and attend the institute On going follow-up in a mastermind group Sharing of information with other teachers for full implementation	Teachers as leaders in conducting collaborative sessions throughout the 2011-2012 academic year	July 20-22, Ongoing throughout the academic year
At a minimum of one collaborative meeting per month teams of teachers will meet to discuss and reflect upon the implementation of constructing meaning	A monthly agenda of activities promoting constructing meaning strategies A course of study for each of the major content areas	Identify the collaboration days for each school Develop a calendar of cross-district collaboration	Agenda Course of study with benchmarks	Beginning August 3, 2011 Every second Thursday thereafter
Develop a cross content literacy plan for reading and writing	A concise plan of action, with timelines and materials	Implementation of the literacy plan		
Develop 1-2 coaches (teacher to teacher) per site for constructing meaning and the literacy plan	A schedule of coach dates and times		Teachers modeling and observing each other, providing feedback etc. based on a set of criteria	Begin August, 2011
Teachers modeling and observing best practices	A fluid schedule of dates and times for observations and model lessons	Define models to be observed, best practices, and even other locations for observation	Teachers talking to teachers about teaching (best practices)	September, 2011

# SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

**SUBJECT:** Supplemental Education Services

**MEETING:** November 16, 2011

**AGENDA SECTION:**

☐ **ACTION**

☒ **INFORMATION**

☐ **ACTION/CONSENT**

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## GOVERNING BOARD

### Board Goals:

- ☒ Improve/Sustain Student Achievement through STAR Test and Other Assessment Measures
- ☐ Improve School Climate and Student Discipline in Support of Teaching, Learning and Student Safety
- ☐ Develop/Sustain Fiscal Crisis Long-Term Solution
- ☐ Ensure Board and Administrator Participation in CSBA's Masters in Governance and Other Trainings
- ☐ Ensure that Facilities are Safe for Staff and Students
- ☐ Ensure compliance with Education/Other Codes/Updating Board Policies and Administrative Regulations

### Summary:

As part of the Program Improvement process, each school site must provide Supplemental Education Services (SES) to low performing students, up to the allocated Title 1 budget availability. These services are typically provided by outside agencies. The SMCJUHSD may apply to be a provider of these services. Doing so would save Title 1 money which could be used for other program improvement services for students. The faculty of the SMCJUHSD is preparing a proposal for providing such services to the State Department of Education. The proposal is due Nov. 30, 2011

### Recommendation:

At this time this is for information only. If the application is prepared accordingly, we will seek the approval of the State Administrator.

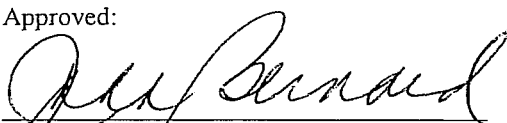
### Fiscal Impact:

There is a potential savings of Title 1 money that can be used for other student services.

Submitted By:

Daniel R. Moirao, Ed.D.  
Assistant Superintendent Educational Services/  
Human Resources

Approved:

  
John Bernard Ed.D.  
State Administrator

**SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT  
GOVERNING BOARD**

**SUBJECT:** Board Policies – First Reading

**MEETING:** November 16, 2011

**AGENDA SECTION:**

☐ **ACTION**

☒ **INFORMATION**

☐ **ACTION/CONSENT**

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Board Goals:

- \_\_\_\_\_ Improve/Sustain Student Achievement through STAR Test and Other Assessment Measures
- \_\_\_\_\_ Improve School Climate and Student Discipline in Support of Teaching, Learning and Student Safety
- \_\_\_\_\_ Develop/Sustain Fiscal Crisis Long-Term Solution
- \_\_\_\_\_ Ensure Board and Administrator Participation in CSBA's Masters in Governance and Other Trainings
- \_\_\_\_\_ Ensure that Facilities are Safe for Staff and Students
- X   Ensure compliance with Education/Other Codes/Updating Board Policies and Administrative Regulations

Summary:

There are 17 policies presented as a first reading.

Recommendation:

The recommendation is for the Board to review the policies and present any questions or request any clarifications.

Fiscal Impact:

None

Submitted By:

  
\_\_\_\_\_

Approved:



John Bernard Ed.D.  
State Administrator

## BP 1113 Community Relations

### **District And School Web Sites**

To enhance communication with students, parents/guardians, staff, **and** community members, ~~and the public at large,~~ the Governing Board encourages the **Superintendent or designee to develop and maintain** district and school web sites. ~~The use of district and school web sites shall support the educational vision of the district and shall be consistent with the district's plans for communications and media relations~~ **district's vision and goals and shall be coordinated with other district communications strategies.**

*(cf. 0000 - Vision)*  
*(cf. 0440 - District Technology Plan)*  
*(cf. 1100 - Communication with the Public)*  
*(cf. 1112 - Media Relations)*  
*(cf. 1114 - District-Sponsored Social Media)*  
*(cf. 6020 - Parent Involvement)*

### **Design Standards**

The State Administrator/Superintendent or designee shall establish design standards for district and school web sites in order to maintain a consistent identity, professional appearance, and ease of use.

**The district's design standards shall address the accessibility of district-sponsored web sites to individuals with disabilities, including compatibility with commonly used assistive technologies.**

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

### **Guidelines for Content**

The Superintendent or designee shall develop content guidelines ~~regarding the content of for~~ district and school web sites ~~which shall include standards for the ethical and responsible use of information and technology.~~ **and shall assign staff to review and approve content prior to posting.**

**Board policy pertaining to advertising in district and school publications, as specified in BP 1325 - Advertising and Promotion, shall also apply to advertising on district and school web sites.**

*(cf. 1325 - Advertising and Promotion)*

District and school web sites shall not include content which is obscene, libelous, or slanderous, ore which creates a clear and present danger of inciting students to commit unlawful acts, violate school rules, or substantially disrupt the school's orderly operation.

*(cf. 5145.2 – Freedom of Speech/Expression)*

### **Privacy Rights**

The Superintendent or designee shall ensure that the ~~website content protects the~~ privacy rights of students, parents/guardians, staff, Board members, and other individuals **are protected on district and school web sites.**

*(cf. 1340 - Access to District Records)*

*(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)*

*(cf. 5022 - Student and Family Privacy Rights)*

*(cf. 5125 - Student Records)*

~~No personal information about students or their parents/guardians, including phone numbers, home addresses, and/or email addresses or students or their parents/guardians shall be published on a district or school webpage. Student directory information shall not be published if parents/guardians have requested that it be withheld.~~

**Telephone numbers and home and email addresses of students and/or their parents/guardians shall not be published on district or school web sites.**

*(cf. 5125.1 - Release of Directory Information)*

Because of the wide accessibility of the Internet and potential risk to students, photographs of a **individual** students shall not be published with ~~his/her~~ **their** names or other personally identifiable information without the prior written consent of the student's parent/guardian.

Photographs of groups of students, such as at a school event, may be published provided that students' names are not included.

Staff members' home addresses or telephone numbers shall not be posted **on district or school web sites.**

~~District and school websites shall not post~~ The home address or telephone number of any elected or appointed official **including, but not limited to, a Board member or public safety official, shall not be posted on district or school web sites** without the prior written permission of that individual. (Government Code 3307.5, 6254.21, 6254.24)

No public safety official shall be required ~~as a condition of employment~~ to consent to the use **posting** on the Internet of his/her photograph or identity as a public safety officer for any purpose if that officer reasonably believes that the disclosure may result in a threat, harassment, intimidation, or harm to the officer or his/her family. (Government Code 3307.5)

*(cf. 3515.3 - District Police/Security Department)*

Legal Reference:

EDUCATION CODE

35182.5 Contracts for advertising

35258 Internet access to school accountability report cards

48907 Exercise of free expression; rules and regulations

48950 Speech and other communication

49061 Definitions, directory information

49073 Release of directory information

60048 Commercial brand names, contracts or logos

#### GOVERNMENT CODE

3307.5 Publishing identity of public safety officers

6254.21 Publishing addresses and telephone numbers of officials

6254.24 Definition of public safety official

11135 Nondiscrimination; accessibility to state web sites

#### PENAL CODE

14029.5 Prohibition against publishing personal information of person in witness protection program

#### UNITED STATES CODE, TITLE 17

101-1101 Federal copyright law

#### UNITED STATES CODE, TITLE 20

1232g Federal Family Educational Rights and Privacy Act

#### UNITED STATES CODE, TITLE 29

794 Section 503 of the Rehabilitation Act of 1973; accessibility to federal web sites

#### UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

#### CODE OF FEDERAL REGULATIONS, TITLE 16

312.1-312.12 Children's Online Privacy

#### CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

#### COURT DECISIONS

Aaris v. Las Virgenes Unified School District, (1998) 64 Cal.App.4th 1112

#### Management Resources:

##### U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

Accessibility of State and Local Government Websites to People with Disabilities, June 2003

##### WORLD WIDE WEB CONSORTIUM PUBLICATIONS

Web Content Accessibility Guidelines, December 2008

##### WEB SITES

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

California Department of Education, Web Accessibility Standards:

<http://www.cde.ca.gov/re/di/ws/webaccessstds.asp>

California School Public Relations Association: <http://www.calspra.org>

U.S. Department of Justice, Americans with Disabilities Act: <http://www.ada.gov>

World Wide Web Consortium, Web Accessibility Initiative: <http://www.w3.org/wai>

Policy

#### **SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**

First reading: November 16, 2011

Adopted;

King City, California



## AR 1113 Community Relations

### **District And School Web Sites**

#### **Guidelines for Content**

District and school web sites shall provide current information regarding district/school programs, activities, and operations. Such information shall be appropriate for both internal and external audiences and may include district mission and goals, district or school news, agendas and minutes of Governing Board meetings, School Accountability Report Cards, school calendars, and links to educational resources.

*(cf. 0440 - District Technology Plan)*

*(cf. 0510 - School Accountability Report Card)*

*(cf. 1100 - Communication with the Public)*

*(cf. 1112 - Media Relations)*

*(cf. 6020 - Parent Involvement)*

**With approval of the principal, individual teachers may create web pages linked to the district or school web site to provide information pertaining to class assignments, expectations, and activities.**

Student work may be published on **district or school** web sites provided that both the student and his/her parent/guardian provide written permission or the work is part of an existing publication such as a school newspaper.

**The Superintendent or designee shall ensure that copyright laws are not violated in the use of materials on district and school web sites.** If any copyrighted material is posted, a notice shall be included crediting the original producer of the material and noting how and when permission to reprint the material was granted.

*(cf. 4132/4232/4332 - Publication or Creation of Materials)*

*(cf. 6162.6 - Use of Copyrighted Materials)*

**Whenever a district or school web site includes links to external web sites, it shall include a disclaimer that the district is not responsible for the content of external web sites.**

#### **Roles and Responsibilities**

~~The district webmaster~~ **Any employee assigned as a district or school webmaster shall be responsible for the content and publication of the district uploading of material to the web site(s) upon approval of the Superintendent or designee.**

~~He/she shall review all content before publication, upload content to the district web server, regularly check links for accuracy and appropriateness, keep the web server free of outdated or unused files, and provide technical assistance as needed to school webmasters.~~ **ensure consistency of the material with district standards, regularly check links for accuracy and appropriateness, keep the web server free of outdated or unused files, and provide technical assistance as needed.**

**The Superintendent or designee may assign additional staff members to conduct an editorial review of all materials submitted for publication on district or school web sites and to make corrections as needed in spelling, grammar, or accuracy of content.**

**The Superintendent or designee shall provide staff development opportunities related to district content guidelines, design standards, and accessibility laws and standards to district communications and technology staff, district and school webmasters, and/or other appropriate staff.**

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

### **Security**

~~The web site host computer shall have security procedures that prohibit unauthorized persons from accessing system level controls or making changes to web site content.~~

**The Superintendent or designee shall establish security procedures for the district's computer network to prevent unauthorized access and changes to district and school web sites.** To the extent possible, the host computer(s) shall be in a lockable room with restricted access.

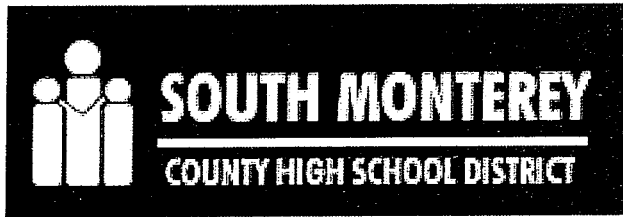
(3/00) 7/11

Regulation                      **SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**

First reading: November 16, 2011

Adopted;

King City, California



### Request for SMCJUHSD Parent Portal Acceptable User Agreement

Please complete the form below to request a **SMCJUHSD Parent Portal User Account** and submit the form in person to the appropriate school. You must provide a valid picture ID, i.e. California drivers' license, when you turn in the Parent Portal account request form at school.

After your **SMCJUHSD Parent Portal** account has been created, you will receive an email confirmation. The email message will provide your **SMCJUHSD Parent Portal** username and temporary password. Please change the temporary password after you log in for the first time. The email message will also contain a web link that you can click to go to the **SMCJUHSD Parent Portal**. You can also access the **SMCJUHSD Parent Portal** by going to the **SMCJUHSD** district web site ([www.kingcity.k12.ca.us](http://www.kingcity.k12.ca.us)) and clicking on **Parent Portal**.

If you have problems accessing your existing **SMCJUHSD Parent Portal** account contact the principal's secretary at the appropriate school site.

#### SMCJUHSD Parent Portal Account Request

**Date:** \_\_\_\_\_ **School Requested:** \_\_\_\_\_

**1. Student Name :** \_\_\_\_\_ **Student Birthdate:** \_\_\_\_\_

**2. Student Name:** \_\_\_\_\_ **Student Birthdate:** \_\_\_\_\_

**Parent/Guardian Name:** \_\_\_\_\_ **Relationship to Student:** \_\_\_\_\_

**Daytime Telephone Number:** \_\_\_\_\_ **Email Address:** \_\_\_\_\_  
(Required)

***I have read the acceptable use policy (AUP) available on the SMCJUHSD website ([www.kingcity.k12.ca.us](http://www.kingcity.k12.ca.us)) as well in the school site main office.***

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

#### For School Use Only

Student's Perm ID: \_\_\_\_\_ ☐ Parent/Guardian Identification Checked Designated School Staff (initial): \_\_\_\_\_



## **Parent Portal Acceptable Use and Safety Policy**

South Monterey County Joint Union High School District (SMCJUHS) uses Aeries by Eagle Software for student information management. Only parents or guardians of students enrolled in the district will be allowed access to SMCJUHS Parent Portal. SMCJUHS reserves the right to deny or cease access to SMCJUHS Parent Portal due to the abuse of the system, court orders, or any other legal proceedings that limit the availability of private educational data. All users of the Parent Portal are to be responsible for their student's information codes and passwords. Users agree not to give anyone else their password, verification codes, or any personal information. SMCJUHS will not be responsible for unauthorized access if the user has not been careful with their access information.

Do not give anyone your password, including your student. Do not write your password down and leave it near your computer. Close your Browser when you are finished using the Portal. Choose a password that will not be easily guessed and has a combination of upper and lower case letters with numbers.

### **PURPOSE**

SMCJUHS Parent Portal has been opened to enhance communication between the district and parents/guardians. Users of SMCJUHS Parent Portal will have access to the following information about their children:

#### Information Currently Available

- View test scores
- View report card and progress reports
- View student information
- Live attendance information
- Access to Teacher email addresses
- View Graduation status

SMCJUHS reserves the right to add or remove any of the above functions from the KCJUHS Parent Portal at any time.

### **TECHNICAL ISSUES WITH SMCJUHS PARENT PORTAL**

All support issues related to the SMCJUHS Parent Portal are handled by the principal's secretary at the corresponding school

### **SYSTEM REQUIREMENTS**

- Windows Operating System: Windows XP or higher
- Apple Operating System: OS X or higher
- Internet Browser: Internet Explorer 6 or higher, or compatible
- Broadband; cable modem, DSL, etc.
- The parent portal is best viewed with your monitor resolution set at a minimum of 800x600.

### **DATA INTERPRETATION INSTRUCTIONS**

The data you will see in SMCJUHS Parent Portal is real-time from the Aeries Student Information System. Each area of data is updated at different times throughout the course of the school day. Please review the information below to become familiar with SMCJUHS Parent Portal data expectations.

### **AT THE START OF THE SCHOOL YEAR**

The beginning of a new school year is a very busy time for teachers, secretaries and administrators. Staff will need time to update student information and complete scheduling and grade book setup.

#### **ATTENDANCE DATA**

Absences are recorded period by period during regular school hours.

#### **GRADES**

During the period in which teachers are entering report card information, grades will be unavailable.

#### **DATA CONCERNS**

Concerns about the data you find on SMCJUHSD Parent Portal should be directed to the Principal of the school your student attends.

By accessing the SMCJUHSD Parent Portal users of the SMCJUHSD Parent Portal agree to the following guidelines:

- Users will use the SMCJUHSD Parent Portal in a responsible, legal and ethical manner.
- Users will not attempt to harm or destroy data, the school, or the district network.
- Users will not attempt to access data or any other account owned by another user.
- Users will not sue the SMCJUHSD for any illegal activity, including violation of privacy laws.
- Users who identify a security problem with the SMCJUHSD Parent Portal are requested to notify the appropriate school immediately.
- Users will not share their password with anyone, including their children.
- Users identified as a security risk to the SMCJUHSD Parent Portal or network will be denied access to the Portal.

BP 3250 Business and Noninstructional Operations

**Transportation Fees**

**Because the cost of providing student transportation exceeds funding provided by the state, the Governing Board may find it necessary to charge fees for home-to-school student transportation.**

**The Superintendent or designee shall annually submit proposed transportation fee schedules for Board approval. Fees shall be determined on the basis of operating costs in accordance with law.**

**No charge shall be made for any transportation of students whose individualized education program require transportation or whose parents/guardians are determined indigent pursuant to administrative regulations.**

*(cf. 3540 - Transportation)*

*(cf. 3541.2 - Transportation for Students with Disabilities)*

Legal Reference:

EDUCATION CODE

10913 Fees for uses of school buses for community recreation purposes

35330 Excursions or field trips

39800-39860 Transportation, especially:

39801.5 Transportation fees for adults

39807.5 Payment of transportation cost; amount of payment

39809.5 Excess fees; adjustments

39837 Fees for summer employment transportation

41850 Home-to-school and special education transportation

49557 Applications for free and reduced price meals

49558 Confidentiality of applications and records

56026 Individuals with exceptional needs

CODE OF REGULATIONS, TITLE 5

350 Fees not permitted

CODE OF FEDERAL REGULATIONS, TITLE 7

245.8 (a) Nondiscrimination practices for children eligible to receive free and reduced price meals and free milk

COURT DECISIONS

Arcadia Unified School District et al v. State Department of Education, 2 Cal. 4th 251 (1992) Hartzell v. Connell, 35 Cal.3d 899 (1984)

Management Resources:

CDE MANAGEMENT ADVISORIES

0619.92 Fees for Pupil Transportation (#92-05)

CDE PROGRAM ADVISORIES

0609.95 School transportation fee exemption for handicapped children and pupils whose parents or guardians are indigent (LO: 2-95)  
(6/92 12/92) 10/97

Policy **SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**  
First reading: November 16, 2011  
Adopted; King City, California

AR 3250 Business and Noninstructional Operations

**Transportation Fees**

**Fee Schedule and Collection**

**Transportation fees charged by the district shall not exceed the statewide average nonsubsidized cost of providing such transportation to a student on a publicly owned or operated transit system, as determined by the Superintendent of Public Instruction. (Education Code 39807.5)**

**The total amount received by the district from the state and parent/guardian fees shall not exceed the actual operating cost of home-to-school transportation during the fiscal year. If excess fees are collected due to errors in estimated costs, fees shall be reduced in succeeding years. (Education Code 39809.5)**

**The Governing Board shall certify to the County Superintendent of Schools that the district has levied fees in accordance with law and that, in the event that excess fees have been charged, the fees have been reduced and excess fee revenue eliminated. (Education Code 39809.5)**

**Bus passes and tickets shall be sold at all district schools and at the district office. No money shall be collected on school buses.**

**Fees for Additional Services**

**In addition to charging fees for home-to-school transportation provided in accordance with Education Code 39800, the district shall charge fees for students traveling to and from their places of employment during the summer in connection with a summer employment program for youth. (Education Code 39837)**

**The district may also charge fees for:**

- 1. Students traveling to full-time occupational classes provided by a Regional Occupational Program or Center (Education Code 39807.5)**
- 2. Matriculated or enrolled adults traveling to and from school, or adults pursuing other educational purposes (Education Code 39801.5)**
- 3. Community recreation as provided in Education Code 39835 (Education Code 10913)**

*(cf. 3541 - Transportation Routes and Services)*



### Exemption from Fees

**Eligibility for free transportation based on indigency shall be based on the income eligibility scales used for the free and reduced-price lunch program and/or proof of receipt of Temporary Assistance to Needy Families (TANF).**

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

**At the beginning of the school year and whenever a new student is enrolled, parents/guardians shall receive information about free transportation eligibility standards, application procedures and appeal procedures.**

*(cf. 5145.6 - Parental Notifications)*

**All applications and records related to eligibility for free transportation shall be confidential and used only for purposes directly connected with the free transportation program.**

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

(cf. 5125 - Student Records)

**Students receiving free transportation shall not be identified by the use of special bus passes, tickets, lines, seats or any other means. They shall in no way be treated differently from other students, nor shall their names be published, posted or announced in any manner or used for any purpose other than the transportation program.**

(6/92 12/92) 10/97

Regulation **SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**

First reading: November 16, 2011

Adopted:

King City, California

AR 3543 Business and Noninstructional Operations

**Transportation Safety And Emergencies**

Each school bus shall be equipped with at least one fire extinguisher located in the driver's compartment which meets the standards specified in law. (Education Code 39838; 13 CCR 1242)

**The Superintendent or designee shall ensure that any school bus which is purchased or leased by the district is equipped with a combination pelvic and upper torso passenger restraint system at all designated seating positions if that bus: (Vehicle Code 27316, 27316.5; 13 CCR 1201)**

- 1. Is a Type 1 school bus designed for carrying more than 16 passengers and the driver and is manufactured on or after July 1, 2005**
- 2. Is a Type 2 school bus or student activity bus designed for carrying 16 or fewer passengers and the driver, or designed for carrying 20 or fewer passengers and the driver and having a manufacturer's vehicle weight rating of 10,000 pounds or less, and is manufactured on or after July 1, 2004**

**The Superintendent or designee shall prioritize the allocation of school buses purchased, leased, or contracted to ensure that elementary students receive first priority for new school buses equipped with passenger restraint systems whenever feasible.**

**When a school bus or student activity bus is equipped with a passenger restraint system, all passengers shall use the passenger restraint system. (5 CCR 14105)**

**Bus drivers shall be informed of procedures to be followed to reasonably enforce proper use of the passenger restraint system.**

**Safe Bus Operations**

School buses and student activity buses shall not be operated whenever the number of passengers exceeds bus seating capacity, except when necessary in emergency situations which require that individuals be transported immediately to ensure their safety.

*(cf. 3516 - Emergencies and Disaster Preparedness Plan)*

School bus operations shall be limited when atmospheric conditions reduce visibility on the roadway to 200 feet or less during regular home-to-school transportation service. Bus drivers for school activity trips shall have the authority to discontinue bus operation whenever they determine that it is unsafe to continue operation because of reduced visibility. (Vehicle Code 34501.6)

*(cf. 3516.5 - Emergency Schedules)*

*(cf. 3540 - Transportation)*  
*(cf. 3541.1 - Transportation for School-Related Trips)*  
*(cf. 3542 - School Bus Drivers)*

**A person shall not drive a motor vehicle while using a wireless telephone, except under the following conditions: (Vehicle Code 23123, 23125)**

- 1. When he/she uses a wireless telephone that is specifically designed and configured to allow hands-free listening and talking, provided it is used in that manner while driving**
- 2. For emergency purposes, including, but not limited to, an emergency call to a law enforcement agency, health care provider, fire department, or other emergency service agency or entity**
- 3. In the case of a school bus driver, for work-related purposes**

*(cf. 3513.1 - Cellular Phone Reimbursement)*  
*(cf. 4040 - Employee Use of Technology)*

**A person shall not drive a motor vehicle while using an electronic wireless communications device to write, send, or read a text-based communication, including, but not limited to, text messages, instant messages, and email. This prohibition does not include reading, selecting, or entering a telephone number or name in an electronic wireless communications device for the purpose of making or receiving a telephone call. (Vehicle Code 23123.5)**

The Superintendent or designee shall review all investigations of bus incidents and accidents to develop preventative measures.

*(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)*

The Superintendent or designee may place a notice at bus entrances that warns against unauthorized entry. The driver or another school official may order any person to disembark if that person enters a bus without prior authorization. (Education Code 39842; 13 CCR 1256.5)

*(cf. 3515.2 - Disruptions)*

### **Transportation Safety Plan for Boarding and Exiting Buses**

The Superintendent or designee shall develop a transportation safety plan containing procedures for school personnel to follow to ensure the safe transport of students. The plan shall include procedures for boarding and exiting a school bus at a school or other trip destination.

A copy of the plan shall be kept at each school site and made available upon request to the California Highway Patrol. (Education Code 39831.3)

### **Student Instruction**

All students who are transported in a school bus or student activity bus shall receive instruction in school bus emergency procedures and passenger safety. (Education Code 39831.5)

The Superintendent or designee shall ensure that instruction is provided to students as follows:

1. The Superintendent or designee shall annually provide appropriate instruction in safe riding practices and emergency evacuation drills to each student who receives home-to-school transportation in a school bus. (5 CCR 14102)
2. Before departing on a school activity trip, all students riding on a school bus or student activity bus shall receive safety instruction which includes, but is not limited to: (Education Code 39831.5)
  - a. Location of emergency exits
  - b. Location and use of emergency equipment

This instruction also may include responsibilities of passengers seated next to an emergency exit. (Education Code 39831.5)

### **Legal Reference:**

#### **EDUCATION CODE**

39830-39842 Transportation, school buses

51202 Instruction in personal and public health and safety

#### **PENAL CODE**

241.3 Assault against school bus driver

243.3 Battery against school bus driver

#### **VEHICLE CODE**

415 Definition of motor vehicle

545-546 Definition of school bus and school pupil activity bus

22112 Loading and unloading passengers

23123 Use of wireless telephone prohibited while driving motor vehicle

23123.5 Text communications prohibited while driving motor vehicle

23125 Use of wireless telephone prohibited while driving school bus

27316 Passenger restraint systems

34500 California Highway Patrol responsibility to regulate safe operation of school buses

34501.5 California Highway Patrol responsibility to adopt rules re: safe operation of school buses

34501.6 School buses; reduced visibility

34508 California Highway Patrol responsibility to adopt rules re: equipment and operations of school buses

CODE OF REGULATIONS, TITLE 5

14100-14105 School buses and student activity buses

CODE OF REGULATIONS, TITLE 13

1200-1293 Motor carrier safety

CODE OF FEDERAL REGULATIONS, TITLE 49

571.1-571.500 Motor vehicle standards, including school buses

Management Resources:

WEB SITES

California Association of School Business Officials: <http://www.casbo.org>

California Association of School Transportation Officials: <http://www.castoways.org>

California Department of Education, Office of School Transportation:

<http://www.cde.ca.gov/ls/tn>

California Highway Patrol: <http://www.chp.ca.gov>

National Coalition for School Bus Safety: <http://www.ncsbs.org>

National Transportation Safety Board: <http://www.nts.gov>

U.S. Department of Transportation, National Highway Traffic Safety Administration:

<http://www.nhtsa.dot.gov>

(7/04 3/08) 11/08

Regulation **SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**

First reading: November 16, 2011

Adopted;

King City, California

AR 4112.23 Personnel

**Special Education Staff**

Qualifications/Assignment of Special Education Teachers

Any teacher assigned to serve students with disabilities shall possess a **an appropriate credential or other authorization** that **specifically** authorizes him/her to teach students with that primary disability within the program placement recommended in the students' individualized education programs (IEP). (5 CCR 80046.5, **80048.7**)

*(cf. 4112.2 - Certification)*

*(cf. 4113 - Assignment)*

*(cf. 6159 - Individualized Education Program)*

*(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)*

Special education teachers who teach core academic subjects shall possess the qualifications required by the No Child Left Behind Act. (5 CCR 6100-6126; 20 USC 1401, 6319, 7801; 34 CFR 200.55-200.57, 300.18)

*(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)*

**The Superintendent or designee may request the Commission on Teacher Credentialing (CTC) to issue a special education limited assignment teaching permit to authorize a qualified special education teacher, with his/her written consent, to serve outside the specialty area of his/her credential. In so doing, the district shall submit a Declaration of Need for Fully Qualified Educators that satisfies the requirements of 5 CCR 80026. If the teacher has not yet obtained permanent status, the Superintendent or designee shall assign one or more experienced educators in the special education subject area(s) of the permit, who have at least three years of full-time teaching experience in each of the subject area(s) of the permit, to provide guidance and assistance to the permit holder. (5 CCR 80027.1)**

**The district may employ a person with an appropriate district internship credential to provide classroom instruction to students with disabilities, provided he/she has met the subject matter requirement specified in Education Code 44325 and receives guidance, supervision, and professional development through an established district internship program. (Education Code 44325, 44326, 44830.3)**

*(cf. 4112.21 - Interns)*

Resource Specialists

The district's resource specialist program shall provide, but not be limited to: (Education Code 56362)

1. **Resource specialist(s)** to provide instruction and services for students whose needs have been identified in their IEPs and who are assigned to regular classroom teachers for a majority of the school day

A student shall not be enrolled in a resource specialist program for a majority of a school day without approval by the student's IEP team.

2. Information and assistance ~~to~~ **for** students with disabilities and their parents/guardians
3. Consultation, resource information, and material regarding students with disabilities to their parents/guardians and regular education staff members
4. Coordination of special education services with the regular school program for each student with disabilities enrolled in the resource specialist program
5. Monitor student progress on a regular basis, participation in the review and revision of IEPs as appropriate, and referral of students who do not demonstrate sufficient progress to the IEP team
6. At the secondary school level, emphasis on academic achievement, career and vocational development, and preparation for adult life

**Resource specialists shall not simultaneously be assigned to serve as resource specialists and to teach regular classes. (Education Code 56362)**

The district's resource specialist program shall be under the direction of a resource specialist who possesses the qualifications specified in Education Code 56362 and 5 CCR 80070.8. (Education Code 56362)

#### Teachers of Students with Autism

**A teacher may be assigned to provide instruction to students with autism if he/she meets the qualifications described above in the section entitled "Qualifications/Assignment of Special Education Teachers."**

**In addition,** A teacher whose ~~preliminary Level I~~ education specialist credential or other previously issued credential authorizes him/her to provide instruction to students with mild and moderate disabilities may be assigned to provide instruction to students with autism, provided that the teacher consents to the assignment and satisfies either of the following criteria prior to the assignment: (Education Code 44265.1)

1. ~~The teacher~~ **He/she** has provided full-time instruction for at least one year prior to September 1, 2007, in a special education program that serves students with autism in

accordance with their IEP and received a favorable evaluation or recommendation from the district or school to teach students with autism.

2. ~~The teacher~~ **He/she** has completed a minimum of three semester units of coursework in the subject of autism offered by a regionally accredited institution of higher education.

*(cf. 5148.3 - Preschool/Early Childhood Education)*

The Superintendent or designee shall report teacher assignments under the **criteria specified in items #1 and #2** above ~~conditions~~ to the county office of education as part of the annual assignment monitoring pursuant to Education Code 44258.9. (Education Code 44265.1)

Verification of experience or coursework for any teacher of autistic students shall be maintained on file in the district or school office. (Education Code 44265.1, 44265.2)

### **Caseloads**

The Superintendent or designee shall ensure that caseloads for special education teachers are within the maximum caseloads established by law, the collective bargaining agreement, and/or the comprehensive plan of the Special Education Local Plan Area (SELPA) in which the district participates.

*(cf. 0430 - Comprehensive Local Plan for Special Education)*

*(cf. 1312.3 - Uniform Complaint Procedures)*

*(cf. 4141/4241 - Collective Bargaining Agreement)*

No resource specialist shall have a caseload which exceeds 28 students. As necessary and with the agreement of the resource specialist, the Board may request a waiver from the State Board of Education to increase the caseload to no more than 32 students, provided that an individual resource specialist does not have a caseload exceeding 28 students for more than two school years and has the assistance of an instructional aide at least five hours daily during the period of the waiver. (Education Code 56362, 56362.1; 5 CCR 3100)

*(cf. 1431 - Waivers)*

The average caseload for language, speech, and hearing specialists shall not exceed 55 cases unless otherwise specified and reasons stated in the SELPA plan. (Education Code 56363.3, 56441.7)

### **Legal Reference:**

#### **EDUCATION CODE**

44250-44279 Credentials, especially:

44256 Credential types, specialist instruction

44258.9 Assignment monitoring

44265-44265.99 Special education credential



44325-44328 District interns  
44830.3 District interns, supervision and professional development  
56000-56865 Special education, especially:  
56195.8 Adoption of policies  
56361 Program options  
56362-56362.5 Resource specialist program  
56363.3 Maximum caseload; language, speech, and hearing specialists  
56441.7 Maximum caseload; language, speech, and hearing specialists serving children ages 3-5

CODE OF REGULATIONS, TITLE 5

3051.1 Language, speech and hearing development and remediation; appropriate credential  
3100 Waivers of maximum caseload for resource specialists  
6100-6126 Teacher qualifications, No Child Left Behind Act  
80021 Short-term staffing permit  
80021.1 Provisional internship permit  
80025.4 Substitute teaching, special education  
80026 Declaration of need for fully qualified educators  
80027.1 Special education limited assignment teaching permit  
80046.1 Adapted physical education specialist  
80046.5 Credential holders authorized to serve students with disabilities  
80047-80047.9 Credentials to provide instructional services to students with disabilities  
80048-80048.9.3 Credential requirements and authorizations  
80070.1-80070.8 Resource specialist certificate of competence

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act, especially:  
1401 Definition of highly qualified special education teacher  
6319 Highly qualified teachers  
7801 Definitions, highly qualified teacher

CODE OF FEDERAL REGULATIONS, TITLE 34

200.55-200.57 Highly qualified teachers  
300.8 Definition of autism  
300.18 Highly qualified special education teachers  
300.156 Special education personnel requirements

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS  
Handbook on Developing and Implementing Early Childhood Special Education Programs and Services, 2001  
COMMISSION ON TEACHER CREDENTIALING CODED CORRESPONDENCE  
10-15 Alternative Route to Provide Special Education Services to Students with Autism, September 7, 2010  
10-13 Approval of Title 5 Regulations Pertaining to Special Education Services Credentials, July 21, 2010

10-12 Approval of Title 5 Regulations Pertaining to Special Education Teaching Credentials Requirements, July 21, 2010

09-16 Approval of Additions to Title 5 Regulations Pertaining to Added Authorizations in Special Education, July 23, 2009

09-15 Approval of Amendments to Title 5 Regulations Pertaining to General and Special Education Limited Assignment Teaching Permits, July 23, 2009

08-13 Alternative Route to Provide Special Education Services to Students with Autism Ages Three and 4, October 9, 2008

**COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS**

Education Specialist Teaching and Other Related Services Credential Program Standards, September 2010

**WEB SITES**

California Association of Resource Specialists and Special Education Teachers:

<http://www.carsplus.org>

California Department of Education, Special Education: <http://www.cde.ca.gov/sp/se>

California Speech-Language-Hearing Association: <http://www.csha.org>

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

(11/08 11/09) 11/10

Regulation **SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**

First Reading: November 16, 2011

Adopted:

King City, California

AR 4112.4, 4212.4, 4312.4 Personnel

## **Health Examinations**

### **Tuberculosis Tests**

**No applicant shall be initially employed in a classified or certificated position unless, within the past 60 days, he/she has submitted to an intradermal tuberculin skin test or other approved tuberculin test and, if that test was positive, has subsequently obtained an x-ray of the lungs. The applicant shall submit to the district a certificate signed by an authorized health care provider indicating that he/she is free of active tuberculosis. (Education Code 49406; 5 CCR 5503)**

**The cost of the pre-employment tuberculosis examination shall be paid by the applicant.**

**An applicant who was previously employed in another California school district or private or parochial school may fulfill the tuberculosis examination requirement either by producing a certificate showing that he/she was examined within the last four years and found to be free of active tuberculosis or by having his/her previous employer verify that it has on file a certificate which contains that evidence. (Education Code 49406)**

**Every district employee who tests negative shall undergo a tuberculosis examination at least once every four years, or more often if so directed by the Governing Board upon recommendation of the county health officer, for as long as the employee's test remains negative. An employee with a documented positive test for tuberculosis infection shall no longer be required to submit to the examination but shall be referred to the county health officer within 30 days of the examination to determine the need for follow-up care. (Education Code 49406)**

**Tuberculosis tests for employees shall be provided by the district or at district expense. (Education Code 44839, 45122, 49406)**

**If an employee's religious belief prevents him/her from undergoing a tuberculosis examination, the employee shall file an affidavit stating that he/she adheres to the faith or teachings of a well-recognized religious sect, denomination, or organization and, in accordance with its creed, tenets, or principles, depends for healing upon prayer in the practice of religion and that, to the best of his/her knowledge or belief, he/she is free from active tuberculosis. In order to exempt the individual, the Board shall determine by resolution, after a hearing, that the health of students would not be jeopardized. (Education Code 49406)**

AR 4112.4 (b)  
4212.4  
4312.4

**The Superintendent or designee may exempt a pregnant employee from the requirement that a positive tuberculin skin test be followed by an x-ray of the lungs, for a period not to exceed 60 days following termination of the pregnancy. (Education Code 49406)**

### **Medical Certification for Communicable Diseases for Certificated Employees**

**The Board shall not fill a position requiring certification with an applicant who has not previously been employed in a certificated position in California or a retirant who has not been employed as a retirant, unless the district has on file a medical certification completed and submitted directly to the district by an authorized health care provider. (Education Code 44839, 44839.5)**

*(cf. 4117.14/4317.14 - Postretirement Employment)*

**The medical certification shall certify that the applicant or retirant is free from any disabling disease which would render him/her unfit to instruct or associate with children. The medical examination referred to in the certificate must have been conducted within six months of the date that the certificate is filed. (Education Code 44839, 44839.5; 5 CCR 5503)**

*(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)*

**Applicants and retirants shall pay for the cost of obtaining the medical certification. (Education Code 44849, 44839.5)**

### **Mental Examination for Certificated Employees**

**A certificated employee may be suspended or transferred to other duties if the Board has reasonable cause to believe that the employee is suffering from mental illness of such a degree as to render him/her incompetent to perform his/her duties. In such a case, the district shall follow the process specified in Education Code 44942 and the district's collective bargaining agreement, including the opportunity for the employee to be examined by a panel of psychiatrists or psychologists.**

*(cf. 4032 - Reasonable Accommodation)*

*(cf. 4118 - Suspension/Disciplinary Action)*

**Legal Reference:**

EDUCATION CODE

44839 Medical certificate; periodic medical examination

44839.5 Requirements for employment of retirant

44932 Grounds for dismissal of permanent employee

44942 Suspension or transfer of certificated employee on ground of mental illness

AR 4112.4 (c)

4212.4

4312.4

45122 Physical examinations

49406 Examination for tuberculosis

BUSINESS AND PROFESSIONS CODE

2700-2838 Nurses

3500-3546 Physician assistants

HEALTH AND SAFETY CODE

121525 Private and parochial school employees, examination for tuberculosis

CODE OF REGULATIONS, TITLE 5

5502 Filing of notice of physical examination for employment of retired persons

5503 Physical examination for employment of retired persons

5504 Medical certification procedures

COURT DECISIONS

Doe v. Lincoln Unified School District, (2010) 188 Cal.App.4th 758

Leonel v. American Airlines, Inc., (2005) 400 F.3d. 702

Raven v. Oakland Unified School District, (1989) 213 Cal.App.3d 1347

#### Management Resources:

##### WEB SITES

California Department of Public Health: <http://www.cdph.ca.gov>

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

Public Health Institute: <http://www.phi.org>

U.S. Food and Drug Administration: <http://www.fda.gov>

(11/07 11/09) 11/10

Regulation **SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**

First Reading: November 16, 2011

Adopted:

King City, California

BP 4112.42, 4212.42, 4312.42 Personnel

### **Drug And Alcohol Testing For School Bus Drivers**

The Governing Board desires to ensure **that district-provided transportation safety is safe for district students, and staff, and the public. To that end,** the Superintendent or designee shall establish a drug and alcohol testing program for all district drivers and other employees who hold a commercial driver's license which is necessary to perform duties related to their employment with the district. This program shall be designed to fulfill the requirements of **state and federal law.**

*(cf. 3540 - Transportation)*

*(cf. 3543 - Transportation Safety and Emergencies)*

**The district's testing program shall include pre-employment drug testing and reasonable suspicion, random, post-accident, return-to-duty, and follow-up drug and alcohol testing of drivers. (49 USC 31306)**

**The Superintendent or designee shall contract for testing services and shall ensure that testing contractors and procedures are certified by the U.S. Department of Health and Human Services to conduct drug specimen analysis and to conform to the requirements of federal law.**

*(cf. 3542 - School Bus Drivers)*

*(cf. 4020 - Drug and Alcohol-Free Workplace)*

**No driver may operate a district vehicle when his/her blood alcohol content is found to be .01 percent or greater. A driver shall not consume alcohol while on duty or for four hours prior to on-duty time and up to eight hours following an accident or until he/she undergoes a post-accident test, whichever occurs first. A driver shall not report for duty or remain on duty that requires performing safety-sensitive functions when the driver uses a controlled substance, unless so instructed by a physician. (49 CFR 382.205, 382.207, 382.209; Vehicle Code 34520.3; 13 CCR 1213.1)**

**Any driver who tests positive for alcohol or drugs or who refuses to submit to a test shall be removed from safety-sensitive functions and may be subject to disciplinary action up to and including dismissal in accordance with law, administrative regulations, and the district's collective bargaining agreement.**

*(cf. 4117.4 - Dismissal)*

*(cf. 4118 - Suspension/Disciplinary Action)*

*(cf. 4218 - Dismissal/Suspension/Disciplinary Action)*

**The Superintendent or designee shall ensure that each driver receives an explanation of the federal regulations and the district's policy and procedure in accordance with law. In**

**addition, each driver shall sign a statement certifying that he/she has received a copy of the above materials. Representatives of employee organizations shall be notified of the availability of this information. (49 CFR 382.601)**

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

Legal Reference:

EDUCATION CODE

35160 Authority of governing boards

VEHICLE CODE

34500-34520.5 Safety regulations

CODE OF REGULATIONS, TITLE 13

1200-1293 Motor carrier safety, especially:

1213.1 Placing drivers out-of-service

UNITED STATES CODE, TITLE 49

31306 Alcohol and controlled substances testing

41501-41507 Transportation Employee Testing Act

CODE OF FEDERAL REGULATIONS, TITLE 49

40.1-40.413 Part 40, Procedures for transportation workplace drug and alcohol testing programs

382.101-382.605 Controlled substance and alcohol use and testing; especially:

382.205 On-duty use

382.207 Pre-duty use

382.209 Use following an accident

Management Resources:

WEB SITES

California Highway Patrol: <http://www.chp.ca.gov>

U.S. Department of Transportation, Office of Drug and Alcohol Policy and Compliance:  
<http://www.dot.gov/ost/dapc>

Policy **SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**

First reading: November 16, 2011

Adopted;

King City, California

BP 5113 Students

**Absences and Excuses**

The Governing Board believes that regular attendance plays an important role in student achievement. The Board recognizes its responsibility under the law to ensure that students attend school regularly. Parents/guardians of children aged 6 to 18 are obligated to send their children to school unless otherwise provided by law. The Board shall abide by all state attendance laws and may use appropriate legal means to correct the problems of excessive absence or truancy.

*(cf. 5112.1 - Exemptions from Attendance)*

*(cf. 5112.2 - Exclusions from Attendance)*

*(cf. 5113.1 - Truancy)*

**Excused Absences**

Absence from school shall be excused only for health reasons, family emergencies and justifiable personal reasons, as permitted by law, Board policy and administration regulations. (Education Code 46010, 48216, 48205)

Inasmuch as class participation is an integral part of students' learning experiences, parents/guardians and students shall be encouraged to schedule medical appointments during nonschool hours.

At the beginning of each academic year, notifications shall be sent to the parents/guardians of all students, and to all students in grades 7 9 through 12, informing them that school authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parent/guardian. (Education Code 46010.1)

*(cf. 5145.6 - Parental Notifications)*

Students shall not be absent from school without their parents/guardians' knowledge or consent except in cases of medical emergency or confidential medical appointment.

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

A student's grades may be affected by excessive unexcused absences in accordance with Board policy.

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

*(cf. 6154 - Homework/Makeup Work)*



Legal Reference:

EDUCATION CODE

1740 Employment of personnel to supervise attendance (county superintendent)

2550-2558.6 Computation of revenue limits

37201 School month

37223 Weekend classes

41601 Reports of average daily attendance

42238-42250.1 Apportionments

46000 Records (attendance)

46010-46014 Absences

46100-46119 Attendance in kindergarten and elementary schools

46140-46147 Attendance in junior high and high schools

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

48210-48216 Exclusions from attendance

48240-48246 Supervisors of attendance

48260-48273 Truants

48292 Filing complaint against parent

48320-48324 School attendance review boards

48340-48341 Improvement of student attendance

49067 Unexcused absences as cause of failing grade

ELECTIONS CODE

12302 Student participation on precinct boards

FAMILY CODE

6920-6929 Consent by minor

VEHICLE CODE

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

WELFARE AND INSTITUTIONS CODE

601-601.4 Habitually truant minors

11253.5 Compulsory school attendance

CODE OF REGULATIONS, TITLE 5

306 Explanation of absence

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

ATTORNEY GENERAL OPINIONS

66 Ops.Cal.Atty.Gen. 245, 249 (1983)

COURT DECISIONS

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

Management Resources:

CDE MANAGEMENT ADVISORIES

0114.98 School Attendance and CalWORKS, Management Bulletin 98-01

CSBA ADVISORIES

0520.97 Welfare Reform and Requirements for School Attendance

WEB SITES

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

Policy                    **SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**

First reading: November 16, 2011

Adopted;

King City, California

AR 5113 Students

**Absences And Excuses**

**Excused Absences**

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

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

*(cf. 5112.2 - Exclusions from Attendance)*

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

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

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

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

7. Upon advance written request by the parent/guardian and the approval of the principal or designee, justifiable personal reasons including, but not limited to: (Education Code 48205)
  - a. Appearance in court
  - b. Attendance at a funeral service
  - c. Observation of a holiday or ceremony of his/her religion
  - d. Attendance at religious retreats not to exceed four hours per semester
  - e. Attendance at an employment conference

**f. Attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization**

8. Service as a member of a precinct board for an election pursuant to Elections Code 12302 (Education Code 48205)

*(cf. 6142.3 - Civic Education)*

**Method of Verification**

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

The following methods may be used to verify student absences:

1. Written note, **fax, or email** from parent/guardian or parent representative.
2. Conversation, in person or by telephone, between the verifying employee and the student's parent/guardian or parent representative. The employee shall subsequently record the following:
  - a. Name of student
  - b. Name of parent/guardian or parent representative
  - c. Name of verifying employee
  - d. Date(s) of absence
  - e. Reason for absence
3. Visit to the student's home by the verifying employee, or any other reasonable method which establishes the fact that the student was absent for the reasons stated. ~~A written recording shall be made, including information outlined above.~~ **The employee shall document the verification and include the information specified in item #2 above.**
4. Physician's verification.
  - a. When excusing students for confidential medical services or verifying such appointments, district staff shall not ask the purpose of such appointments but may contact a medical office to confirm the time of the appointment.

AR 5113 (c)

- b. When a student has had 14 absences in the school year for illness verified by methods listed in #1-3 above, any further absences for illness shall be verified by a physician.

Regulation      **SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**

First Reading: May 11, 2011

Adopted:

King City, California

BP 5116 Students

**School Attendance Boundaries**

**The Governing Board shall regularly review school attendance boundaries, taking into account school capacities and enrollment data, geographic features, student safety and transportation, racial and ethnic balance, education programs such as magnet schools, and community input establish school attendance boundaries in order to maximize the efficient use of district facilities and effective administration of district schools. The Superintendent or designee shall periodically review school attendance boundaries and, as necessary, make recommendations to the Board for boundary adjustments.**

**When reviewing school attendance boundaries, the Superintendent or designee shall consider the following factors:**

- 1. School enrollment data, including declining enrollment patterns**
- 2. Facility capacity and design, including potential commercial and residential developments**
- 3. School feeder patterns, including maintaining, to the extent practicable, continuity of student attendance**
- 4. Federal, state, or court mandates**
- 5. Community input**
- 6. Student safety**
- 7. Transportation capacity**
- 8. Community and neighborhood identity**
- 9. Geographic features of the district, including traffic patterns**
- 10. Educational programs, such as magnet schools and charter schools**

*(cf. 7160 - Charter School Facilities)*

- 11. Consistency between municipal boundaries and high school boundaries**
- 12. Other factors**

*(cf. 5116.1 - Intradistrict Open Enrollment)*

*(cf. 5117 - Interdistrict Attendance)*

In order to alleviate overcrowding, the Superintendent or designee may place some students in a school outside of their attendance area. **Parents/guardians of students who are attending schools outside of their attendance area shall be notified of the school their child will be attending as soon as possible.** If available, transportation shall be provided for such students.

*(cf. 3541 - Transportation Routes and Services)*

Legal Reference:

EDUCATION CODE

35160 Authority of governing boards

35160.1 Broad authority of school districts

35160.5 District policies; rules and regulations

35291 Rules

35350 Transportation of students

35351 Assignment of students to particular schools

GOVERNMENT CODE

53311-53317.5 Establishment of community facilities district

CALIFORNIA CONSTITUTION

Article I, Section 31 Discrimination based on race, sex, color, ethnicity

COURT DECISIONS

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

Crawford v. Board of Education (1976) 17 Cal.3d 280

Jackson v. Pasadena City School District (1963) 59 Cal.2d 876

Management Resources:

WEB SITES

California Department of Education: <http://www.cde.ca.gov>  
(9/90 10/93) 7/06

Policy **SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**

First reading: November 16,, 2011

Adopted;

King City, California

Students

### **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 P priority for attendance 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)*

4. Any student who is a victim of a violent crime while on school grounds. (20 USC 7912)
5. ~~The Superintendent or designee may approve a student's transfer to a district school that is at capacity and otherwise closed to transfers.~~ Upon a finding that special circumstances exist that might be harmful or dangerous to the student in the current attendance area. **Special circumstances, including 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. ~~Priority may be given to~~ Sibling of a student already in attendance in that school.
  7. ~~Priority may be given to~~ 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 December 1<sup>st</sup> and January 31<sup>st</sup> 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 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. ~~However, upon request, the Superintendent or designee may authorize transportation contingent upon available space and funds.~~

*(cf. 3250 - Transportation Fees)*

*(cf. 3540 - Transportation)*

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>

(3/03 11/08) 3/11

Policy

**SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**

First reading: November 16, 2011

Adopted;

King City, California

## Students

**INTRADISTRICT OPEN ENROLLMENT****Transfer for Victims of a Violent Criminal Offense**

Within a reasonable amount of time, not to exceed 14 days, after it has been determined that a student has been the victim of a violent criminal offense while on school grounds, the student's parents/guardians shall be offered an option to transfer their child to an eligible school identified by the Superintendent or designee.

~~In determining whether~~ **making the determination that** a student has been a victim of a violent criminal offense, the Superintendent or designee shall consider the specific circumstances of the incident ~~on a case-by-case basis~~ and consult with local law enforcement as appropriate. Examples of violent criminal offenses include, but are not limited to, attempted murder, battery with serious bodily injury, assault with a deadly weapon, rape, sexual battery, robbery, extortion, or hate crimes.

The Superintendent or designee shall consider the needs and preferences of the affected student and his/her parent/guardian in making the offer. If the parent/guardian elects to transfer his/her child, the transfer shall be completed as soon as practicable.

**Transfers from a "Persistently Dangerous" School**

~~Within 10 school days after receiving~~ **Upon receipt of** notification from the California Department of Education (CDE) that a school has been designated as "persistently dangerous," the Superintendent or designee shall notify parents/guardians of **students attending the school with the following notifications:** ~~the school's designation. Within 10 school days after, this notification has been provided to parents/guardians, the Superintendent or designee shall notify parents/guardians of their option to transfer their child.~~

1. **Within 10 day of receipt of the notification from CDE, notice of the school's designation**
2. **Within 20 days of receipt of the notification from CDE, notice of the option to transfer their child**

(cf. 0450 - Comprehensive Safety Plan)

Parents/guardians who desire to transfer their child out of a "persistently dangerous" school shall provide written notification to the Superintendent or designee and shall rank-order their preferences from among all schools identified by the Superintendent or designee as eligible to receive transfer students. The Superintendent or designee may establish a reasonable timeline, not to exceed seven school days, for the submission of parent/guardian requests.

The Superintendent or designee shall consider the needs and preferences of students and parents/guardians before making an assignment, but is not obligated to accept the parent/guardian's preference if the assignment is not feasible due to space constraints or other considerations.

For students whose **parents/guardians** accept the offer, the transfer shall generally be made within 30 school days of receiving the notice of the school's designation from the CDE. If parents/guardians decline the assigned school, the student may remain in his/her current school.

The transfer shall remain in effect as long as the student's school of origin is identified as "persistently dangerous." The Superintendent or designee may choose to make the transfer permanent based on the educational needs of the student, parent/guardian preferences, and other factors affecting the student's ability to succeed if returned to the school of origin.

The Superintendent or designee shall cooperate with neighboring districts to develop an interdistrict transfer program in the event that space is not available in a district school.

*(cf. 5117 - Interdistrict Agreements)*

*(cf. 5117.2 - Alternative Interdistrict Attendance Program)*

### **Other Intradistrict Open Enrollment**

~~To implement~~ **Except for transfers for victims of a violent crime and from a “persistently dangerous school,” the following procedures shall apply in** intradistrict open enrollment pursuant to Education Code 35160.5:

1. The Superintendent or designee shall identify those schools which may have space available for additional students. A list of these schools and open enrollment applications shall be available at **each all-school site, the district** offices and on the district's website..
2. ~~Students of parents/guardians who submit applications to the district by January 1 shall be eligible for admission to their school of choice the following school year under the district's open enrollment policy.~~
3. ~~Enrollment in a school of choice shall be determined by lot from the eligible applicant pool, and a waiting list shall be established to indicate the order in which applicants may be accepted if openings occur during the year. Late applicants shall not be added to the waiting list for the current year.~~
2. **After the enrollment priorities have been applied in accordance with Board policy, if there are more requests for a particular school than there are spaces available, a random drawing shall be held from the applicant pool. A waiting list shall be established to indicate the order in which applicants may be accepted if openings occur during the year. Last applicants shall not be added to the waiting list for the current year but shall instead wait for a subsequent lottery.**
3. The Superintendent or designee shall provide written notification to applicants as to whether their applications have been approved, denied, or placed on a waiting list. If the application is denied, the reasons for denial shall be stated.
4. Approved applicants must confirm their enrollment within 10 school days.

Once enrolled, a student shall not be required to reapply for readmission. However, the student may be subject to displacement due to excessive enrollment.

Any complaints regarding the selection process shall be submitted to the Superintendent or designee.

### **Notifications**

Notifications shall be sent to parents/guardians at the beginning of each school year describing all current statutory attendance options and local attendance options available in the district. Such notification shall include: (Education Code 48980)

1. All options for meeting residency requirements for school attendance

*(cf. 5111.1 - District Residency)*

*(cf. 5111.11 – Residency of Students with Caregiver)*

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

*(cf. 5111.13 - Residency for Homeless Children)*

2. Program options offered within local attendance areas
3. A description of any special program options available on both an interdistrict and intradistrict basis
4. A description of the procedure for application for alternative attendance areas or programs and the appeals process available, if any, when a change of attendance is denied
5. A district application form for requesting a change of attendance
6. The explanation of attendance options under California law as provided by the CDE

(10/95 3/03) 11/08

Regulation

**KING CITY JOINT UNION HIGH SCHOOL DISTRICT**

First reading: November 16, 2011

Adopted;

King City, California

## BP 5144.1 Students

### Suspension And Expulsion/Due Process

The Governing Board has established policies and standards of behavior in order to promote learning and protect the safety and well-being of all students. When these policies and standards are violated, it may be necessary to suspend or expel a student from regular classroom instruction.

*(cf. 5144 - Discipline)*

Suspended or expelled students shall be denied the privilege of participation in all extracurricular activities during the period of suspension or expulsion.

*(cf. 6145 - Extracurricular and Cocurricular Activities)*

Except where suspension for a first offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct. (Education Code 48900.5)

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion shall be used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to ~~him~~/herself or others.

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be those specified in law and/or administrative regulation.

### Zero Tolerance

The Board supports a zero tolerance approach to serious offenses **in accordance with state and federal law**. This approach makes the removal of potentially dangerous students from the classroom a top priority ~~It~~ **and** ensures fair and equal **the standardized** treatment of all students ~~and requires that all offenders be punished to the fullest extent allowed by law~~. Staff shall immediately report to the Superintendent or designee any incidence of offenses specified in law, Board policy, and administrative regulation as cause for suspension or expulsion.

### Student Due Process

The Board shall provide for the fair and equitable treatment of students facing suspension and expulsion by affording them their due process rights under the law. The Superintendent or designee shall comply with procedures for notices and appeals as specified in administrative regulation and/or law. (Education Code 48911, 48915, 48915.5)

*(cf. 5119 - Students Expelled from Other Districts)*

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

### **On-Campus-Suspension Program Supervised Suspension Classroom**

The Board recognizes that students who are suspended from school often have no supervision or guidance during the school hours when they are off campus and may fall behind in the coursework. The Board believes that, in many cases, it would be better to manage the student's behavior by keeping the student at school and providing him/her with supervision that is separated from the regular classroom.

The Superintendent or designee shall establish a supervised ~~in-house~~ **classroom** suspension program which meets the requirements of law for ~~suspended~~ students **suspended for any of the reasons enumerated in Education Code 48900 and 48900.2**, who pose no imminent danger or threat at school, and for whom an expulsion action has not been initiated. .

The Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program which involves progressive discipline during the school day on campus; use of conferences between staff, parents/guardians and students; detention; student study teams or other assessment-related teams; and/or referral to school support services staff. The use of such alternatives does not preclude off-campus suspensions.

### **Required Parental Attendance**

The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise.

Whenever a student is ~~removed~~ **suspended** from class **by a teacher** because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities, or otherwise willfully defied valid staff authority, the teacher of the class from which the student was removed may provide that the student's parent/guardian attend a portion of a school day in the class **from which the student was suspended**. (Education Code 48900.1)

~~The Board encourages teachers~~ Before requiring parental attendance, **to the teacher shall** make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may inform the parent/guardian about available resources and parent education opportunities. Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior.

The teacher shall apply this policy uniformly to all students within the classroom. This policy shall apply only to a parent/guardian who lives with the student. (Education Code 48900.1)



**When a teacher requires parental attendance, the principal shall send a written notice to the parent/guardian stating that his/her attendance is pursuant to law. (Education Code 48900.1)**

The notice shall specify that the attendance may be on either the date the student is scheduled to return to class or within one week thereafter.

A parent/guardian who has received a written notice shall attend class as specified in the notice. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

The principal or designee shall contact a parent/guardian who does not respond to the request to attend school. The Board recognizes that parent/guardian compliance with this policy may be delayed, modified, or prevented for reasons such as serious illness/injury/disability, absence from town, or inability to get release time from work.

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements. **Parents/guardians shall be notified of this policy prior to its implementation. (Education Code 48900.1)**

### **Decision Not to Enforce Expulsion Order**

On a case-by-case basis, the enforcement of an expulsion order may be suspended by the Board pursuant to the requirements of law.

#### **Legal Reference:**

##### **EDUCATION CODE**

212.5 Sexual harassment

1981 Enrollment of students in community school

17292.5 Program for expelled students

32261 Interagency School Safety Demonstration Act of 1985

35146 Closed sessions (re suspensions)

35291 Rules (for government and discipline of schools)

35291.5 Rules and procedures on school discipline

48660-48667 Community day schools

48900-48927 Suspension and expulsion

48950 Speech and other communication

49073-49079 Privacy of student records

##### **CIVIL CODE**

47 Privileged communication

48.8 Defamation liability

##### **CODE OF CIVIL PROCEDURE**

1985-1997 Subpoenas; means of production

##### **GOVERNMENT CODE**

11455.20 Contempt

54950-54963 Ralph M. Brown Act

HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia

11053-11058 Standards and schedules

LABOR CODE

230.7 Discharge or discrimination against employee for taking time off to appear in school on behalf of a child

PENAL CODE

31 Principal of a crime, defined

240 Assault defined

241.2 Assault fines

242 Battery defined

243.2 Battery on school property

243.4 Sexual battery

245 Assault with deadly weapon

245.6 Hazing

261 Rape defined

266c Unlawful sexual intercourse

286 Sodomy defined

288 Lewd or lascivious acts with child under age 14

288a Oral copulation

289 Penetration of genital or anal openings

626.2 Entry upon campus after written notice of suspension or dismissal without permission

626.9 Gun-Free School Zone Act of 1995

626.10 Dirks, daggers, knives, razors or stun guns

868.5 Supporting person; attendance during testimony of witness

WELFARE AND INSTITUTIONS CODE

729.6 Counseling

UNITED STATES CODE, TITLE 18

921 Definitions, firearm

UNITED STATES CODE, TITLE 20

7151 Gun free schools

COURT DECISIONS

T.H. v. San Diego Unified School District (2004) 122 Cal. App. 4th 1267

Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421

Board of Education of Sacramento City Unified School District v. Sacramento County

Board of Education and Kenneth H., (2001) 85 Cal.App.4th 1321

Garcia v. Los Angeles Board of Education (1991) 123 Cal.App.3d 807

Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 1182

John A. v. San Bernardino School District (1982) 33 Cal. 3d 301

ATTORNEY GENERAL OPINIONS

84 Ops.Cal.Atty.Gen 146 (2001)

80 Ops.Cal.Atty.Gen. 91 (1997)

80 Ops.Cal.Atty.Gen. 85 (1997)

Management Resources:

WEB SITES

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

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

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

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

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

(2/99 11/01) 11/04

Policy

**SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**

First reading: November 16, 2011

Adopted;

King City, California

## Students

### Suspension And Expulsion/Due Process

#### Definitions

*Suspension from school* means removal of a student from ongoing instruction for adjustment purposes. However, suspension does not mean any of the following: (Education Code 48925)

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level
2. Referral to a certificated employee designated by the principal to advise students
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910. Removal from a particular class shall not occur more than once every five school days.

*Expulsion* means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. (Education Code 48925)

*Day* means a calendar day unless otherwise specifically provided. (Education Code 48925)

*School day* means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

*Student* includes a student's parent/guardian or legal counsel. (Education Code 48925)

*Principal's designee* means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

*School property*, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(u))

#### Notice of Regulations

At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, suspension, and expulsion. (Education Code 35291, 48900.1, 48980)

*(cf. 5144 - Discipline)*

*(cf. 5145.6 - Parental Notifications)*

### **Grounds for Suspension and Expulsion**

A student may be subject to suspension or expulsion when it is determined that he/she:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon another person, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(t))

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))

*(cf. 5131 - Conduct)*

*(cf. 5131.7 - Weapons and Dangerous Instruments)*

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))

*(cf. 5131.6 - Alcohol and Other Drugs)*

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as controlled substance, alcoholic beverage, or intoxicant. (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))
7. Stole or attempted to steal school property or private property. (Education Code 48900(g))
8. Possessed or used tobacco or any products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products. (Education Code 48900(h))

*(cf. 5131.62 - Tobacco)*

9. Committed an obscene act or engaged in habitual profanity or vulgarity. (Education Code 48900(i))
10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))
11. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. (Education Code 48900(k))

*(cf. 5131.4 - Student Disturbances)*

12. Knowingly received stolen school property or private property. (Education Code 48900(l))
13. Possessed an imitation firearm. (Education Code 48900(m))

**Imitation firearm means** a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (Education Code 48900(m))

14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))
15. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness. (Education Code 48900(o))

16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma. (Education Code 48900(p))
17. Engaged in, or attempted to engage in, hazing. (Education Code 48900(q))

**Hazing means a method of initiation or preinitiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. Hazing does not include athletic events or school-sanctioned events. (Education Code 48900(q))**

18. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

**A terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death or great bodily injury to another person, or property damage in excess of \$1,000, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out. (Education Code 48900.7)**

A student in grades 4-12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

19. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)

**Sexual harassment means that conduct, when considered from the perspective of a reasonable person of the same gender as the victim, is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment. (Education Code 212.5, 48900.2)**

*(cf. 5145.7 - Sexual Harassment)*

20. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 233. (Education Code 48900.3)

**Hate violence means any act punishable under Penal Code 422.6, 422.7, or 422.75. Such acts include injuring or intimidating another person, interfering with the exercise of a person's civil rights, or damaging a person's property because of the person's race, color, religion, ancestry, national origin, disability, gender, or sexual orientation. (Education Code 233; Penal Code 422.55)**

*(cf. 5145.9 - Hate-Motivated Behavior)*

21. Intentionally engaged in harassment, threats, or intimidation against district personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment. (Education Code 48900.4)

*(cf. 5145.3 - Nondiscrimination/Harassment)*

22. Engaged in an act of bullying, including, but not limited to, bullying by means of an electronic act, directed toward a student or school personnel. (Education Code 48900(r))

**Bullying means one or more acts by a student or group of students that constitute sexual harassment pursuant to Education Code 48900.2, as defined in item #19 above; hate violence pursuant to Education Code 48900.3, as defined in item #20 above; or harassment, threats, or intimidation pursuant to Education Code 48900.4, as defined in item #21 above. (Education Code 32261)**

**Electronic act means the transmission of a communication, including, but not limited to, a message, text, sound, or image by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager. (Education Code 32261)**

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent or principal or within any other school district, including, but not limited to, the following circumstances: (Education Code 48900)

1. While on school grounds
2. While going to or coming from school
3. During the lunch period, whether on or off the school campus

*(cf. 5112.5 - Open/Closed Campus)*

4. During, going to, or coming from a school-sponsored activity

*(cf. 5131.1 - Bus Conduct)*

The Superintendent or principal may use his/her discretion to provide alternatives to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(v))

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



*(cf. 6164.2 - Guidance/Counseling Services)*

Alternatives to suspension or expulsion shall be used with students who are truant, tardy, or otherwise absent from assigned school activities.

*(cf. 5113 - Absences and Excuses)*

*(cf. 5113.1 - Truancy)*

### **Removal from Class by a Teacher/Parental Attendance**

A teacher may suspend any student from his/her class for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

A teacher also may refer a student to the principal or designee for consideration of suspension from school. (Education Code 48910)

When removing a student from his/her class, the teacher shall immediately report this action to the principal or designee and send the student to the principal or designee for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been removed. (Education Code 48910)

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the removal. A counselor or psychologist may attend the conference if it is practicable, and a school administrator shall attend if either the parent/guardian or teacher so requests. (Education Code 48910)

A student removed from class shall not be returned to class during the period of removal without the approval of the teacher of the class and the principal. (Education Code 48910)

A student removed from class shall not be placed in another regular class during the period of removal. However, if a student is assigned to more than one class per day, he/she may be placed in any other regular classes except those held at the same time as the class from which the student was removed. (Education Code 48910)

The teacher of any class from which a student is removed may require the student to complete any assignments and tests missed during the removal. (Education Code 48913)

Pursuant to Board policy, a teacher may provide that the parent/guardian of a student whom the teacher has removed attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date
2. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student
3. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1

### **Suspension by Superintendent, Principal, or Principal's Designee**

The Superintendent or principal may suspend a student from school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or principal shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, selling, or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence
2. Brandishing a knife, as defined in Education Code 48915(g), at another person
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above
5. Possession of an explosive as defined in 18 USC 921

**Explosive means a destructive device and includes, but is not limited to, any explosive, incendiary, or poison gas bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or similar device. A destructive device includes any other type of weapon (except a shotgun or shotgun shell recognized by the United States Secretary of Army as suitable for sporting purposes) which might be converted to project an explosive. (18 USC 921)**

Suspension also may be imposed upon a first offense if the Superintendent or principal determines that the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year unless, for purposes of adjustment, the student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48911, 48912)

*(cf. 6184 - Continuation Education)*

The ~~Superintendent or designee~~ **District** may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year. (Education Code 48903)

Suspensions shall be initiated according to the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the Superintendent, principal, or principal's designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action, presented with the evidence against him/her, and given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911)

This conference may be omitted if the Superintendent, principal, or designee determines that an emergency situation exists. An emergency situation involves a clear and present danger to the lives, safety, or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of the conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference shall be held as soon as the student is physically able to return to school. (Education Code 48911)

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee. **(Education Code 48911)**
3. Notice to Parents/Guardians: At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension. (Education Code 48911)

This notice shall state the specific offense committed by the student. (Education Code 48900.8)

In addition, the notice may state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matter. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such a conference. The student may not be denied readmission solely because the parent/guardian failed to attend the conference. (Education Code 48911)

5. Extension of Suspension: If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911)

Any extension of the original period of suspension shall be preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension. Extension of the suspension may be made only if the Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process. (Education Code 48911)

### **Suspension by the Board**

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal, or Principal's Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it shall hold closed sessions if a public hearing would lead to disclosure of information violating a student's right to privacy under Education Code 49073-49079. (Education Code 35146, 48912)

*(cf. 9321 - Closed Session Purposes and Agendas)*

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by **registered or certified mail or personal service**. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Board's notice. However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session. (Education Code 35146, 48912)

#### ~~On-Campus Suspension Program~~ **Supervised Suspension Classroom**

Students for whom an expulsion action has not been initiated and who pose no imminent danger or threat to the school, students, or staff may be assigned to a ~~separate~~ supervised suspension classroom **in a separate classroom, building, or site** for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The supervised suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. Each student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher(s) shall provide all assignments and tests that the student will miss while suspended. If no such work is assigned, the person supervising the suspension classroom shall assign schoolwork.

At the time a student is assigned to a supervised suspension classroom, the principal or designee shall notify the student's parent/guardian in person or by telephone. When the assignment is for longer than one class period, this notification shall be made in writing. (Education Code 48911.1)

#### **Authority to Expel**

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion." **(Education Code 48915)**

The Board also may order a student expelled for any of the acts listed above under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer, or administrative panel, based on either or both of the following finding(s): (Education Code 48915(b) and (e))

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct
2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

### **Mandatory Recommendation for Expulsion**

Unless the principal, Superintendent or designee finds that expulsion is inappropriate due to particular circumstances, the principal or the Superintendent or designee shall recommend a student's expulsion for any of the following acts: (Education Code 48915(a))

1. Causing serious physical injury to another person, except in self-defense
2. Possession of any knife as defined in Education Code 48915(g), explosive, or other dangerous object of no reasonable use to the student
3. Unlawful possession of any controlled substance, as listed in Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis
4. Robbery or extortion
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee

### **Mandatory Recommendation and Mandatory Expulsion**

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, selling, or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the firearm from a certificated school employee, with the principal or designee's concurrence
2. Brandishing a knife as defined in Education Code 48915(g) at another person
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058

4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above
5. Possessing an explosive as defined in 18 USC 921

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

### **Student's Right to Expulsion Hearing**

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918(a))

The student is entitled to at least one postponement of an expulsion hearing for a period of not more than 30 calendar days. The request for postponement shall be in writing. Any subsequent postponement may be granted at the Board's discretion. (Education Code 48918(a))

If the Board finds it impractical during the regular school year to comply with these time requirements for conducting an expulsion hearing, the Superintendent or designee may, for good cause, extend the time period by an additional five school days. Reasons for the extension shall be included as a part of the record when the expulsion hearing is held. (Education Code 48918(a))

If the Board finds it impractical to comply with the time requirements of the expulsion hearing due to a summer recess of Board meetings of more than two weeks, the days during the recess shall not be counted as school days. The days not counted during the recess may not exceed 20 school days, as defined in Education Code 48925. Unless the student requests in writing that the expulsion hearing be postponed, the hearing shall be held not later than 20 calendar days prior to the first day of the next school year. (Education Code 48918(a))

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code 48918(a))

### **Rights of Complaining Witness**

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental, or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy

of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

### **Written Notice of the Expulsion Hearing**

Written notice of the expulsion hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code 48900.8, 48918(b))

1. The date and place of the hearing.
2. A statement of the specific facts, charges, and offense upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915(a) or (c).

*(cf. 5119 - Students Expelled from Other Districts)*

5. The opportunity for the student or the student's parent/guardian to appear in person or be represented by legal counsel or by a nonattorney advisor.

*Legal counsel* means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

*Nonattorney advisor* means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.



6. The right to inspect and obtain copies of all documents to be used at the hearing.
7. The opportunity to confront and question all witnesses who testify at the hearing.
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses.

### **Conduct of Expulsion Hearing**

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such request is made, the meeting shall be public unless another student's privacy rights would be violated. (Education Code 48918(c))

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine whether or not the student should be expelled. If the Board admits any other person to this closed session, the parent/guardian, the student, and the counsel of the student also shall be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including, but not limited to, videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. (Education Code 48918(g))
3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

4. Presentation of Evidence: ~~While~~ Technical rules of evidence shall not apply to the expulsion hearing, **but relevant** evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. The decision of the Board to expel shall be supported by substantial evidence that the student committed any of the acts pursuant to Education Code 48900 and listed in "Grounds for Suspension and Expulsion" above. (Education Code 48918(h))

Findings of fact shall be based solely on the evidence at the hearing. While no finding shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm. (Education Code 48918(f))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

5. Testimony by Complaining Witnesses: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918, 48918.5)
  - a. Any complaining witness shall be given five days' notice before being called to testify.
  - b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
  - c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
  - d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.

- e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.
  - f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
  - g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
    - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
    - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
    - (3) The person conducting the hearing may:
      - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
      - (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours
      - (c) Permit one of the support persons to accompany the complaining witness to the witness stand
6. Decision Within 10 School Days: The Board's decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))
7. Decision Within 40 School Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

### **Alternative Expulsion Hearing: Hearing Officer or Administrative Panel**

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. Alternatively, the Board may appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code 48918(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing." (Education Code 48918(d))

The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, **the expulsion proceeding shall be terminated and** the student shall be immediately reinstated. The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers, and with the student's parent/guardian. **The decision to not recommend expulsion shall be final.** (Education Code 48918(e))

If expulsion is recommended, findings of fact in support of the recommendation shall be prepared and submitted to the Board. All findings of fact and recommendations shall be based solely on the evidence presented at the hearing. The Board may accept the recommendation based either upon a review of the findings of fact and recommendations submitted or upon the results of any supplementary hearing the Board may order. (Education Code 48918(f))

In accordance with Board policy, the hearing officer or administrative panel may recommend that the Board suspend the enforcement of the expulsion for a period of one year. **(Education Code 48917, 48918)**

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

### **Final Action by the Board**

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

*(cf. 9321.1 - Closed Session Actions and Reports)*

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. If an expulsion is ordered during the summer session or the intersession period of a year-round program, the Board shall set a date when the student shall be reviewed for readmission not later than the last day of the semester following the summer session or intersession period in which the expulsion occurred. (Education Code 48916)

At the time of the expulsion order, the Board shall recommend a plan for the student's rehabilitation, which may include: (Education Code 48916)

1. Periodic review, as well as assessment at the time of review, for readmission
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service, or other rehabilitative programs

With parent/guardian consent, students who have been expelled for reasons relating to controlled substances or alcohol may be required to enroll in a county-sponsored drug rehabilitation program before returning to school. (Education Code 48916.5)

### **Written Notice to Expel**

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. This notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed in Education Code 48900, 48900.2, 48900.3, 48900.4, 48900.7, or 48915 (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board of Education (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)

5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

### **Decision Not to Enforce Expulsion Order**

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion, the Board shall take into account the following criteria:

1. The student's pattern of behavior
2. The seriousness of the misconduct
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program

The suspension of the enforcement of an expulsion shall be governed by the following:

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program. **(Education Code 48917)**
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. **(Education Code 48917)**
3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct. **(Education Code 48917)**
4. When the suspension of the enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order. **(Education Code 48917)**
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings. **(Education Code 48917)**
6. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education, **the alternative educational placement**

**to be provided to the student during the time of expulsion, and the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915. (Education Code 48918(j))**

7. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board. (Education Code 48917)

### **Right to Appeal**

The student or parent/guardian is entitled to file an appeal of the Board's decision with the County Board of Education. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

The student shall submit a written request for a copy of the written transcripts and supporting documents from the district simultaneously with the filing of the notice of appeal with the County Board of Education. The district shall provide the student with these documents within 10 school days following the student's written request. (Education Code 48919)

### **Notification to Law Enforcement Authorities**

Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245. (Education Code 48902)

The principal or designee also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance ~~of possession of weapons or firearms~~. **In addition, law enforcement authorities shall be notified regarding any acts by students or nonstudents regarding the possession, sale, or furnishment of firearms, explosives, or other dangerous weapons** in violation of Education Code 48915(c)(1) or (5) or Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering, or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

### **Post-Expulsion Placements**

The Board shall refer expelled students to a program of study that is: (Education Code 48915, 48915.01)

1. Appropriately prepared to accommodate students who exhibit discipline problems
2. Not provided at a comprehensive middle, junior, or senior high school or at any elementary school, unless the program is offered at a community day school established at such a site
3. Not housed at the school site attended by the student at the time of suspension

*(cf. 6158 - Independent Study)*

*(cf. 6185 - Community Day School)*

When the placement described above is not available, and when the County Superintendent so certifies, students expelled for acts described in items #6-13 and #19-21 under "Grounds for Suspension and Expulsion" above may be instead referred to a program of study that is provided at another comprehensive middle, junior, or senior high school, or at an elementary school. (Education Code 48915)

The program for a student expelled from any of grades K-6 shall not be combined or merged with programs offered to students in any of grades 7-12. (Education Code 48916.1)

### **Readmission After Expulsion**

Readmission procedures shall be as follows:

1. On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
2. The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.
3. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
4. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission.
5. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code 48916)



6. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school. (Education Code 48916)
7. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code 48916)

### **Maintenance of Records**

The Board shall maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls upon receipt of a written request by the admitting school. (Education Code 48900.8, 48918(k))

*(cf. 5125 - Student Records) .*

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

*(cf. 5119 - Students Expelled from Other Districts)*

### **Outcome Data**

The Superintendent or designee shall maintain the following data: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion
2. The specific grounds for each recommended expulsion
3. Whether the student was subsequently expelled
4. Whether the expulsion order was suspended
5. The type of referral made after the expulsion
6. The disposition of the student after the end of the expulsion period

(11/05 11/08) 3/10

AR 5144.1 (w)

Regulation      **SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**

First Reading: November 16, 2011

Adopted:

King City, California

## BP 6159 Instruction

**Individualized Education Program**

The Governing Board **desires to** provides a ~~full range of~~ educational alternatives that afford students with disabilities full educational opportunities. **Students with disabilities shall receive a free appropriate public education and be placed in the least restrictive environment which meets their needs to the extent provided by law.**

*(cf. 0430 - Comprehensive Local Plan for Special Education)*  
*(cf. 1312.3 - Uniform Complaint Procedures)*  
*(cf. 3541.2 - Transportation for Students with Disabilities)*  
*(cf. 4112.23 - Special Education Staff)*  
*(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*  
*(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)*  
*(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)*  
*(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)*  
*(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)*  
*(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 administrative regulations regarding the appointment of the individualized education program (IEP) team, the contents of the IEP, and the development, review, and revision of the IEP.**

**To the extent permitted by federal law, a foster parent shall have the same rights relative to his/her foster child's IEP as a parent/guardian. (Education Code 56055)**

## Legal Reference:

## EDUCATION CODE

51225.3 Requirements for high school graduation and diploma  
 56055 Rights of foster parents pertaining to foster child's education  
 56136 Guidelines for low incidence disabilities areas  
 56195.8 Adoption of policies  
 56321 Development or revision of IEP  
 56321.5 Notice to include right to electronically record  
 56340.1-56347 Instructional planning and individualized education program  
 56350-56352 IEP for visually impaired students  
 56380 IEP reviews; notice of right to request  
 56390-56392 Certificate of completion, special education  
 56500-56509 Procedural safeguards  
 60640-60649 Standardized Testing and Reporting Program  
 60850 High school exit examination, students with disabilities  
 60852.3 High school exit examination, exemption for the class of 2006

## FAMILY CODE

6500-6502 Age of majority

GOVERNMENT CODE

7572.5 Seriously emotionally disturbed child, expanded IEP team

WELFARE AND INSTITUTIONS CODE

300 Children subject to jurisdiction

601 Minors habitually disobedient

602 Minors violating law defined as crime

CODE OF REGULATIONS, TITLE 5

853-853.5 Standardized Testing and Reporting Program, accommodations

1215.5-1218 High School Exit Examination, accommodations for students with disabilities

3021-3029 Identification, referral and assessment

3040-3043 Instructional planning and the individualized education program

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act of 1974

1400-1482 Individuals with Disabilities Education Act

CODE OF FEDERAL REGULATIONS, TITLE 34

300.1-300.818 Individuals with Disabilities Education Act

ATTORNEY GENERAL OPINIONS

85 Ops.Cal.Atty.Gen. 157 (2002)

COURT DECISIONS

Schaffer v. Weast (2005) 125 S. Ct. 528

Shapiro v. Paradise Valley Unified School District, No. 69 (9th Circuit, 2003) 317 F.3d 1072

Sacramento City School District v. Rachel H. (9th Cir. 1994) 14 F.3d 1398

Management Resources:

FEDERAL REGISTER

Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845

WEB SITES

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

U.S. Department of Education, Office of Special Education and Rehabilitative Services:

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

(3/03 11/03) 3/06

Policy

**MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**

First reading: November 16, 2011

Adopted;

King City, California

AR 6159 Instruction

**Individualized Education Program**

Members of the **Individualized Education Program (IEP) Team**

The district shall ensure that the individualized education program (IEP) team for any student with a disability includes the following members: (Education Code 56341, 56341.2, 56341.5; 20 USC 1414(d)(1); 34 CFR 300.321)

1. One or both of the student's parents/guardians, and/or a representative selected by the parent/guardian
2. If the student is or may be participating in the regular education program, at least one regular education teacher

If more than one regular education teacher is providing instructional services to the student, the district may designate one such teacher to represent the others.

3. At least one special education teacher or, where appropriate, at least one special education provider for the student
4. A representative of the district who is:
  - a. Qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of students with disabilities
  - b. Knowledgeable about the general education curriculum
  - c. Knowledgeable about the availability of district and/or **special education local plan area (SELPA)** resources

*(cf. 0430 - Comprehensive Local Plan for Special Education)*

5. An individual who ~~conducted an assessment of the student or who is knowledgeable about the assessment procedures used to assess the student and is~~ **can interpret the instructional implications of assessment results.**

This individual may already be a member of the team as described in items #2-4 above or in item #6 below.

6. At the discretion of the parent/guardian or district, other individuals who have knowledge or special expertise regarding the student, including related services personnel, as appropriate.

The determination of whether the individual has knowledge or special expertise regarding the student shall be made by the party who invites the individual to be a member of the IEP team.

7. Whenever appropriate, the student with a disability
8. For transition service consideration:
  - a. The student, ~~of any~~ **regardless of his/her** age, if the purpose of the meeting is the consideration of the student's **postsecondary goals and the** transition services ~~needs under Education Code 56345.1 (a) or (b)~~ needed to assist him/her in reaching those goals pursuant to 34 CFR 300.320(b)

If the student does not attend the IEP team meeting, the district shall take other steps to ensure that his/her preferences and interests are considered.

- b. **To the extent appropriate, and with the consent of the parent/guardian,** a representative of any other agency that is likely to be responsible for providing or paying for transition services.
9. For students suspected of having a specific learning disability **in accordance with 34 CFR 300.308 and 34 CFR 300.310**, at least one individual who is qualified to conduct individual diagnostic examinations of the student, such as a school psychologist, speech language pathologist, or remedial reading teacher

**In accordance with 34 CFR 300.310**, at least one team member other than the student's regular education teacher shall observe the student's academic performance **and behavior in the areas of difficulty in his/her learning environment, including** in the regular classroom setting. If the child is younger than five years or not enrolled in school, a team member shall observe the child in an environment appropriate for a child of that age.

10. For students who have been placed in a group home by the juvenile court, a representative of the group home

If a student with a disability is identified as potentially requiring mental health services, the district shall request the participation of the county mental health program in the IEP team meeting **prior to referring the student to a county mental health agency for services.** (Education Code 56331)

Upon request of the parent/guardian of a child who was previously served under ~~Part C of the individuals with disabilities education act~~ **Early Education for Individuals with Exceptional Needs (Education Code 56425-56432) or the California Early Intervention Services Act (Government Code 95000-95004)**, the district shall invite the ~~Individuals with Disabilities~~

~~Education Act~~ **Infant and Toddlers with Disabilities** Coordinator or other representative of the **early education or early intervention** system to the **initial** IEP team meeting to assist with the smooth transition of services. (**Education Code 56341**; 20 USC 1414(d)(1)(D); **34 CFR 300.321**)

A member of the IEP team shall not be required to attend an IEP team meeting, in whole or in part, if the parent/guardian and the district agree, in writing, that the attendance of the member is not necessary because the member's area of the curriculum or related services is not being modified or discussed at the meeting. **Even** if the meeting involves a discussion of the **IEP team** member's area of the curriculum or related service, the member may be excused from the meeting if the parent/guardian, in writing, and the district consent to the excusal after conferring with the member and the member submits to the parent/guardian and team written input into the development of the IEP prior to the meeting. (**Education Code 56341**; 20 USC 1414(d)(1)(C); **34 CFR 300.321**)

#### Parent/Guardian Participation and Other Rights

The Superintendent or designee shall take steps to ensure that one or both of the parents/guardians of the student with a disability are present at each IEP team meeting or are afforded the opportunity to participate. These steps shall include notifying the parents/guardians of the meeting **early enough to ensure that they will have the opportunity to attend** and scheduling the meeting at a mutually agreed upon time and place. (Education Code 56341.5; 34 CFR 300.345 **322**)

The Superintendent or designee shall send parents/guardians notices of IEP team meetings that: (Education Code 56341.5; 34 CFR 300.345 **322**)

1. Indicate the purpose, time, and location of the meeting
2. Indicate who will be in attendance at the meeting
3. Inform them of:
  - a. Their right to bring to the meeting other individuals who have knowledge or special expertise about the student, pursuant to Education Code 56341(b)(6)
  - b. The provision of Education Code 56341(i) relating to the participation of the Infant and Toddlers with Disabilities Coordinator at the initial IEP team meeting, if the student was previously served under Early Education for Individuals with Exceptional Needs (Education Code 56425-56432) or the California Early Intervention Services Act (Government Code 95000-95004)

In addition, when the IEP team meeting is to consider the development, review, or revision of the IEP of a student with a disability who is 16 years of age, or younger than 16 if deemed

appropriate by the IEP team, the Superintendent or designee's notice to the student's parents/guardians shall include the following: (Education Code 56341.5)

1. An indication that a purpose of the meeting will be the consideration of postsecondary goals and transition services for the student pursuant to Education Code 56345.1, 20 USC 1414(d)(1)(A)(i)(VIII), and 34 CFR 300.320(b)
2. An indication that the student is invited to the IEP team meeting
3. Identification of any other agency that will be invited to send a representative

*(cf. 5145.6 - Parental Notifications)*

At each IEP team meeting convened by the district, the district administrator or specialist on the team shall inform the parent/guardian and student of the federal and state procedural safeguards included in the notice of parental rights provided pursuant to Education Code 56321. (Education Code 56500.1)

*(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)*

**The parent/guardian shall have the right and opportunity to examine all of his/her child's school records upon request and before any IEP meeting. Upon receipt of an oral or written request, the district shall provide complete copies of the records within five business days. (Education Code 56043)**

*(cf. 5125 - Student Records)*

If neither parent/guardian can attend the meeting, the Superintendent or designee shall use other methods to ensure parent/guardian participation, including video conferences or individual or conference telephone calls. (Education Code 56341.5; 20 USC 1414(f); 34 CFR 300.322)

An IEP team meeting may be conducted without a parent/guardian in attendance if the district is unable to convince the parent/guardian that he/she should attend. In such a case, the district shall maintain a record of its attempts to arrange a mutually agreed upon time and place for the meeting, including: (Education Code 56341.5; 34 CFR 300.322)

1. Detailed records of telephone calls made or attempted and the results of those calls
2. Copies of correspondence sent to the parent/guardian and any responses received
3. Detailed records of visits made to the parent/guardian's home or place of employment and the results of those visits

Parents/guardians and the district shall have the right to audio record the proceedings of IEP team meetings, provided members of the IEP team are notified of this intent at least 24 hours



before the meeting. If the district gives notice of intent to audio record a meeting and the parent/guardian objects or refuses to attend because the meeting would be audio recorded, the meeting shall not be audio recorded. Parents/guardians also have the right to: (Education Code 56341.1)

1. Inspect and review the audio recordings
2. Request that an audio recording be amended if they believe it contains information that is inaccurate, misleading, or in violation of the student's privacy rights or other rights
3. Challenge, in a hearing, information that the parents/guardians believe is inaccurate, misleading, or in violation of the student's privacy rights or other rights

**The district shall take any action necessary to ensure that the parents/guardians understand the proceedings of the meeting, including arranging for an interpreter for parents/guardians with deafness or whose native language is not English. (Education Code 56341.5; 34 CFR 300.322)**

**The district shall give the parents/guardians of a student with disabilities a copy of his/her child's IEP at no cost. (Education Code 56341.5; 34 CFR 300.322)**

### **Parent/Guardian Consent**

**Before providing special education and related services, the district shall seek to obtain informed consent pursuant to 20 USC 1414(a)(1). The district shall not provide services by utilizing the due process hearing procedures pursuant to 20 USC 1415(f) if the parent/guardian refuses to consent to the initiation of services. If the parent/guardian does not consent to all of the components of the IEP, then those components to which the parent/guardian has consented shall be implemented so as not to delay providing instruction and services to the student. (Education Code 56346)**

**If the district determines that a part of a proposed IEP to which the parent/guardian does not consent is necessary in order to provide the student with a free appropriate public education (FAPE), a due process hearing shall be initiated in accordance with 20 USC 1415(f). While the due process hearing is pending, the student shall remain in the current placement unless the parent/guardian and the district agree otherwise. (Education Code 56346)**

**If at any time subsequent to the initial provision of services, the student's parent/guardian revokes consent, in writing, for the continued provision of special education services, the Superintendent or designee shall provide prior written notice within a reasonable time before ceasing to provide services to the student. The district shall not request a due process hearing or pursue mediation in order to require an agreement or ruling that services be provided to the student. (Education Code 56346; 34 CFR 300.300, 300.503)**

**When the district ceases to provide special education services in response to the parent/guardian's revocation of consent, the student shall be classified as a general education student.**

#### Contents of the IEP

The IEP shall be a written statement **developed, reviewed, and revised** in a meeting of the IEP team. It shall include, but is not limited to, all of the following: (Education Code 56043, 56345, 56345.1; 20 USC 1414(d)(1)(A); 34 CFR 300.320 ~~347~~)

1. A statement of the present levels of the student's academic achievement and functional performance, including:
  - a. The manner in which the student's disability affects his/her involvement and progress in the general education curriculum (i.e., the same curriculum as for nondisabled students)
  - b. For students with disabilities who take alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives**
2. A statement of measurable annual goals, including ~~benchmarks or short-term objectives~~ **related academic and functional goals, designed to:**
  - a. Meet the student's needs that result from his/her disability in order to enable the student to be involved in and progress in the general **education** curriculum
  - b. Meet each of the student's other educational needs that result from ~~the student's~~ **his/her** disability
3. **A description of the manner in which the student's progress toward meeting the annual goals described in item #2 above will be measured and when the district will provide periodic reports on the progress the student is making toward meeting the annual goals, such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards**
4. A statement of the special education instruction and related services and supplementary aids and services, based on peer-reviewed research ~~if to the extent~~ **practicable**, to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided to enable the student to:
  - a. Advance appropriately toward attaining the annual goals

- b. Be involved and make progress in the general **education** curriculum in accordance with item #1 above and to participate in extracurricular and other nonacademic activities
- c. Be educated and participate with other students with disabilities and nondisabled students in the activities described in **the statement, pursuant to** Education Code 56345

*(cf. 3541.2 - Transportation for Students with Disabilities)*

- 5. An explanation of the extent, if any, to which the student will not participate with nondisabled students in the regular class and in extracurricular and other nonacademic activities described in the statement mentioned in item #4 above
- 6. A statement of **any appropriate individual accommodations or any individual modifications in the administration of state or district assessments of student achievement that are needed in order for the student to participate in such assessments necessary to measure the academic achievement and functional performance of the student on state and districtwide assessments**

If the IEP team determines that the student shall take an alternate assessment instead of a particular regular state or districtwide assessment, the student's IEP also shall include a statement of the reason that he/she cannot participate in the regular assessment and the reason that the particular alternate assessment selected is appropriate for him/her.

*(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)*

*(cf. 6162.51 - Standardized Testing and Reporting Program)*

*(cf. 6162.52 - High School Exit Examination)*

- 7. The projected date for the beginning of the services and modifications described in item #4 above and the anticipated frequency, location, and duration of those services and modifications
- 8. Beginning not later than the first IEP to be in effect when the student is 16 years of age, or younger if determined appropriate by the IEP team, and updated annually thereafter, the following:
  - a. Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills
  - b. The transition services, including courses of study, needed to assist the student in reaching those goals

9. Beginning at least one year before the student reaches age 18, a statement that the student has been informed of his/her rights, if any, that will transfer to him/her upon reaching age 18, pursuant to Education Code 56041.5

Where appropriate, the IEP shall also include: (Education Code 56345)

1. For students in grades 7 9-12, any alternative means and modes necessary for the student to complete the district's prescribed course of study and to meet or exceed proficiency standards required for graduation

*(cf. 6146.1 - High School Graduation Requirements)*

*(cf. 6146.11 - Alternative Credits Toward Graduation)*

2. Linguistically appropriate goals, objectives, programs, and services for students whose native language is not English

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

3. Extended school year services (ESY) when ~~needed as determined by~~ the IEP team **determines**, on an individual basis, that the services are necessary for the provision of FAPE

**Students to receive extended school year services are typically those who have disabilities that will continue indefinitely, or for a prolonged period, and for whom interruption of the educational program may cause regression with limited recoupment capacity. When determining if a student requires ESY program, the IEP team, should consider whether:**

- a. **The nature and/or severity of the student's disability prohibits the student from receiving benefit from his or her educational program during the subsequent year without ESY services**
- b. **There is documentation that a significant regression in critical life skills and/or difficulty in recovering those skills within a reasonable period of time (eight weeks) will occur in the subsequent year without ESY services, and**
- c. **There is documentation that a significant increase in the frequency, duration, or intensity of interfering behaviors (e.g. stereotypic, aggressive) that will reduce the student's ability to benefit from his or her education al program during the subsequent year will occur without ESY services.**

*(cf. 5148.2 - Before/After School Programs)*

*(cf. 6177 - Summer School)*

4. Provision for transition into the regular education program if the student is to be transferred from a special class or center or nonpublic, nonsectarian school into a regular education program in a public school for any part of the school day

The IEP shall include descriptions of activities intended to:

- a. Integrate the student into the regular education program, including indications of the nature of each activity and the time spent on the activity each day or week
- b. Support the transition of the student from the special education program into the regular education program

*(cf. 6176 - Weekend/Saturday Classes)*

*(cf. 6178 - Career Technical Education)*

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

5. Specialized services, materials, and equipment for students with low incidence disabilities, consistent with the guidelines pursuant to Education Code 56136

#### Development, Review, and Revision of the IEP

In developing the IEP, the IEP team shall consider **all of** the following: (Education Code 56341.1, 56345; 20 USC 1414(d)(3)(A); 34 CFR 300.324)

1. The strengths of the student
2. The concerns of the parents/guardians for enhancing the education of their child
3. The results of the initial assessment or most recent assessment of the student
4. The academic, developmental, and functional needs of the student
5. In the case of a student whose behavior impedes his/her learning or that of others, if **appropriate the use of** positive behavioral interventions and supports and other strategies to address that behavior
6. In the case of a student with limited English proficiency, the language needs of the student as such needs relate to the student's IEP
7. In the case of a student who is blind or visually impaired, the need to provide for instruction in Braille and instruction in the use of Braille

However, such instruction need not be included in the IEP if the IEP team determines that instruction in Braille or the use of Braille is not appropriate for the student. This determination shall be based upon an assessment of the student's reading and writing skills, his/her future needs for instruction in Braille or the use of Braille, and other appropriate reading and writing media.

8. The communication needs of the student, and in the case of a student who is deaf or hard of hearing, the student's language and communication needs, opportunities for direct communications with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and communication mode

The team shall also consider the related services and program options that provide the student with an equal opportunity for communication access, **as described in Education Code 56345.**

9. Whether the student requires assistive technology devices and services

If, in considering the special factors in items #1-9 above, the IEP team determines that a student needs a particular device or service, including an intervention, accommodation, or other program modification, in order to receive FAPE, the IEP team ~~must~~ **shall** include a statement to that effect in the student's IEP. (Education Code 56341.1)

**The Superintendent or designee shall ensure that the IEP team: (Education Code 56043, 56341.1, 56380; 20 USC 1414(d)(4); 34 CFR 300.324)**

1. ~~All IEP's shall be reviewed on an annual bases for student progress~~ **Reviews the IEP periodically, but at least annually, to determine whether the annual goals for the student are being achieved** and the appropriateness of placement
2. ~~The IEP may be revised~~ **Revises the IEP**, as appropriate, to address:
  - a. Any lack of expected progress toward the annual goals and in the general education curriculum, where appropriate
  - b. The results of any reassessment conducted pursuant to Education Code 56381
  - c. Information about the student provided to or by the parents/guardians regarding review of evaluation data pursuant to 34 CFR 305(a)(2) and Education Code 56381(b)
  - d. The student's anticipated needs
  - e. Other matters
3. **Considers the special factors listed in items #5-9 above when reviewing the IEP of a student with a disability who has additional behavior or communication needs**

**The IEP team shall also meet: (Education Code 56343)**

1. **Whenever the student has received an initial formal assessment and, when desired, when the student receives any subsequent formal assessment**
2. **Upon request by the student's parent/guardian or teacher to develop, review, or revise the IEP**

**The parent/guardian shall have the right to present information to the IEP team in person or through a representative and the right to participate in meetings that relate to eligibility for special education and related services, recommendations, and program planning. (Education Code 56341.1)**

If a participating agency other than the district fails to provide the transition services described in the student's IEP, the team shall reconvene to identify alternative strategies to meet the transition service objectives set out for the student in the IEP. (Education Code 56345.1; 20 USC 1414(d); 34 CFR 300.324)

As a member of the IEP team, the regular education teacher shall, to the extent appropriate, participate in the development, review, and revision of the student's IEP, including assisting in the determination of: (Education Code 56341; 20 USC 1414(d)(3)(C); 34 CFR 300.324)

1. **Appropriate positive behavioral interventions and supports and other strategies for the student**

*(cf. 6159.4 - Behavioral Interventions for Special Education Students)*

2. **Supplementary aids and services, program modifications, and supports for school personnel that will be provided for the student, consistent with 34 CFR 300. 347 (a)(3) 320**

**To the extent possible, the district shall encourage the consolidation of reassessment meetings and other IEP team meetings for a student. (20 USC 1414(d)(3)(A); 34 CFR 300.324)**

The student shall be allowed to provide confidential input to any representative of his/her IEP team. (Education Code 56341.5)

**When a change is necessary to a student's IEP after the annual IEP team meeting for the school year has been held, the parent/guardian and the district may agree not to convene an IEP team meeting for the purpose of making the change and instead may develop a written document to amend or modify the student's current IEP. The IEP team shall be informed of any such changes. Upon request, the district shall provide the parent/guardian with a revised copy of the IEP with the incorporated amendments. (20 USC 1414(d)(3)(D); 34 CFR 300.324)**

**If a student with disabilities residing in a licensed children's institution or foster family home has been placed by the district in a nonpublic, nonsectarian school, the district shall conduct an annual evaluation as part of the IEP process of whether the placement is the least restrictive environment that is appropriate to meet the student's needs. (Education Code 56157)**

(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)  
(cf. 6173.1 - Education for Foster Youth)

**When an IEP calls for a residential placement as a result of a review by an expanded IEP team, the IEP shall include a provision for a review, at least every six months, by the full IEP team of all of the following: (Education Code 56043)**

- 1. The case progress**
- 2. The continuing need for out-of-home placement**
- 3. The extent of compliance with the IEP**
- 4. Progress toward alleviating the need for out-of-home care**

#### **Timelines for the IEP and for the Provision of Services**

**At the beginning of each school year, the district shall have an IEP in effect for each student with a disability within district jurisdiction. (Education Code 56344; 34 CFR 300.323)**

The district shall ensure that a meeting to develop an initial IEP is conducted within 30 days of a determination that a student needs special education and related services. **The district shall also ensure that, as soon as possible following development of the IEP, special education services and related services are made available to the student in accordance with his/her IEP. (Education Code 56344; 34 CFR 300.323)**

An IEP required as a result of an assessment of the student shall be developed within ~~50~~ **60** days (not counting days between the student's regular school sessions or terms or days of school vacation in excess of five school days) from the date of receipt of the parent/guardian's written consent for assessment, unless the parent/guardian agrees, in writing, to an extension. (Education Code 56344)

However, an IEP required as a result of an assessment of a student shall be developed within 30 days after the commencement of the subsequent regular school year for a student for whom a referral has been made ~~20~~ **30** days or less prior to the end of the regular school year. In the case of school vacations, the ~~50~~ **60**-day time limit shall recommence on the date that the student's school days reconvene. (Education Code 56344)



When a parent/guardian requests an IEP team meeting to review the IEP, the team shall meet within 30 days of receiving the parent/guardian's written request, not counting days between the student's regular school sessions **or** terms or days of school vacation in excess of five school days. If a parent/guardian makes an oral request, the district shall notify the parent/guardian of the need for a written request and the procedure for filing such a request. (Education Code **56043**, 56343.5)

A regular education or special education teacher may request a review of the classroom assignment of a student with a disability by submitting a written request to the Superintendent or designee. The Superintendent or designee shall consider the request within 20 days of receiving it, not counting days ~~in July and August~~ **when school is not in session**. If the review indicates a need for change in the student's placement, instruction, and/or related services, the Superintendent or designee shall convene an IEP team meeting, which shall be held within 30 days of the Superintendent or designee's review, not counting days ~~in July and August~~ **when school is not in session or days**, unless the student's parent/guardian consents in writing to an extension of time.

**The district shall ensure that the student's IEP is accessible to each regular education teacher, special education teacher, related service provider, and any other service provider who is responsible for its implementation. The district shall also ensure that such teachers and providers are informed of their specific responsibilities related to implementing the IEP and the specific accommodations, modifications, and supports that must be provided to the student in accordance with the IEP. (34 CFR 300.323)**

### **Transfer Students.**

**To facilitate the transition of a student with a disability who is transferring into the district, the district shall take reasonable steps to promptly obtain the student's records, including his/her IEP and the supporting documents related to the provision of special education services. (Education Code 56325; 34 CFR 300.323)**

If the student transfers into the district from another school district within the same SELPA during the school year, the district shall continue to provide services comparable to those described in the student's existing IEP, unless his/her parent/guardian and the district agree to develop, adopt, and implement a new IEP that is consistent with state and federal law. (Education Code 56325; 34 CFR 300.323)

If the student transfers into the district from a school district outside of the district's SELPA during the school year, the district shall provide the student with FAPE, including services comparable to those described in the previous district's IEP. Within 30 days, the district shall, in consultation with the student's parents/guardians, adopt the previous district's IEP or shall develop, adopt, and implement a new IEP that is consistent with state and federal law. (Education Code 56325; 34 CFR 300.323)

If the student transfers into the district from an out-of-state district during the school year, the district shall provide the student with FAPE, including services comparable to the out-of-state district's IEP, in consultation with the parent/guardian, until such time as the district conducts an assessment, if it determines that such an assessment is necessary, and develops, adopts, and implements a new IEP, if appropriate. (Education Code 56325; 34 CFR 300.323)

(3/06 11/06) 11/10

Regulation            **SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**

First Reading: November 16, 2011

Adopted:

King City, California

BP 6159.1 Instruction

**Procedural Safeguards And Complaints For Special Education**

**The Governing Board desires to protect the rights of students with disabilities in accordance with the procedural safeguards set forth in state and federal law. Parents/guardians shall receive written notice of their rights in accordance with law, Board policy, and administrative regulation.**

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

*(cf. 5145.6 - Parental Notifications)*

*(cf. 6159 - Individualized Education Program)*

*(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education Students)*

*(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)*

*(cf. 6159.4 - Behavioral Interventions for Special Education Students)*

*(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)*

**The Superintendent or designee shall represent the district in any due process hearing conducted with regard to district students and shall inform the Board about the result of the hearing.**

**The Superintendent or designee shall address a complaint concerning compliance with state or federal law regarding special education in accordance with the district's uniform complaint procedures.**

*(cf. 1312.3 - Uniform Complaint Procedures)*

**Legal Reference:**

**EDUCATION CODE**

56000 Education for individuals with disabilities

56001 Provision of the special education programs

56020-56035 Definitions

56195.7 Written agreements

56195.8 Adoption of policies for programs and services

56300-56385 Identification and referral, assessment

56440-56447.1 Programs for individuals between the ages of three and five years

56500-56509 Procedural safeguards, including due process rights

56600-56606 Evaluation, audits and information

**CODE OF REGULATIONS, TITLE 5**

3000-3100 Regulations governing special education

4600-4671 Uniform complaint procedures

**UNITED STATES CODE, TITLE 20**

1232g Family Educational Rights and Privacy Act

1400-1482 Individuals with Disabilities Education Act

**UNITED STATES CODE, TITLE 29**

794 Section 504 of the Rehabilitation Act

UNITED STATES CODE, TITLE 42

11434 Homeless assistance

CODE OF FEDERAL REGULATIONS, TITLE 34

99.10-99.22 Inspection, review and procedures for amending education records

104.36 Procedural safeguards

300.1-300.818 Assistance to states for the education of students with disabilities,  
especially:

300.500-300.520 Procedural safeguards and due process for parents and students

COURT DECISIONS

Winkelman v. Parma City School District, (2007) 550 U.S. 516

Management Resources:

FEDERAL REGISTER

Final Regulations, December 1, 2008, Vol. 73, No. 231, pages 73006-73029

WEB SITES

California Department of Education, Special Education: <http://www.cde.ca.gov/sp/se>

U.S. Department of Education, Office of Special Education Programs:

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

(6/98 11/06) 3/09

Policy **SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**

First reading: November 16, 2011

Adopted;

King City, California

AR 6159.1 Instruction

**Procedural Safeguards And Complaints For Special Education**

**Prior Written Notice**

The Superintendent or designee shall send to the parents/guardians of any student with disabilities a prior written notice within a reasonable time: (20 USC 1415(c); 34 CFR **300.102**, **300.300**, 300.503; Education Code 56500.4, 56500.5)

1. Before the district initially refers the student for assessment
2. Before the district proposes to initiate or change the student's identification, ~~evaluation~~ **assessment**, educational placement, or the provision of a free appropriate public education (FAPE) **to the student**
3. Before the district refuses to initiate or change the student's identification, ~~evaluation~~ **assessment**, or educational placement or the provision of FAPE **to the student**
4. Before the student graduates from high school with a regular diploma **thus resulting in a change in placement**
5. **Upon receipt of the parent/guardian's written revocation of consent for the continued provision of special education and related services to his/her child**

This notice shall include: (20 USC 1415(c); 34 CFR 300.503; **Education Code 56500.4**)

1. A description of the action proposed or refused by the district
2. An explanation as to why the district proposes or refuses to take the action
3. A description of each ~~evaluation~~ **assessment** procedure, test, record, or report the district used as a basis for the proposed or refused action
4. A statement that the parents/guardians of the student have protection under procedural safeguards and, if this notice is not an initial referral for assessment, the means by which a copy of the description of procedural safeguards can be obtained
5. Sources for parents/guardians to obtain assistance in understanding these provisions
6. A description of any other options that the individualized education program (IEP) team considered and why those options were rejected

*(cf. 6159 - Individualized Education Program)*

7. A description of any other factors relevant to the district's proposal or refusal

*(cf. 5145.6 - Parental Notifications)*

#### Procedural Safeguards Notice

A procedural safeguards notice shall be made available to parents/guardians of students with disabilities once each school year and: (20 USC 1415(d)(1); **34 CFR 300.504**; Education Code 56301)

1. Upon initial referral **or parent/guardian request** for assessment
2. **Upon receipt of the first state compliance complaint in a school year**

*(cf. 1312.3 - Uniform Complaint Procedures)*

3. **Upon receipt of the first due process hearing request in a school year**
4. **In accordance with the discipline procedures pursuant to 34 CFR 300.530(h), when a decision is made to remove a student because of a violation of a code of conduct constituting a change of placement**

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

25. Upon request by a parent/guardian

The procedural safeguards notice shall include a full explanation of all of the procedural safeguards available under **34 CFR 300.148, 300.151-300.153, 300.300, 300.502-300.503, 300.505-300.518, 300.520, 300.530-300.536, and 300.610-300.625** relating to: (20 USC 1415(d)(2); 34 CFR 300.504; Education Code 56301)

1. **Independent educational evaluation**

*(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)*

2. **Prior written notice**
3. **Parental consent, including a parent/guardian's right to revoke consent, in writing, to his/her child's continued receipt of special education and related services**
4. **Access to educational records**

*(cf. 5125 - Student Records)*

5. Opportunity to present complaints and resolve complaints through the due process complaint and state compliance complaint procedures, including the time period in which to file a complaint, the opportunity for the district to resolve the complaint, and the difference between a due process complaint and the state compliance complaint procedures, including the jurisdiction of each procedure, what issues may be raised, filing and decisional timelines, and relevant procedures
6. The availability of mediation
7. The student's placement during the pendency of any due process complaint
8. Procedures for students who are subject to placement in an interim alternative educational setting
9. Requirements for unilateral placement by parents/guardians of students in private schools at public expense
10. Hearings on due process complaints, including requirements for disclosure of assessment results and recommendations
11. State-level appeals
12. Civil actions, including the time period in which to file those actions
13. Attorney's fees

This notice shall also include the rights and procedures contained in Education Code 56500-56509, including information on the procedures for requesting an informal meeting, prehearing mediation conference, mediation conference, or due process hearing; the timelines for completing each process; whether the process is optional; the type of representative who may be invited to participate; the right of the parent/guardian and/or the district to electronically record the proceedings of IEP meetings in accordance with Education Code 56341; and information regarding the state special schools for students who are deaf, hard of hearing, blind, visually impaired, or deaf-blind. (Education Code 56321, 56321.5, 56321.6)

A copy of this notice shall be provided with the student's assessment plan and referred to at each IEP meeting. (Education Code 56321, 56321.5)

#### **Format of Parent/Guardian Notices**

The parents/guardians of a student with a disability shall be provided written notice of their rights in a language easily understood by the general public and in their primary native language

or other mode of communication used by them, unless to do so is clearly not feasible. (34 CFR 300.503; Education Code 56341, 56506)

If the native language or other mode of communication of the parent/guardian is not a written language, the district shall take steps to ensure that: (34 CFR 300.503)

1. The notice is translated orally or by other means to the parent/guardian in his/her native language or other mode of communication.
2. The parent/guardian understands the contents of the notice.
3. There is written evidence that items #1 and #2 have been satisfied.

**The district may place a copy of the procedural safeguards notice on the district's web site. (20 USC 1415(d))**

**A parent/guardian of a student with disabilities may elect to receive the prior written notice or procedural safeguards notice by an electronic mail communication. (34 CFR 300.505)**

#### Due Process Complaints

A parent/guardian and/or the district may initiate due process hearing procedures whenever: (20 USC 1415(b); Education Code 56501)

1. There is a proposal to initiate or change the student's identification, assessment, or educational placement or the provision of FAPE to the student.
2. There is a refusal to initiate or change the student's identification, assessment, or educational placement or the provision of FAPE to the student.
3. The parent/guardian refuses to consent to an assessment of his/her child.
4. There is a disagreement between a parent/guardian and the district regarding the availability of a program appropriate for the student, including the question of financial responsibility, as specified in 34 CFR 300.403(b) **148**.

Prior to having a due process hearing, the party requesting the hearing, or the party's attorney, shall provide the opposing party a due process complaint, which shall remain confidential, specifying: (20 USC 1415(b); 34 CFR 300.508; **Education Code 56502**)

1. The student's name
2. The student's address or, in the case of a student identified as homeless pursuant to 42 USC 11434, available contact information for that student



(cf. 6173 - Education for Homeless Children)

3. The name of the school the student attends
4. A description of the nature of the student's problem relating to the proposed or refused initiation or change, including facts relating to the problem
5. A proposed resolution to the problem to the extent known and available to the complaining party at the time

Parties filing a due process complaint shall file their request with the Superintendent of Public Instruction or designated contracted agency. (Education Code 56502)

#### District's Response to Due Process Complaints

If the district has sent prior written notice to the parent/guardian regarding the subject matter of the parent/guardian's due process complaint, the district shall, within 10 days of receipt of the complaint, send a response specifically addressing the issues in the complaint. (20 USC 1415(c)(1); **34 CFR 300.508**)

If the district has not sent a prior written notice to the parent/guardian regarding the subject matter contained in the parent/guardian's due process complaint, the district shall send a response to the parent/guardian within 10 days of receipt of the complaint containing: (20 USC 1415(c)(1); **34 CFR 300.508**):

1. An explanation of why the district proposed or refused to take the action raised in the complaint
2. A description of other options that the IEP team considered and the reasons that those options were rejected
3. A description of each evaluation procedure, assessment, record, or report the district used as the basis for the proposed or refused action
4. A description of the factors that are relevant to the district's proposal or refusal

**Upon the filing of a due process complaint by either party or upon request of the parent/guardian, the district shall inform the parent/guardian of any free or low-cost legal and other relevant services available in the area. (34 CFR 300.507)**

#### Informal Process/Pre-Hearing Mediation Conference

~~Before requesting~~ **Prior to or upon initiating** a due process hearing, the Superintendent or designee and a parent/guardian may, **if the party initiating the hearing so chooses**, agree to meet informally to resolve any issue(s) relating to the identification, assessment, education and

placement of , **or provision of FAPE for** a student with disabilities. The Superintendent or designee shall have the authority to resolve the issue(s). In addition, either party may file a request with the Superintendent of Public Instruction for a mediation conference to be conducted by a person under contract with the California Department of Education. (Education Code 56502)

~~Based on the mediation conference, the Superintendent or designee may resolve the issue(s) in a manner that is consistent with state and federal laws and is to the satisfaction of both parties.~~

**If resolution is reached that resolves the due process issue(s), the parties shall enter into a legally binding agreement that satisfies the requirements of Education Code 56500.3. (Education Code 56500.3)**

Attorneys may attend or otherwise participate only in those mediation conferences that are scheduled after the filing of a request for due process hearing. (Education Code 56500.3, 56501)

Regulation                    **SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**

First Reading: November 16, 2011

Adopted:

King City, California

BP 6164.4 Instruction

**Identification And Evaluation Of Individuals For Special Education**

**The Governing Board recognizes the need to actively seek out and evaluate district residents from birth to age 21 who have disabilities in order to provide them with appropriate educational opportunities in accordance with state and federal law.**

*(cf. 0430 - Comprehensive Local Plan for Special Education)*

*(cf. 6164.41 - Children with Disabilities Enrolled by Their Parents in Private School)*

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

**The Superintendent or designee shall establish a comprehensive system that includes procedures for the identification, screening, referral, and regular and triennial assessment of individuals eligible for special education, as well as procedures for the planning, implementation, and review of the education and related services provided to such individuals. (Education Code 56301)**

**The district's identification procedures shall include methods for utilizing referrals from parents/guardians, teachers, appropriate professionals, and others, and shall be coordinated with school site procedures for referral of students whose needs cannot be met with modifications to the regular instructional program. (Education Code 56302)**

**The Superintendent or designee shall notify parents/guardians, in writing, of their rights related to identification, referral, assessment, instructional planning, implementation, and review, including the right to consent to any assessment concerning their child. In addition, the Superintendent or designee shall notify parents/guardians of the procedures for initiating a referral for assessment to identify individuals who need special education services. (Education Code 56301)**

*(cf. 1312.3 - Uniform Complaint Procedures)*

*(cf. 3541.2 - Transportation for Students with Disabilities)*

*(cf. 4112.23 - Special Education Staff)*

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

*(cf. 5145.6 - Parental Notifications)*

*(cf. 6159 - Individualized Education Program)*

*(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)*

*(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)*

*(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)*

*(cf. 6162.51 - Standardized Testing and Reporting Program)*

*(cf. 6162.52 - High School Exit Examination)*

**Legal Reference:**

**EDUCATION CODE**

44265.5 Professional preparation for teachers of impaired students

56000-56885 Special education programs, especially:

56195.8 Adoption of policies

56300-56304 Identification of individuals with disabilities

56320-56331 Assessment  
56333-56338 Eligibility criteria for specific learning disabilities  
56340-56347 Instructional planning and individualized education program  
56381 Reassessment of students  
56425-56432 Early education for individuals with disabilities  
56441.11 Eligibility criteria, children ages 3-5  
56445 Transition to grade school; reassessment  
56500-56509 Procedural safeguards  
GOVERNMENT CODE  
95000-95029.5 California Early Intervention Services Act  
CODE OF REGULATIONS, TITLE 5  
3021-3029 Identification, referral and assessment  
3030-3031 Eligibility criteria  
UNITED STATES CODE, TITLE 20  
1232g Family Educational Rights and Privacy Act of 1974  
1412 State eligibility  
1415 Procedural safeguards  
CODE OF FEDERAL REGULATIONS, TITLE 34  
104.35 Evaluation and placement  
104.36 Procedural safeguards  
300.1-300.818 Individuals with Disabilities Education Act, especially:  
300.301-300.306 Evaluations and reevaluations  
COURT DECISIONS  
Hood v. Encinitas Union School District, (2007) 486 F.3d 1099

Management Resources:

FEDERAL REGISTER  
Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845  
WEB SITES  
California Department of Education, Special Education: <http://www.cde.ca.gov/sp/se>  
U.S. Department of Education, Office of Special Education Programs:  
<http://www.ed.gov/about/offices/list/osep>  
(3/07 11/08) 11/10

Policy

**KING CITY JOINT UNION HIGH SCHOOL DISTRICT**

First reading: November 16, 2011

Adopted;

King City, California

AR 6164.4 Instruction

**Identification And Evaluation Of Individuals For Special Education**

**Referrals for Special Education Services**

A student shall be referred for special education instruction and services only after the resources of the regular education program have been considered and used where appropriate. (Education Code 56303)

**An initial Student Study Team (SST) meeting will be held to discuss and document recommended interventions. A second SST meeting will be held to show student's response to interventions.**

All referrals **from school staff** for special education and related services shall include a brief reason for the referral and description of the regular program resources that were considered and/or modified for use with the student and their effect. (5 CCR 3021)

**Initial Evaluation for Special Education Services**

**Before the initial provision of special education and related services to a student with a disability, the district shall conduct a full and individual initial evaluation of the student. (Education Code 56320; 34 CFR 300.301)**

~~Within 15 days of a referral for assessment, unless the parent/guardian agrees in writing to an extension, the student's parent/guardian shall receive a notice of parental rights and a written proposed assessment plan. The 15-day period does not include between the student's regular school session or term or days of school vacation in excess of five school days from the date of receipt of the referral.~~

**Upon receipt of a referral of any student for special education and related services, a proposed evaluation plan shall be developed within 15 days, not counting days between the student's regular school sessions or terms or days of school vacation in excess of five school days, unless the parent/guardian agrees, in writing, to an extension. If the referral is made within 10 days or less prior to the end of the student's regular school year or term, the proposed evaluation plan shall be developed within 10 days after the beginning of the next regular school year or term. (Education Code 56043, 56321)**

The proposed ~~assessment~~ evaluation plan shall meet all of the following requirements:  
(Education Code 56321)

1. Be in a language easily understood by the general public

2. Be provided in the ~~primary~~ **native** language of the parent/guardian or other mode of communication used by the parent/guardian unless it is clearly not feasible
3. Explain the types of ~~assessment~~ **evaluation** to be conducted
4. State that no individualized education program (IEP) will result from the ~~assessment~~ **evaluation** without parent/guardian consent

*(cf. 6159 - Individualized Education Program)*

**Before conducting an initial evaluation, the district shall provide the parent/guardian with prior written notice in accordance with 34 CFR 300.503. In addition,** as part of the ~~assessment~~ **evaluation** plan, the parent/guardian shall receive written notice that **includes all of the following information:** (Education Code 56329; 34 CFR 300.502 304, 300. 504)

1. Upon completion of the administration of tests and other ~~assessment~~ **evaluation** materials, an IEP team meeting that includes the parent/guardian or his/her representative shall be scheduled pursuant to Education Code 56341. At this meeting, the team shall determine whether or not the student is a student with disabilities, as defined in Education Code 56026, and shall discuss the ~~assessment~~ **evaluation**, the educational recommendations, and the reasons for the recommendations.
2. **When making a determination of eligibility for special education, the district shall not determine that the student is disabled if the primary factor for such determination is lack of appropriate instruction in reading, including the essential components of reading instruction as defined in 20 USC 6368, lack of appropriate instruction in mathematics, or limited English proficiency.**
3. A copy of the evaluation report and the documentation of determination of eligibility shall be given to the parent/guardian.
4. If the parent/guardian disagrees with an ~~assessment~~ **evaluation** obtained by the district, ~~the parent/guardian~~ **he/she** has the right to obtain, at public expense, an independent educational ~~assessment~~ **evaluation (IEE)** of the student from qualified specialists, in accordance with 34 CFR 300.502. The parent/guardian is entitled to only one such evaluation at public expense each time the district conducts an assessment with which the parent/guardian disagrees.

If the district observed the student in conducting its ~~assessment~~ **evaluation**, or if its ~~assessment~~ **evaluation** procedures make it permissible to have in-class observation of the student, an equivalent opportunity shall apply to the IEA ~~E~~. This equivalent opportunity shall apply to the student's current placement and setting as well as observation of the district's proposed placement and setting, **if any**, regardless of whether the IEA ~~E~~ is initiated before or after the filing of a due process hearing proceeding.

5. The district may initiate a due process hearing pursuant to Education Code 56500-56508 to show that its **assessment evaluation** is appropriate. If the final decision resulting from the due process hearing is that the **assessment evaluation** is appropriate, the parent/guardian maintains the right for an IEA E, but not at public expense.

If the parent/guardian obtains an IEA E at private expense, the results of the IEA E shall be considered by the district with respect to the provision of a free appropriate public education (FAPE) to the student, and may be presented as evidence at a due process hearing regarding the student. If the district observed the student in conducting its **assessment evaluation**, or if its **assessment evaluation** procedures make it permissible to have in-class observation of a student, an equivalent opportunity shall apply to an IEA E of the student in the student's current educational placement and setting, ~~if any,~~ **and in any educational placement and setting** proposed by the district, regardless of whether the IEA E is initiated before or after the filing of a due process hearing.

6. If the parent/guardian proposes a publicly financed placement of the student in a nonpublic school, the district shall have an opportunity to observe the proposed placement and, if the student has already been unilaterally placed in the nonpublic school by his/her parent/guardian, the student in that proposed placement. Any such observation shall only be of the student who is the subject of the observation and shall not include the observation or **assessment evaluation** of any other student in the proposed placement unless that other student's parent/guardian consents to the observation or **assessment evaluation**. The results of any observation or **assessment evaluation** of another student in violation of Education Code 56329(d) shall be inadmissible in any due process or judicial proceeding regarding FAPE of that other student.

*(cf. 5145.6 - Parental Notifications)*

*(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)*

*(cf. 6164.41 - Children with Disabilities Enrolled by their Parents in Private School)*

### **Parent/Guardian Consent for Evaluations**

Upon receiving the proposed **assessment evaluation** plan, the parent/guardian shall have at least 15 days to decide whether or not to consent to the **assessment initial evaluation**. ~~The assessment may begin as soon as informed parent consent is received by the district.~~ The district shall not interpret parent/guardian consent for initial **assessment evaluation** as consent for initial placement or initial provision of special education services. (Education Code 56321; 34 CFR 300.500~~300~~)

Informed parental consent means that the parent/guardian: (**Education Code 56021.1**; 34 CFR 300.9500)

1. Has been fully informed, in his/her native language or other mode of communication, of all information relevant to the activity for which consent is sought

2. Understands and agrees, in writing, to the assessment **carrying out of the activity for which his/her consent is sought and the consent describes that activity and lists the records (if any) that will be released and to whom**
3. Understands that the granting of consent is voluntary on his/her part and may be revoked at any time
4. **Understands that if he/she revokes consent, that revocation is not retroactive (i.e., it does not negate an action that has occurred after the consent was given and before the consent was revoked)**

**The district shall make reasonable efforts to obtain the informed consent of the parent/guardian for an initial evaluation or reevaluation of a student. The district shall maintain a record of its attempts to obtain consent, including: (Education Code 56321, 56341.5; 34 CFR 300.300, 300.322)**

1. Detailed records of telephone calls made or attempted and the results of those calls
2. Copies of correspondence sent to the parent/guardian and any responses received
3. Detailed records of visits made to the parent/guardian's home or place of employment and the results of those visits

**If a parent/guardian refuses to consent to the initial evaluation or fails to respond to a request to provide consent, the district may, but is not required to, pursue an evaluation by utilizing the procedural safeguards, including the mediation and due process procedures pursuant to 20 USC 1415 and 34 CFR 300.506-300.516. (Education Code 56321; 34 CFR 300.300)**

For a student who is a ward of the state and not residing with his/her parent/guardian, the district may conduct an initial evaluation without obtaining informed consent if any of the following situations exists: (Education Code 56321.1; 20 USC 1414; 34 CFR 300.300)

1. Despite reasonable efforts to do so, the district cannot discover the whereabouts of the parent/guardian of the student.
2. The rights of the parent/guardian of the student have been terminated in accordance with California law.
3. The rights of the parent/guardian to make educational decisions have been subrogated by a judge in accordance with California law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the student.

*(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)*



**The district need not obtain parent/guardian consent before reviewing existing data as part of an evaluation or administering a test or other evaluation that is administered to all students, unless consent is required from the parents/guardians of all students. (Education Code 56321; 34 CFR 300.300)**

### **Conduct of the Evaluation**

**The district shall complete the determination as to whether the student is a student with a disability, conduct the initial evaluation to determine his/her educational needs, and develop an IEP within 60 days of receiving informed parent/guardian consent for the evaluation. (Education Code 56344; 34 CFR 300.300, 300.301)**

**The evaluation shall be conducted by qualified personnel who are competent to perform the assessment as determined by the district. (Education Code 56320, 56322)**

**The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for special education and related services. (34 CFR 300.302)**

**In conducting the evaluation, the district shall use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the student. The district shall also use any information provided by the parent/guardian that may assist the district in making the determination as to whether the student is a student with a disability and, if so, the necessary components of his/her IEP when the IEP is developed, including information related to enabling the student to be involved in and to progress in the general education curriculum. (34 CFR 300.304)**

**The district's evaluation shall not use any single measure or assessment as the sole criterion for determining whether a student is a student with a disability and for determining the appropriate educational program for the student. The assessment shall use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors in addition to physical or developmental factors. (34 CFR 300.304)**

**The district shall also ensure that assessments and other evaluation materials provide relevant information that assists in determining the student's educational needs and are: (Education Code 56320; 34 CFR 300.304)**

- 1. Selected and administered so as not to be discriminatory on a racial, cultural, or sexual basis**
- 2. Provided and administered in the language and form most likely to yield accurate information on what the student knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to so provide or administer**

3. Used for the purposes for which the assessments or measures are valid and reliable
4. Administered by trained and knowledgeable personnel
5. Administered in accordance with any instructions provided by the producer of the assessments
6. Tailored to assess specific areas of educational need and not merely designed to provide a single general intelligence quotient
7. If administered to a student with impaired sensory, manual, or speaking skills, selected and administered to best ensure that the results accurately reflect the student's aptitude or achievement level or whatever other factors the test purports to measure

Students shall be assessed in all areas related to the suspected disability, including, if appropriate, health and development, vision (including low vision), hearing, motor abilities, language function, general intelligence, academic performance, communicative status, self-help, orientation and mobility skills, career and vocational abilities and interests, and social and emotional status. When appropriate, a developmental history shall be obtained. The district shall ensure that the evaluation is sufficiently comprehensive to identify all of the student's special education and related service needs, whether or not commonly linked to the disability category in which the student has been classified. (Education Code 56320; 34 CFR 300.304)

As part of the initial evaluation and any reevaluation, the IEP team and other qualified professionals shall, if appropriate, review existing evaluation data on the student, including evaluations and information provided by the parents/guardians, current classroom-based local or state assessments and classroom-based observations, and observations by teachers and related services providers. On the basis of that review and input from the student's parent/guardian, the team shall identify what additional data, if any, are needed to determine: (Education Code 56381; 34 CFR 300.305)

1. Whether the student is a student with a disability, or in the case of a reevaluation, whether the student continues to have a disability, and the educational needs of the student
2. The present levels of academic achievement and related developmental needs of the student
3. Whether the student needs, or continues to need, special education and related services
4. Whether any additions or modifications to the special education and related services are needed to enable the student to meet the measurable annual goals set out in his/her IEP and to participate, as appropriate, in the general education curriculum

**If a student has transferred from another district in the same school year or leaves this district, the district shall coordinate with the student's prior or subsequent district as necessary and as expeditiously as possible to ensure prompt completion of full evaluations. (34 CFR 300.304)**

### **Eligibility Determination**

**Upon completion of the administration of assessments and other evaluation measures, a group of qualified professionals and the parent/guardian shall determine whether the student is a student with a disability and, if so, his/her educational needs. In interpreting the data, the group shall draw information from a variety of sources, including aptitude and achievement tests, parent/guardian input, and teacher recommendations, as well as information about the student's physical condition, social or cultural background, and adaptive behavior. The group shall ensure that the information obtained from these sources is documented and carefully considered. (34 CFR 300.306)**

**The personnel who evaluate the student shall prepare a written report of the results of each evaluation. The report shall include, but not be limited to, the following: (Education Code 56327)**

- 1. Whether the student may need special education and related services**
- 2. The basis for making the determination**
- 3. The relevant behavior noted during the observation of the student in an appropriate setting**
- 4. The relationship of that behavior to the student's academic and social functioning**
- 5. The educationally relevant health, developmental, and medical findings, if any**
- 6. For students with learning disabilities, whether there is such a discrepancy between achievement and ability that it cannot be corrected without special education and related services**
- 7. A determination concerning the effects of environmental, cultural, or economic disadvantage, where appropriate**
- 8. The need for specialized services, materials, and equipment for students with low incidence disabilities, consistent with Education Code 56136**

**When making a determination of eligibility for special education and related services, the district shall not determine that a student is disabled if the primary factor for such AR 6164.4 (h)**

determination is a lack of appropriate instruction in reading, including the essential components of reading instruction pursuant to 20 USC 6368, lack of instruction in mathematics, limited English proficiency, or that the student does not otherwise meet the eligibility criteria. (Education Code 56329; 34 CFR 300.306)

If a determination is made that a student has a disability and needs special education and related services, an IEP required as a result of an assessment shall be developed within a total time not to exceed ~~50~~ 60 days, not counting days between the student's regular school sessions or terms or days of school vacation in excess of five school days, from the date of the receipt of the parent/guardian's consent for assessment evaluation, unless the parent/guardian agrees, in writing, to an extension. (Education Code 56043; 34 CFR 300.306)

### **Independent Educational Evaluation**

The parents/guardians of a student with a disability have the right to obtain an IEE at public expense under the same criteria that the district uses for a district-initiated evaluation. An independent educational evaluation is an evaluation conducted by a qualified examiner who is not employed by the district. Public expense means the district either pays for the full cost of the IEE or ensures that the evaluation is otherwise provided at no cost to the parent/guardian. (Education Code 56329; 34 CFR 300.502)

The parent/guardian is entitled to only one IEE at public expense each time the district conducts an evaluation with which the parent/guardian disagrees. (Education Code 56329; 34 CFR 300.502)

If a parent/guardian has requested an IEE, the district may ask for the reason that he/she objects to the district's evaluation. However, the parent/guardian is not required to provide the reason to the district. (34 CFR 300.502)

Upon receiving the request for an IEE, the district shall, without unnecessary delay, either: (34 CFR 300.502)

1. File a due process complaint to request a hearing to show that its evaluation is appropriate
2. Ensure that an IEE is provided at public expense, unless the district can later demonstrate at a hearing that the evaluation obtained by the parent/guardian did not satisfy the district's criteria

If a due process hearing decision determines that the district's evaluation is appropriate, then the parent/guardian may obtain an IEE but not at public expense. (34 CFR 300.502)

In any decision made with respect to providing FAPE to a student with a disability, the result of any IEE obtained by the student's parent/guardian shall be considered by the

**district if it meets district criteria. Any such result also may be presented as evidence at a hearing on a due process complaint. (34 CFR 300.502)**

## Reevaluation

**A reevaluation shall be conducted when the district determines that the educational or related service needs of the student, including improved academic achievement and functional performance, warrant a reevaluation or if the student's parent/guardian or teacher requests reevaluation. Such reevaluations shall occur every three years, unless the parent/guardian and district agree in writing that a reevaluation is unnecessary. A reevaluation may not occur more than once a year, unless the parent/guardian and the district agree otherwise. (Education Code 56043, 56381; 34 CFR 300.303)**

**The district shall ensure that any reevaluations of the student are conducted in accordance with the evaluation procedures pursuant to 34 CFR 300.304-300.311. (34 CFR 300.303)**

Regulation **SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**  
First Reading: November 16, 2011  
Adopted: King City, California

BP 6171 Instruction

**Title I Programs**

**In order to improve the academic achievement of students from economically disadvantaged families, the district shall use federal Title I funds to provide supplementary services that reinforce the core curriculum and assist students in attaining proficiency on state academic standards and assessments.**

*(cf. 5149 - At-Risk Students)  
(cf. 6011 - Academic Standards)  
(cf. 6162.5 - Student Assessment)  
(cf. 6162.51 - Standardized Testing and Reporting Program)  
(cf. 6162.52 - High School Exit Examination)*

**The Superintendent or designee shall provide technical assistance and support to any school participating in the Title I program, including consultation in the development and implementation of school plans and activities. (20 USC 6312)**

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

**The district and each school receiving Title I funds shall develop a written parent involvement policy in accordance with 20 USC 6318.**

*(cf. 6020 - Parent Involvement)*

**Local Educational Agency Plan**

**The Superintendent or designee shall consult with teachers, principals, administrators, other appropriate school personnel, and parents/guardians of participating students in the development, periodic review, and, as necessary, the revision of a local educational agency (LEA) plan. The plan and any revisions shall be submitted to the Governing Board for approval. (20 USC 6312)**

**The plan shall address the components specified in 20 USC 6312, which describe the assessments, strategies, and services the district will use to help low-achieving students meet challenging academic standards.**

**The initial plan shall be submitted to the California Department of Education (CDE) and approved by the State Board of Education. Subsequent revisions of the plan shall be kept on file in the district.**

**Comparability of Services**

State and local funds used in schools receiving Title I funds shall provide services that, taken as a whole, are at least comparable to services in schools that are not receiving Title I funds or, if all district schools are receiving Title I funds, that are substantially comparable in each school. Comparability may be determined on a school-by-school basis or by grade span. (20 USC 6321)

To demonstrate comparability of services among district schools:

1. The Board shall adopt and implement a districtwide salary schedule.
2. The ratio of students to teachers, administrators, and other staff at each Title I school shall not exceed 110 percent of the average ratio across non-Title I schools.
3. Salary expenditures at each Title I school shall be no less than 90 percent of the average salary expenditure across non-Title I schools.
4. All district schools shall be provided with the same level of base funding per student for curriculum and instructional materials.
5. The Superintendent or designee shall maintain records of the quantity and quality of instructional materials and equipment at each school.

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

In determining comparability, the district shall not include staff salary differentials for years of employment. The district also may exclude unpredictable changes in student enrollment or personnel assignments that occur after the beginning of the school year, state and local funds expended for language instruction educational programs, state and local funds expended for the excess costs of providing services to disabled students, and supplemental state or local funds expended in any school attendance area or school for programs that specifically meet the intent and purposes of Title I. (20 USC 6321)

At the beginning of each school year, the Superintendent or designee shall measure comparability in accordance with the above criteria and maintain records documenting the district's compliance. If any instances of noncomparability are identified, the Superintendent or designee shall promptly implement adjustments as needed to ensure comparability.

### Program Evaluation

The Board shall use state assessment results and other available measures or indicators to annually determine whether each participating school is making adequate yearly progress toward ensuring that all students meet the state's proficient level of achievement on state assessments. (20 USC 6316)

*(cf. 0520.2 - Title I Program Improvement Schools)*  
*(cf. 0520.3 - Title I Program Improvement Districts)*  
*(cf. 6190 - Evaluation of the Instructional Program)*

Legal Reference:

EDUCATION CODE

11503 Parent involvement programs in Title I schools  
52055.57 Districts identified or at risk of identification for program improvement  
54020-54028 Economic Impact Aid  
54420-54425 State Compensatory Education  
64001 Single plan for student achievement, consolidated application programs

UNITED STATES CODE, TITLE 20

6301 Program purpose  
6311-6322 Improving basic programs for disadvantaged students, including:  
6312 Local educational agency plan  
6313 Eligibility of schools and school attendance areas; funding allocation  
6314 Title I schoolwide programs  
6315 Targeted assistance schools  
6316 School improvement  
6318 Parent involvement  
6320 Participation of private school students  
6321 Comparability of services  
7881 Participation of private school students  
CODE OF FEDERAL REGULATIONS, TITLE 34  
200.1-200.79 Improving basic programs for disadvantaged students

Management Resources:

CSBA PUBLICATIONS

Parent Involvement: Development of Effective and Legally Compliant Policies,  
Governance and Policy Services Policy Briefs, August 2006

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

LEA Plan, rev. May 17, 2006

Provisions for Private School Students, Teachers, and Other Education Personnel in the No  
Child Left Behind Act of 2001, rev. November 1, 2005

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Title I Fiscal Issues, May 26, 2006

Designing Schoolwide Programs, March 22, 2006

Supplemental Educational Services, June 13, 2005

The Impact of the New Title I Requirements on Charter Schools, July 2004

Parental Involvement: Title I, Part A, April 23, 2004

Serving Preschool Children Under Title I, March 4, 2004

Title I Services to Eligible Private School Students, October 17, 2003

Local Educational Agency Identification and Selection of School Attendance Areas and  
Schools and Allocation of Title I Funds to Those Areas and Schools, August 2003

WEB SITES



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

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

No Child Left Behind: <http://www.ed.gov/nclb>

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

Policy

**SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**

First reading: February 9, 2011

Adopted;

King City, California

## AR 6171 Instruction

**Title I Programs****Schoolwide Programs**

**A school may operate a Title I schoolwide program in order to upgrade the entire educational program of the school when at least 40 percent of the students in the school attendance area, or at least 40 percent of the students enrolled in the school, are from low-income families. The Superintendent or designee shall inform any such eligible school and the school's parents/guardians of the school's eligibility and its ability to consolidate funds from federal, state, and local sources for program purposes. (20 USC 6312, 6314)**

**Any participating school shall develop, annually review, and update a single plan for student achievement which incorporates the plan required by 20 USC 6314 for reforming the school's total instructional program and plans required by other categorical programs included in the state's consolidated application. (Education Code 64001; 20 USC 6314)**

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

**A schoolwide program shall include: (20 USC 6314)**

- 1. A comprehensive needs assessment of the entire school, including the needs of migrant students, which includes the achievement of students in relation to state academic content and achievement standards**

*(cf. 6011 - Academic Standards)*

*(cf. 6162.5 - Student Assessment)*

*(cf. 6162.51 - Standardized Testing and Reporting Program)*

*(cf. 6162.52 - High School Exit Examination)*

*(cf. 6175 - Migrant Education Program)*

- 2. Schoolwide reform strategies that:**

- a. Provide opportunities for all students to meet the state's proficient and advanced levels of achievement**
- b. Use effective methods and instructional strategies, based on scientifically based research, that strengthen the school's core academic program, increase the amount and quality of learning time, help provide an enriched and accelerated curriculum, and include strategies for meeting the educational needs of historically underserved populations**

*(cf. 5148.2 - Before/After School Programs)*

*(cf. 6111 - School Calendar)*

*(cf. 6112 - School Day)*

(cf. 6177 - Summer School)

- c. **Include strategies to address the needs of all students in the school, but particularly the needs of low-achieving students and those at risk of not meeting state achievement standards who are members of the target population of any program that is part of the schoolwide program**

**Such strategies may include counseling, student services, mentoring services, college and career awareness and preparation, and the integration of vocational and technical education programs.**

*(cf. 5149 - At-Risk Students)*

*(cf. 6164.2 - Guidance/Counseling Services)*

*(cf. 6164.5 - Student Success Teams)*

- d. **Address how the school will determine if student needs have been met**
- e. **Are consistent with and designed to implement state and local improvement plans, if any**

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

*(cf. 0520.3 - Title I Program Improvement Districts)*

### **3. Instruction by highly qualified teachers**

*(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)*

- 4. **High-quality and ongoing professional development for teachers, principals, paraprofessionals, and, if appropriate, student services personnel, other staff, and parents/guardians to enable all students in the school to meet state academic achievement standards**

*(cf. 4131 - Staff Development)*

*(cf. 4222 - Teacher Aides/Paraprofessionals)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

### **5. Strategies to attract high-quality, highly qualified teachers to high-need schools**

*(cf. 4111 - Recruitment and Selection)*

### **6. Strategies to increase parent involvement**

*(cf. 5020 - Parent Rights and Responsibilities)*

*(cf. 6020 - Parent Involvement)*

7. Measures to include teachers in decisions regarding the use of academic assessments to provide information on and to improve the achievement of individual students and the overall instructional program
8. Activities to ensure that students who experience difficulty mastering the proficient and advanced levels of academic standards shall be provided with effective, timely additional assistance, which shall include measures for timely identification of students' difficulties and provision of sufficient information on which to base effective assistance

*(cf. 6179 - Supplemental Instruction)*

9. Coordination and integration of federal, state, and local services and programs

#### **Targeted Assistance Programs**

Any school that receives Title I funds but does not operate a schoolwide program shall use Title I funds to provide services to students in grades 9-12 identified by the school as failing, or most at risk of failing, to meet the state's academic achievement standards on the basis of criteria established by the district and supplemented by the school. (20 USC 6315)

A targeted assistance program shall: (20 USC 6315)

1. Use program resources to help participating students meet state academic achievement standards expected for all students
2. Ensure that program planning is incorporated into existing school planning
3. Use effective methods and instructional strategies, based on scientifically based research, that strengthen the core academic program, give primary consideration to providing extended learning time, help provide an accelerated, high-quality curriculum, and minimize removing students from the regular classroom during regular school hours for instruction provided by Title I
4. Coordinate with and support the regular education program, which may include services to assist preschool students in the transition to elementary school programs
5. Provide instruction by highly qualified teachers
6. Provide opportunities for professional development for teachers, principals, paraprofessionals, and, if appropriate, student services personnel, other staff, and parents/guardians who work with participating students
7. Provide strategies to increase parent involvement

**8. Coordinate and integrate federal, state, and local services and programs**

**Participation of Private School Students**

**The Superintendent or designee shall provide or contract to provide special educational services or other Title I benefits to eligible private school students residing in a participating school attendance area. Such services and benefits shall be provided on an equitable basis with participating public school students. (20 USC 6320, 7881)**

**Teachers, other educational personnel, and families of participating private school students shall have an opportunity to participate, on an equitable basis, in parent involvement activities and professional development pursuant to 20 USC 6318 and 6319. (20 USC 6320, 7881)**

**The Superintendent or designee shall consult, in a meaningful and timely manner, with appropriate private school officials during the design and development of the district's Title I programs. Such consultation shall occur before the district makes any decision that affects the opportunities of eligible private school students to participate in Title I programs and shall include a discussion of: (20 USC 6320, 7881; 34 CFR 200.63)**

- 1. How the needs of private school students will be identified**
- 2. What services will be offered**
- 3. How, where, and by whom the services will be provided**
- 4. How the services will be academically assessed and how assessment results will be used to improve those services**
- 5. The size and scope of the equitable services to be provided to private school students and the proportion of funds that is allocated for such services**
- 6. The method or sources of data that are used to determine the number of students from low-income families in participating school attendance areas who attend private schools**
- 7. How and when the district will make decisions about the delivery of service to such students, including a thorough consideration and analysis of the views of private school officials on the provision of services through a third-party provider**
- 8. How, if the district disagrees with the views of private school officials on the provision of services through a third-party provider, the district will provide to private school officials a written analysis of the reasons that the district has chosen not to use a contractor**

**Meetings between district and private school officials shall continue throughout implementation and assessment of services. (20 USC 6320)**

**The Superintendent or designee shall maintain, and shall provide to the California Department of Education upon request, a written affirmation signed by officials of each participating private school that consultation has occurred. (20 USC 6320)**

*(cf. 3580 - District Records)*

(10/95 11/02) 8/06

Regulation            **SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**

First reading: November 16, 2011

Adopted;

King City, California

## **BP 6178.2 Instruction**

### **Regional Occupational Center/Program**

The Governing Board desires to provide opportunities for district students to receive specialized training and career technical skills through a regional occupational center or program (ROC/P) that prepares them for employment, advanced training, or postsecondary education.

*(cf. 6112 - School Day)*

*(cf. 6178 - Career Technical Education)*

*(cf. 6178.1 - Work Experience Education)*

### **Multidistrict Joint-Powers Agreement**

The district shall jointly operate an ROC/P with one or more other school districts in accordance with the terms of a joint powers agreement (JPA). The Board shall select one or more members of the Board to represent the district on the governing board of the ROC/P. (Education Code 52301, 52310.5)

Board members selected to represent the district on the governing board of the ROC/P shall communicate to that body the district Board's positions on matters pertaining to ROC/P program development, budget adoption, program evaluation, and other issues as directed by the Board.

When specified in the JPA, the district may provide teachers, student support services, facilities, or other services to students enrolled in the ROC/P.

The Superintendent or designee shall maintain effective communications with the administrator and staff of the ROC/P and shall ensure that the district is fulfilling its responsibilities as delineated under the JPA.

### **Student Eligibility and Participation**

To enroll in the ROC/P on a part-time or full-time basis, a district high school or adult student must have his/her admittance approved by the ROC/P based on a determination that he/she will benefit from the program. To be eligible, a student must be at least 16 years of age, unless he/she meets one of the conditions specified in Education Code 52314. (Education Code 52314, 52314.5, 52315)

*(cf. 5147 - Dropout Prevention)*

*(cf. 6200 - Adult Education)*

Adult students may have access to ROC/P classes offered on high school campuses during the school day.

**A student who is attending an ROC/P may be exempted from the district's full-time compulsory continuation education program and/or physical education in accordance with law, Board policy, and administrative regulation. (Education Code 48410, 52316)**

*(cf. 5112.1 - Exemptions from Attendance)*

*(cf. 6142.7 - Physical Education)*

*(cf. 6184 - Continuation Education)*

**Credits earned from courses completed in an ROC/P may be applied toward fulfillment of high school graduation course requirements. (Education Code 51225.3, 52310)**

*(cf. 6146.1 - High School Graduation Requirements)*

*(cf. 6146.11 - Alternative Credits Toward Graduation)*

### **Student Services**

**The district may provide or arrange for transportation to the ROC/P in accordance with law, Board policy, and administrative regulation.**

*(cf. 3250 - Transportation Fees)*

*(cf. 3260 - Fees and Charges)*

*(cf. 3541 - Transportation Routes and Services)*

**The district's academic counseling program shall be designed to increase students' awareness of available educational options aligned with their career goals, including, as appropriate, career technical programs offered through the ROC/P.**

*(cf. 6164.2 - Guidance/Counseling Services)*

### **Legal Reference:**

#### **EDUCATION CODE**

1205 Classification of counties

37223 Weekend classes

39807.5 Transportation to ROC/P, parent/guardian payment

41850 Transportation to ROC/P, apportionments

44910 Permanent employment status; preclusion of ROC/P service

46140 Attendance credit

46300 Computation of average daily attendance

48410 Exemption from compulsory continuation education

48430-48433 Continuation education, ROC/P classes

51225.3 Requirements for graduation

52300-52335.6 Regional occupational centers/programs

52378 Supplemental school counseling program, grades 7-12

60850-60859 High school exit examination

60900 California longitudinal student achievement data system

#### **GOVERNMENT CODE**



6500-6536 Joint powers agreements

LABOR CODE

3368 Workers' compensation, responsibility in jointly operated ROC/P

UNEMPLOYMENT INSURANCE CODE

15037.1 Education and job training, performance accountability

CODE OF REGULATIONS, TITLE 5

10080-10092 Community classrooms

10100-10111 Cooperative vocational education

11500-11508 Regional occupational centers and programs

UNITED STATES CODE, TITLE 20

2301-2414 Carl D. Perkins Career and Technical Education Act of 2006

6319 Highly qualified teachers

**Management Resources:**

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

2008-2012 State Plan for Career Technical Education

Regional Occupational Centers and Programs Operations Handbook March 2008

Model Programs and Practices: Setting Standards for Regional Occupational Centers and Programs (ROCPs), rev. October 2007

Career Technical Education Framework for California Public Schools, Grades Seven Through Twelve, January 2007

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

WEB SITES

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

Association for Career and Technical Education: <http://www.acteonline.org>

California Association of Regional Occupational Centers and Programs:  
<http://www.carocp.org>

California Department of Education, ROC/P: <http://www.cde.ca.gov/ci/ct/rp>

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

7/08

Policy

**SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**

First reading: November 16, 2011

Adopted;

King City, California

# SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

**SUBJECT:** School Site Single Plan

**MEETING:** November 16, 2011

**AGENDA SECTION:** Action Items

☒ **ACTION**

☐ **INFORMATION**

☐ **ACTION/CONSENT**

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## GOVERNING BOARD

### Board Goals:

- ☒ Improve/Sustain Student Achievement through STAR Test and Other Assessment Measures
- ☐ Improve School Climate and Student Discipline in Support of Teaching, Learning and Student Safety
- ☐ Develop/Sustain Fiscal Crisis Long-Term Solution
- ☐ Ensure Board and Administrator Participation in CSBA's Masters in Governance and Other Trainings
- ☐ Ensure that Facilities are Safe for Staff and Students
- ☒ Ensure compliance with Education/Other Codes/Updating Board Policies and Administrative Regulations

### Summary:

The South Monterey County Joint Union High School District receives Title 1 funds from the federal government for Greenfield and King City High Schools. A requirement for receiving those funds is for the district to submit a Local Education Agency Plan (LEAP) and each school site develop a School Single Site Plan. The current LEAP is in effect until 2013. An addendum was submitted to the board for the State Administrator's approval on October 12, 2011. The two comprehensive sights have updated and revised their plans based on that addendum. Representatives are here tonight to present an overview of their plan and to gain the State Administrators approval.

### Recommendation:

It is recommended that the State Administrator approve the plans as presented.

### Fiscal Impact:


Approval will assure continued funding for Title 1 programs.

Submitted By:

Daniel R. Moirao, Ed.D.

Assistant Superintendent Educational Services/  
Human Resources

Approved:



John Bernard, Ed.D.  
State Administrator

# 2011-12 SINGLE PLAN FOR STUDENT ACHIEVEMENT



**Greenfield High School**  
South Monterey County  
Joint Union High School District

The District Governing Board  
approved this revision of the School  
Plan on: 11/16/2011

**Principal:**  
James Goddard

**Address:**  
225 S. El Camino Real  
Greenfield, California 93927-

**Phone:**  
(831) 674-2751

**Email:**

**Website:**  
[www.kingcity.k12.ca.us](http://www.kingcity.k12.ca.us)



Greenfield High 2011-12  
Single Plan For Student Achievement Report

Goals and Actions	Start Date	Completion Date	Amount
<b>Mathematics</b>			
<b>WASC Goal 1A: Improve schoolwide student achievement in mathematics</b>			
Modify Instructional Pacing Guides	8/3/2011	6/1/2012	\$62,273
Close achievement gap with English Learners (WASC Schoolwide Critical Area for Follow-up #3)	8/3/2011	6/1/2012	\$55,766
<b>WASC Goal 1B: Improve 10th grade student achievement on the Mathematics portion of the CAHSEE</b>			
Update benchmarks	8/3/2011	6/1/2012	\$62,273
<b>English-Language Arts</b>			
<b>WASC Goal 1C: Improve schoolwide student achievement in English-Language Arts.</b>			
Instructional Pacing Guides, Benchmark Assessments to raise student achievement	8/3/2011	6/1/2012	\$0
<b>WASC Goal 1D: Improve 10th grade student achievement on the ELA portion of the CAHSEE</b>			
CAHSEE Students on track for Graduation	8/3/2011	6/1/2012	\$0
<b>WASC Goal 1E: Close the achievement gap with English Learners (WASC Follow up #3)</b>			
Correct Identification and Placement of English Learners	8/3/2011	6/1/2012	\$55,766
<b>WASC</b>			
<b>WASC Goal 2: Refinement and modification of benchmark and curriculum maps</b>			
Use data to drive instruction (WASC Schoolwide Critical Area for Follow-up #4)	8/3/2011	6/1/2012	\$62,273
<b>WASC Goal 3: Collaboration time for vertical and horizontal articulation</b>			
Focus on research based instructional strategies (WASC Schoolwide Critical Area for Follow-up #5)	8/3/2011	6/1/2012	\$0
Articulate interdistrictly and intradistrictly	8/3/2011	6/1/2012	\$0
<b>WASC Goal 4: Increase sense of ownership, responsibility, and belonging at Greenfield HS</b>			
Regularly share student performance with parents (WASC Schoolwide Critical Area for Follow-up #1)	8/3/2011	6/1/2012	\$0
Increase student participation in educational development	8/3/2011	6/1/2012	\$0
Increase parent/guardian involvement	8/3/2011	6/1/2012	\$0
<b>Total Annual Expenditures for Current Site Plan: \$298,350.00</b>			

Greenfield High 2011-12  
Single Plan For Student Achievement Report

## Goals

### Form A: Planned Improvements in Student Performance

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

#### Goal Area: Mathematics

#### Goal Title: WASC Goal 1A: Improve schoolwide student achievement in mathematics

By June 2012, student data will indicate a 9.2% increase from 31.8% to 40% as measured by the 2010-2011 CST Mathematics results through the continued implementation of Greenfield High School's standards based curriculum.

#### Strategic Goal:

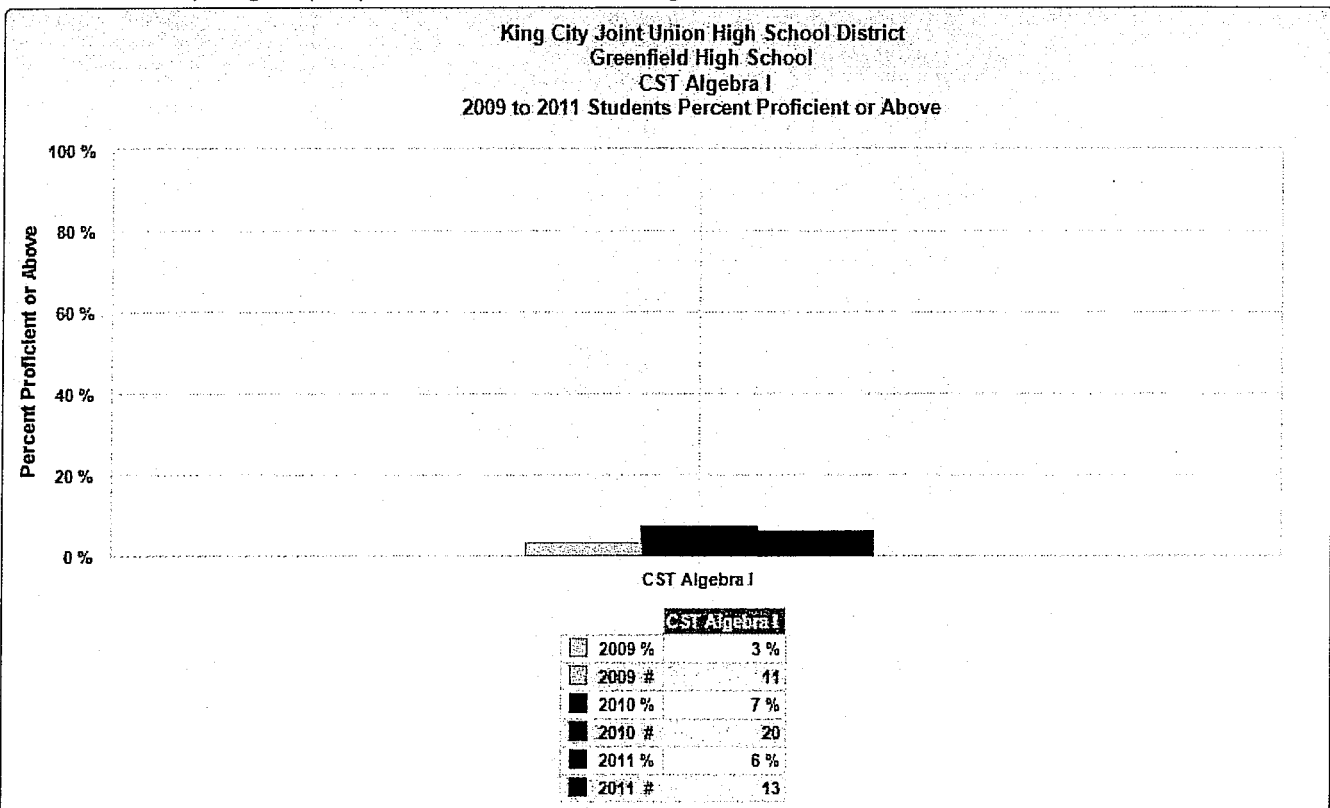
Identify students at the cusp of proficiency and provide supplements in weakest areas.

#### Intensive Goal:

Identify students in these categories and send parent letters requesting support for after school tutoring.

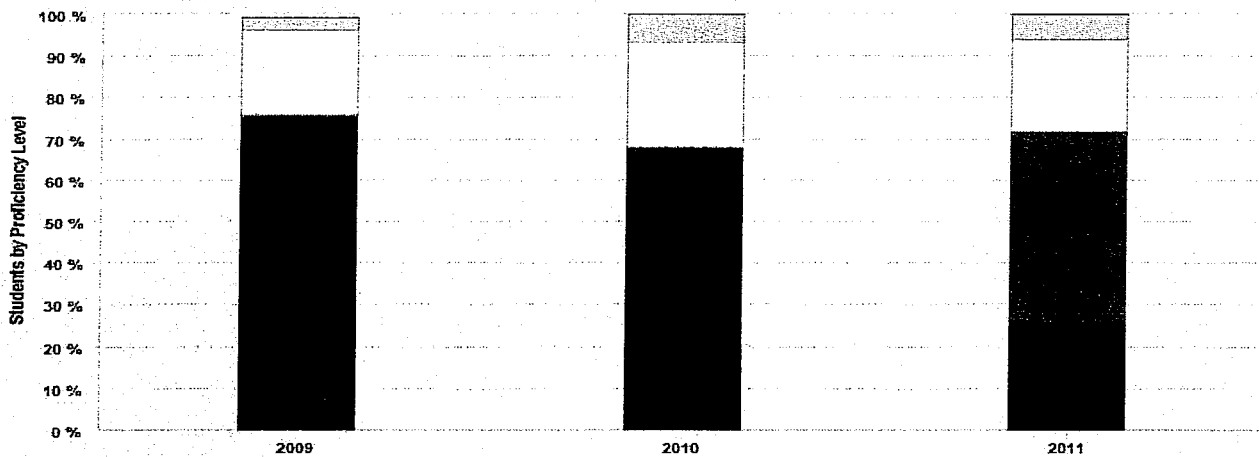
What data did you use to form this goal (findings from data analysis)?

The Annual Yearly Progress (AYP) data was used to form this goal.



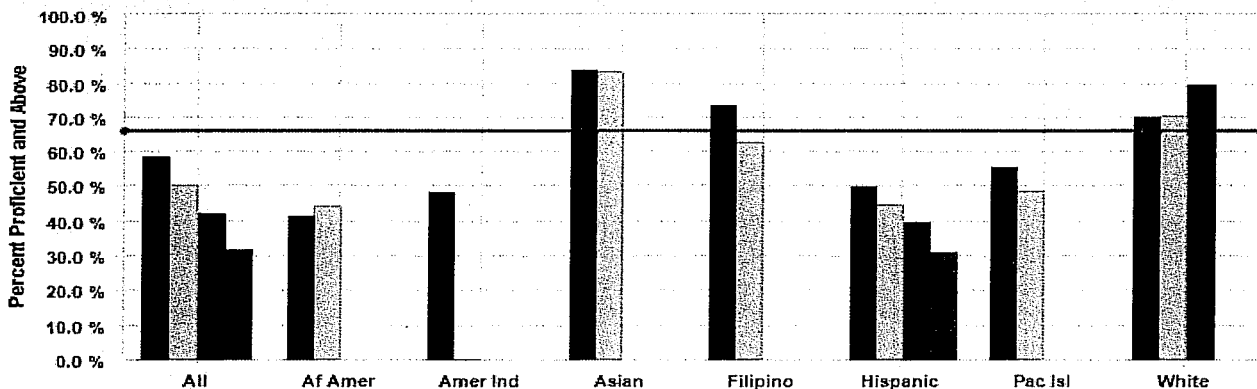
Greenfield High 2011-12  
Single Plan For Student Achievement Report

King City Joint Union High School District  
Greenfield High School  
CST Algebra I  
2009 to 2011 Students by Proficiency Level



	2009	2010	2011
Far Below Basic %	32 %	20 %	26 %
Far Below Basic #	115	57	55
Below Basic %	44 %	48 %	46 %
Below Basic #	158	136	97
Basic %	20 %	25 %	22 %
Basic #	72	71	46
Proficient %	3 %	7 %	6 %
Proficient #	11	20	13
Advanced %	0 %	0 %	0 %
Advanced #	0	0	0

Greenfield High School Comparisons  
Percent Proficient - Annual Measurable Objectives (AMOs)  
2011 Mathematics



2011 AYP Percent Proficient Target 66.1 %

	All	Af Amer	Amer Ind	Asian	Filipino	Hispanic	Pac Isl	White
California %	58.4 %	41.4 %	48.1 %	83.9 %	73.4 %	49.6 %	55.3 %	70.1 %
California #	2,166,808	102,983	12,378	263,701	70,578	952,349	11,786	690,881
Monterey County %	50.4 %	44.4 %	0.0 %	83.1 %	62.8 %	44.5 %	48.4 %	70.5 %
Monterey County #	19,001	245		530	389	12,511	44	4,131
South Monterey County High School District %	42.0 %					39.3 %		79.3 %
South Monterey County High School District #	191					161		23
Greenfield High School %	31.8 %					30.9 %		
Greenfield High School #	68					64		

## Greenfield High 2011-12

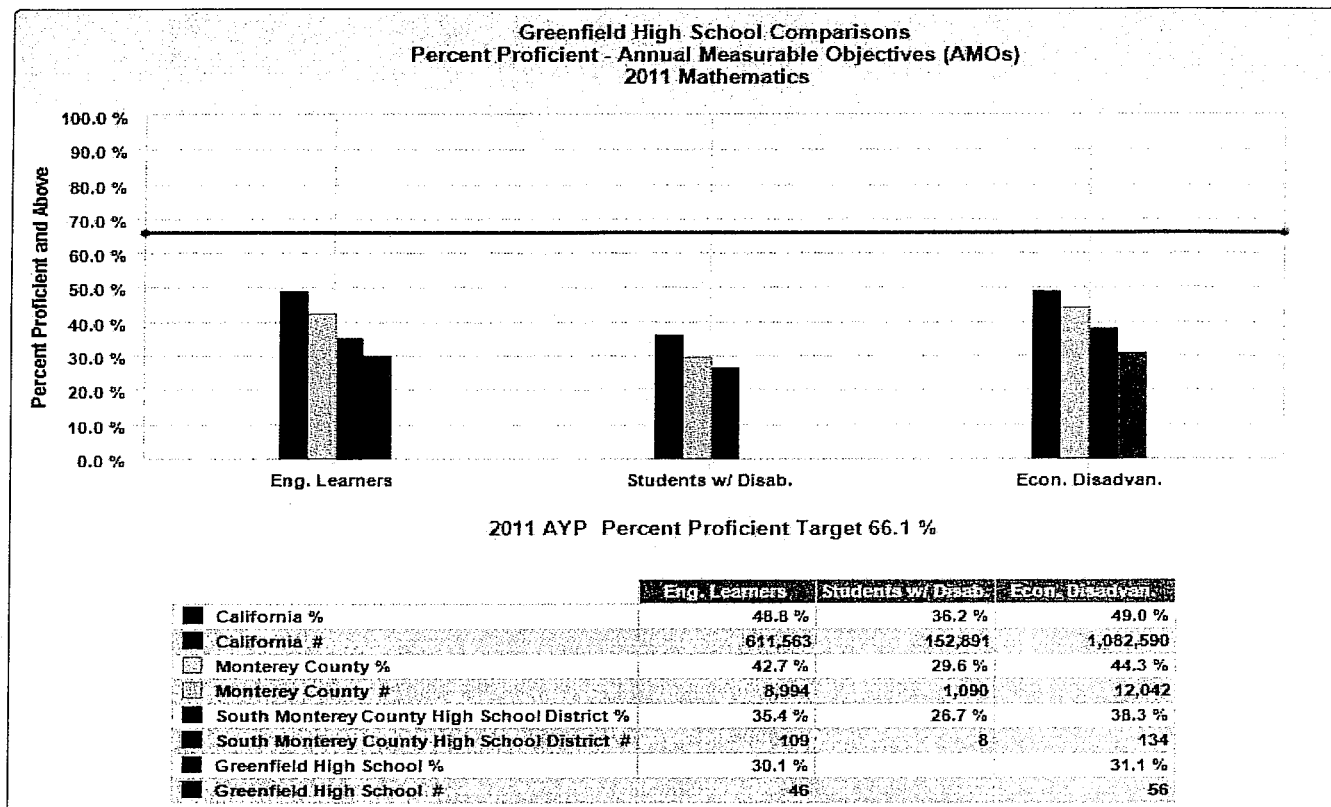
### Single Plan For Student Achievement Report

How does this goal align to your Local Educational Agency Plan goals?

The LEA plan identifies specific issues causing low achievement and designates a plan to address the issues in order to attain the growth indicated in this goal. The primary issues mentioned in the LEA plan is the transitioning of English learners. The lack of fluency is negatively affecting the attainment of the growth targets.

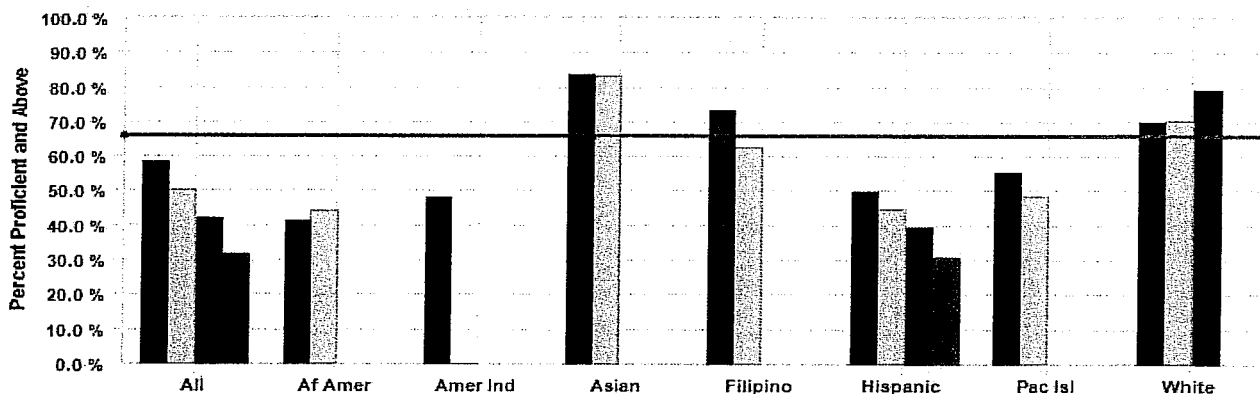
What did the analysis of the data reveal that led you to this goal?

The data revealed that the performance of our primary subgroups (hispanic, socio-economically disadvantaged, English learners) regressed. This regression is significant because these subgroups constitute a majority of our student population.



Greenfield High 2011-12  
Single Plan For Student Achievement Report

Greenfield High School Comparisons  
Percent Proficient - Annual Measurable Objectives (AMOs)  
2011 Mathematics



2011 AYP Percent Proficient Target 66.1 %

	All	Af Amer	Amer Ind	Asian	Filipino	Hispanic	Pac Isl	White
California %	58.4 %	41.4 %	48.1 %	83.9 %	73.4 %	49.6 %	55.3 %	70.1 %
California #	2,166,808	102,983	12,378	263,704	70,578	952,349	11,786	690,881
Monterey County %	50.4 %	44.4 %	0.0 %	83.1 %	62.8 %	44.5 %	48.4 %	70.5 %
Monterey County #	19,001	245		530	389	12,511	44	4,131
South Monterey County High School District %	42.0 %					39.3 %		79.3 %
South Monterey County High School District #	191					161		23
Greenfield High School %	31.8 %					30.9 %		
Greenfield High School #	68					64		

Which stakeholders were involved in analyzing data and developing this goal?

The math department and administration of Greenfield High School analyzed and developed this goal.

Who are the focus students?

All students enrolled in a mathematics course at Greenfield High School will be included in this goal.

What is the expected growth?

The target goals for each group represent the percentage of increase measured from the proficient level.

- Socioeconomically Disadvantaged: from 31.1% to 41.1% for a growth of 10%
- Hispanic: from 30.9% to 40.9% for a growth of 10%
- English Learner: from 30.1% to 40.1% for a growth of 10%

- Algebra I: from 6% to 10% for a growth of 4%
- 9th grade: from 9% to 14% for a growth of 5%
- 10th grade: from 0% to 3% for a growth of 3%
- 11th grade: from 4% to 7% for a growth of 3%

- Geometry: from 9% to 15% for a growth of 6%
- 9th grade: from 43% to 48% for a growth of 5%
- 10th grade: from 3% to 7% for a growth of 4%
- 11th grade: from 4% to 7% for a growth of 3%

- Algebra II: from 18% to 24% for a growth of 6%
- 10th grade: from 31% to 38% for a growth of 7%
- 11th grade: from 7% to 12% for a growth of 5%

- Summative High School Mathematics: from 17% to 25% for a growth of 8%
- 11th grade: from 17% to 25% for a growth of 8%



## Greenfield High 2011-12

### Single Plan For Student Achievement Report

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What data will be collected to measure student achievement?

- Standards based benchmark assessments per mathematics course
- Mathematics California Standards Test (CST)
- California High School Exit Exam (CAHSEE)
- Greenfield High School Subject Diagnostic Test Results

Student Data disaggregated by:

- Grade Level
- Mathematics course
- Ethnic Designation
- Socioeconomic Disadvantage
- English Learners

What process will you use to monitor and evaluate the data?

- 1) Tests will be administered.
- 2) Tests will be scored.
- 3) Data will be disaggregated and analyzed by math teachers.
- 4) Weak areas will be identified.
- 5) It will be determined whether the weak areas need to be re-taught or simply reviewed.
- 6) Revised assessments will be administered to determine if there is improvement in weak areas.

Actions to improve achievement to exit program improvement (if applicable).

#### Action Title: Modify Instructional Pacing Guides

#### Means of Achievement: Alignment of instruction with content standards

Tasks :

- Modify quarterly benchmarks for each grade level
- Collaboration time
- Review CST data
- Review benchmark data
- Practice released test questions
- After school tutoring from teachers and peers

Measures :

- Pacing and assessment guide for each grade level
- Analysis of scores for quarterly benchmarks
- Principal and Vice Principal walk through observations

People Assigned :

- All Math teachers
- Principal
- Vice Principal

Start Date : 8/3/2011

Completion Date : 6/1/2012

Funding Resources	Related Expenditures	Estimated Cost
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Software Licenses	\$62,273

Greenfield High 2011-12  
Single Plan For Student Achievement Report

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**Action Title: Close achievement gap with English Learners (WASC Schoolwide Critical Area for Follow-up #3)**

**Means of Achievement: Alignment of instruction with content standards**

Tasks :

- Students are placed Algebra 1 or Geometry SDAIE classes if they are enrolled in an ELD class.
- Students may be placed in an Algebra 1 or Geometry SDAIE class if they are mainstreamed from a Special Ed class.

Measures :

- 10% increase in CST scores

People Assigned :

- State Administrator
- Assistant Superintendent
- Director of Educational Services
- Principal
- Assistant principals
- Math teachers
- Counselor

Start Date : 8/3/2011

Completion Date : 6/1/2012

Funding Resources	Related Expenditures	Estimated Cost
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Salaries and Benefits for Math Support classes	\$55,766

Greenfield High 2011-12  
Single Plan For Student Achievement Report

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**Goal Area - Mathematics**

**Goal Title - WASC Goal 1B: Improve 10th grade student achievement on the Mathematics portion of the CAHSEE**

By June 2012, Greenfield High School's student data will indicate a 6% increase in the passing rate for 10th grade students in the Mathematics portion of the California High School Exit Exam (CAHSEE):

**Strategic Goal:**

**Interventions:**

- Standard Based Curriculum
- After School Tutoring

**Person(s) Responsible:**

- Teachers
- Counselors
- Students

**Methods to Access and Evaluate Evidence:**

- California Standards Test (CST) Data
- California High School Exit Exam (CAHSEE) Results
- Grades
- Greenfield High School Algebra 1 Diagnostic Test Results

**Resources:**

- Supplemental Materials for basic educational needs (graphing calculators, protractors, compasses, etc.)
- State Adopted mathematics curriculum
- Supplemental materials for state adopted texts in all courses
- Substitutes for Collaboration time
- Mobile/wireless computer lab for Mathematics only use
- Specifically Designed Academic Instruction in English (SDAIE) curriculum and materials
- Smart Boards/Mimeo-Board and Programs for all math teachers
- Document cameras and projectors
- Enrichment Activities

**Program Funding:**

- Department budget
- School Site Council

**Intensive Goal:**

**Interventions:**

- Standard Based Curriculum
- After School Tutoring
- Algebra 1 Support Classes
- Algebra Readiness + Support classes

**Person Responsible:**

- Teachers
- Counselors
- Students

**Methods to Access and Evaluate Evidence:**

- California Standards Test (CST) Data
- California High School Exit Exam (CAHSEE) Results
- Grades
- Greenfield High School Algebra 1 Diagnostic Test Results

**Resources:**

- Supplemental Materials for basic educational needs (graphing calculators, protractors,

## Greenfield High 2011-12

### Single Plan For Student Achievement Report

compasses, etc.)

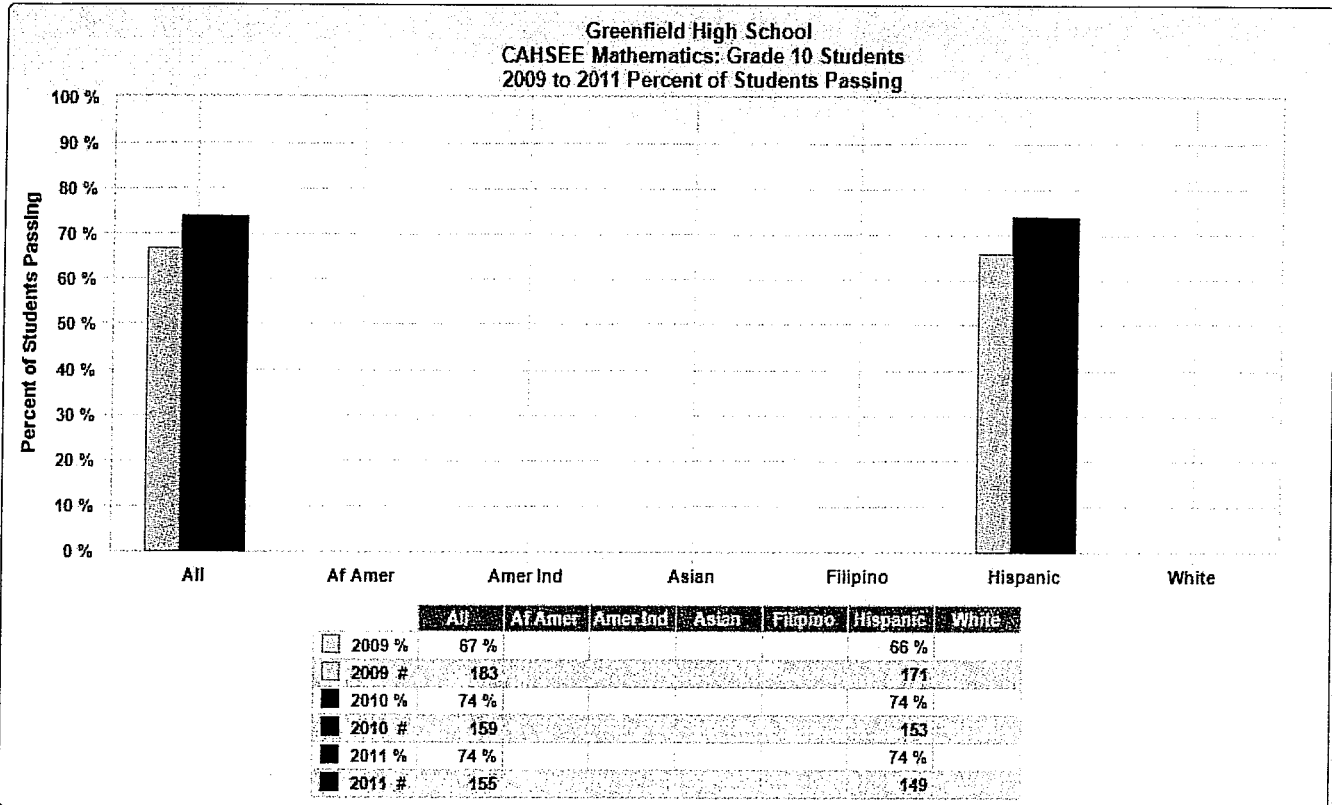
- State Adopted mathematics curriculum
- Supplemental materials for state adopted texts in all courses
- Substitutes for Collaboration time
- Mobile/wireless computer lab for Mathematics only use
- Specifically Designed Academic Instruction in English (SDAIE) curriculum and materials
- Smart Boards/Mimeo-Board and Programs for all math teachers
- Document cameras and projectors
- Enrichment Activities

Program Funding:

- Department budget
- School Site Council

What data did you use to form this goal (findings from data analysis)?

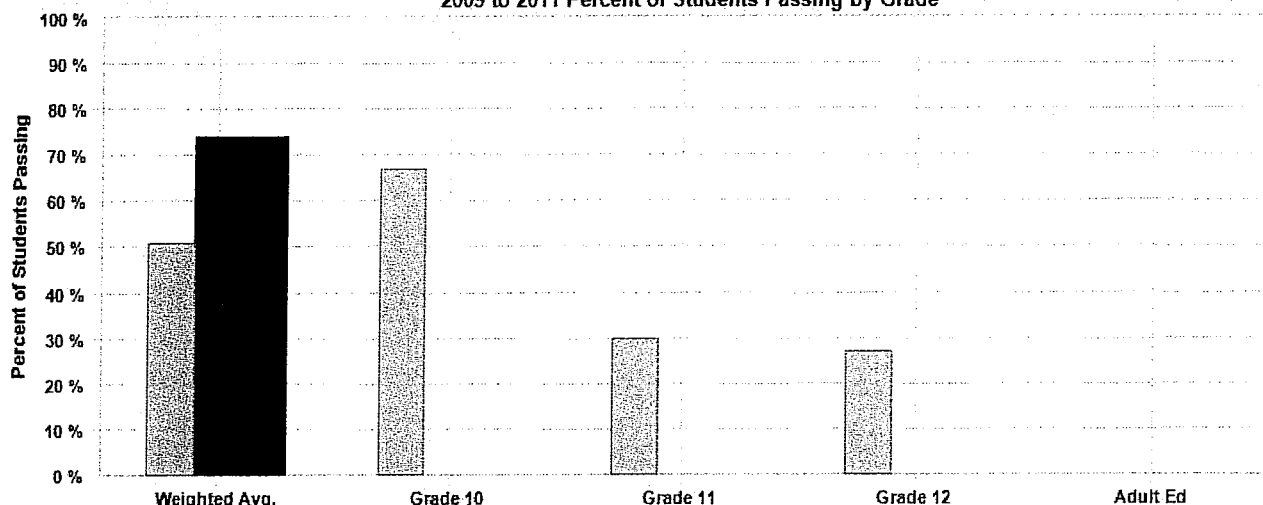
The CAHSEE results from the 2010-2011 school year were used to form this goal.



# Greenfield High 2011-12

## Single Plan For Student Achievement Report

**Greenfield High School  
CAHSEE Mathematics  
2009 to 2011 Percent of Students Passing by Grade**



	Weighted Avg.	Grade 10	Grade 11	Grade 12	Adult Ed
2009 %	51 %	67 %	30 %	27 %	
2009 #	241	183	33	23	
2010 %	74 %				
2010 #	159				
2011 %	74 %				
2011 #	155				

How does this goal align to your Local Educational Agency Plan goals?

The LEA plan identifies specific issues causing low achievement and designates a plan to address the issues in order to attain the growth indicated in this goal. The primary issues mentioned in the LEA plan is the transitioning of English learners. The lack of English fluency is negatively affecting the attainment of the growth target.

What did the analysis of the data reveal that led you to this goal?

The data revealed that the performance of English learner subgroup regressed. This regression is significant because these subgroup constitute a large number of our student population. The socio-economic subgroup performed the same as last year.

Which stakeholders were involved in analyzing data and developing this goal?

The math department and administration of Greenfield High School analyzed and developed this goal.

Who are the focus students?

All 10th grade students enrolled at Greenfield High School who are enrolled in a math course will be included in this goal.

What is the expected growth?

Student data will indicate a 6% increase in the passing rate for the Mathematics portion of the California High School Exit Exam (CAHSEE) from 74% to 80% for all 10th grade students who are on track to graduate from Greenfield High School.

## Greenfield High 2011-12

### Single Plan For Student Achievement Report

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What data will be collected to measure student achievement?

- Standards based benchmark assessments per mathematics course
- Mathematics California Standards Test (CST)
- California High School Exit Exam (CAHSEE)
- Greenfield High School Algebra 1 Diagnostic Test Results

Student Data disaggregated by:

- Grade Level: passing scores for Mathematics portion of California High School Exit Exam (CAHSEE) of 10th graders

What process will you use to monitor and evaluate the data?

- 1) Tests will be administered.
- 2) Tests will be scored.
- 3) Data will be disaggregated and analyzed by math teachers.
- 4) Weak areas will be identified.
- 5) It will be determined whether the weak areas need to be re-taught or simply reviewed.
- 6) Revised assessments will be administered to determine if there is improvement in weak areas.

Actions to improve achievement to exit program improvement (if applicable).

#### Action Title: Update benchmarks

#### Means of Achievement: Alignment of instruction with content standards

Tasks :

- Modify quarterly benchmarks to include CST/CAHSEE related questions
- Review CST/CAHSEE questions, standards, pacing guides, blueprints.
- Collaboration time
- Review CST/CAHSEE data
- Review benchmark data
- After school tutoring specific to CAHSEE from teachers and peers

Measures :

- Emphasis of CAHSEE concepts in pacing and assessment guides
- Analysis of scores for quarterly benchmarks
- Principal and Vice Principal walk through observations

People Assigned :

- All Math teachers
- Principal
- Vice Principal

Start Date : 8/3/2011

Completion Date : 6/1/2012

Funding Resources	Related Expenditures	Estimated Cost
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Software Licenses	\$62,273

# Greenfield High 2011-12 Single Plan For Student Achievement Report

## Form A: Planned Improvements in Student Performance

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

### Goal Area - English Language Arts

**Goal Title : WASC Goal 1C: Improve schoolwide student achievement in English Language Arts.**

By June 2012, student data will indicate a growth of 5 percentage points from 44.4% to 49.4% as measured by the 2011-12 CST English Language Arts results through the continued implementation of Greenfield High School's standards based curriculum.

#### Strategic Goal:

For each grade level, the spring 2012 CST results will indicate a growth of 5 percentage points of students from the Basic Level to Proficient or Advanced on the English Language Arts portion of the test.

#### Intensive Goal:

For each grade level, the spring 2012 CST results will indicate a growth of 5 percentage points of students from either Far Below Basic to Below Basic or from Below Basic to Basic on the English Language Arts portion of the test.

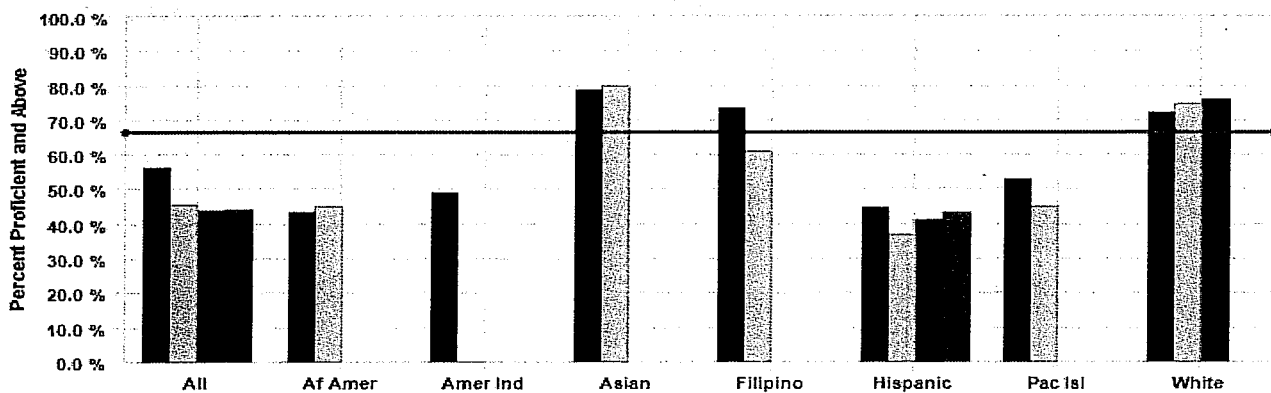
#### Essential Program Components

EPC#	1	2	3	4	5	6	7	8	9
Have	✓	✓			✓				

What data did you use to form this goal (findings from data analysis)?

The 2011-2012 English Language Arts CST data was used.

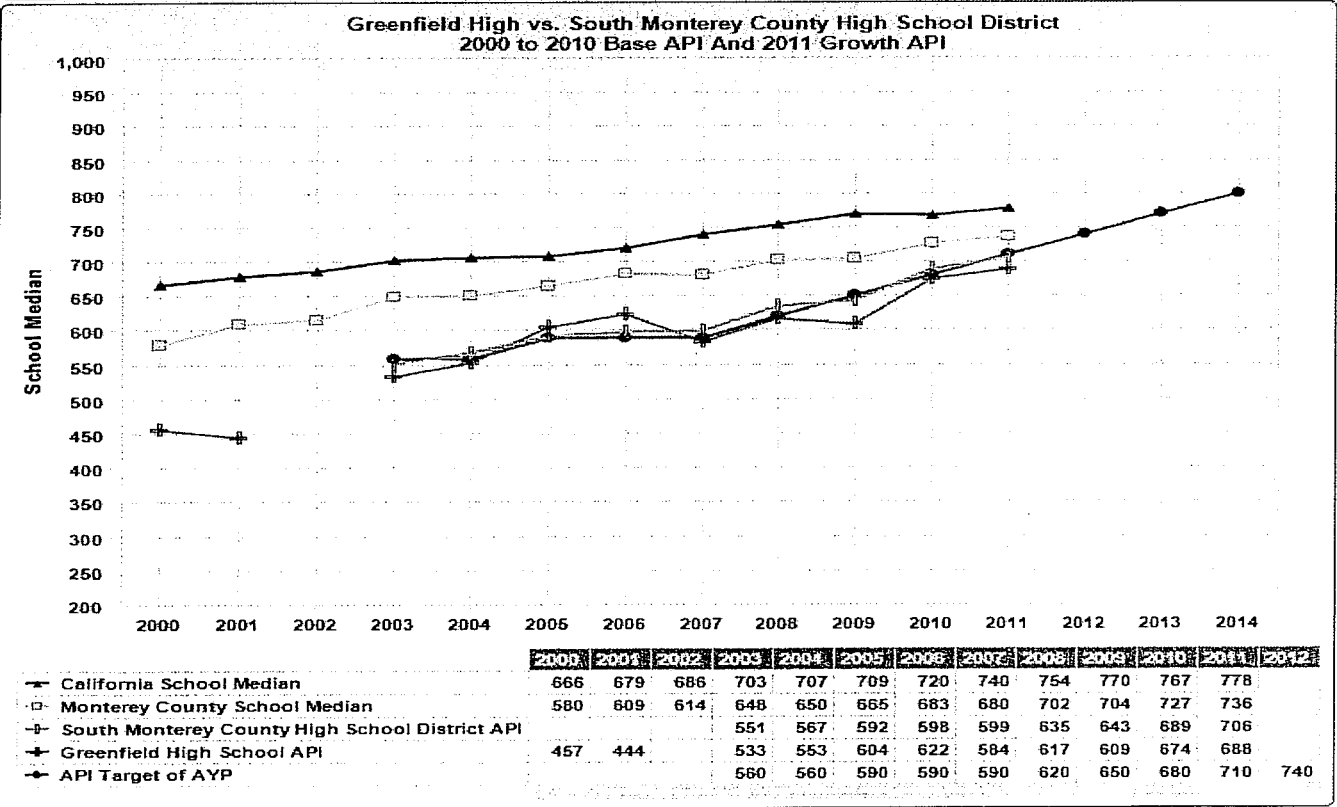
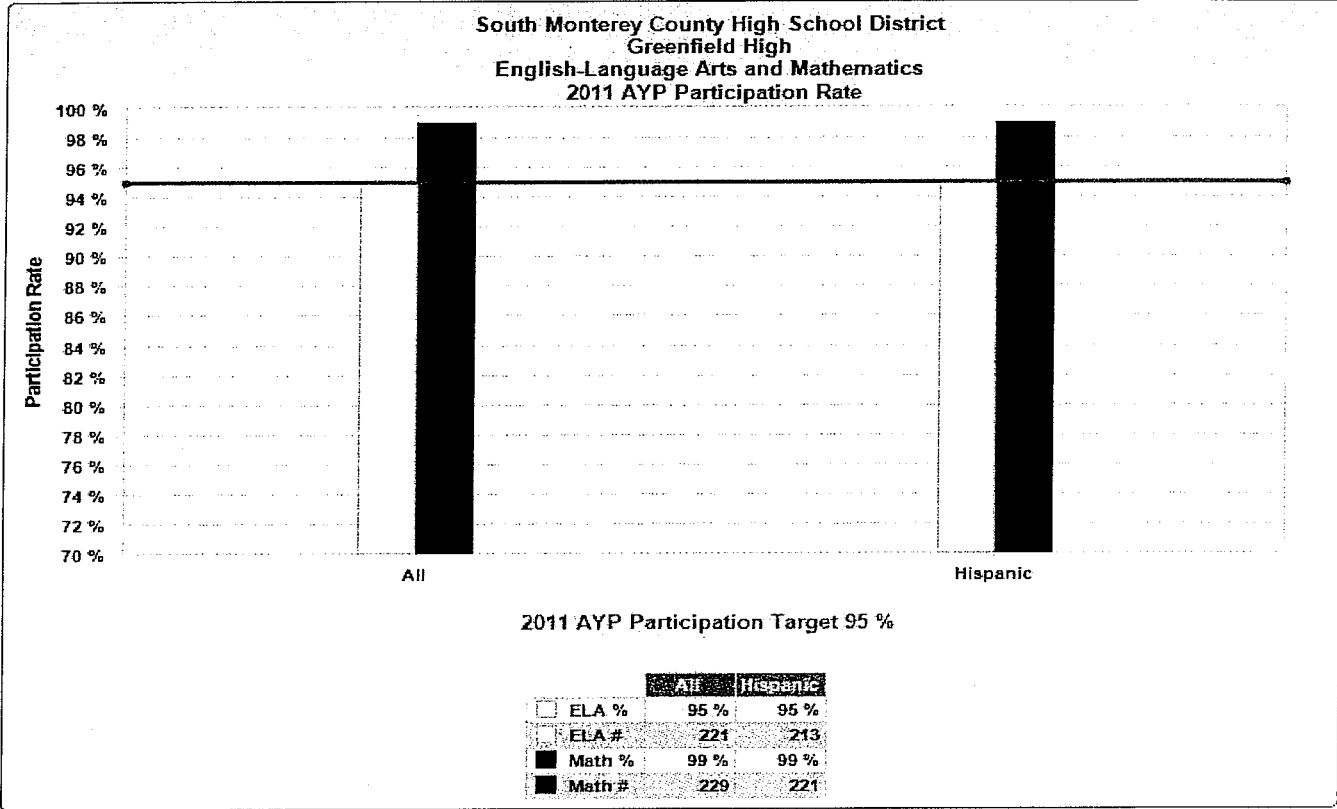
**Greenfield High School Comparisons  
Percent Proficient - Annual Measurable Objectives (AMOs)  
2011 English-Language Arts**



2011 AYP Percent Proficient Target 66.7 %

	All	Af Amer	Amer Ind	Asian	Filipino	Hispanic	Pac Isl	White
California %	56.2 %	43.4 %	49.0 %	78.7 %	73.6 %	44.7 %	53.0 %	72.3 %
California #	2,084,680	108,003	12,607	247,354	70,705	858,797	11,300	712,773
Monterey County %	46.4 %	44.9 %	0.0 %	79.7 %	60.8 %	37.0 %	45.1 %	74.6 %
Monterey County #	17,110	248		507	377	10,389	41	4,362
South Monterey County High School District %	43.6 %					41.0 %		75.9 %
South Monterey County High School District #	195					165		22
Greenfield High School %	44.4 %					43.5 %		
Greenfield High School #	92					87		

Greenfield High 2011-12  
Single Plan For Student Achievement Report





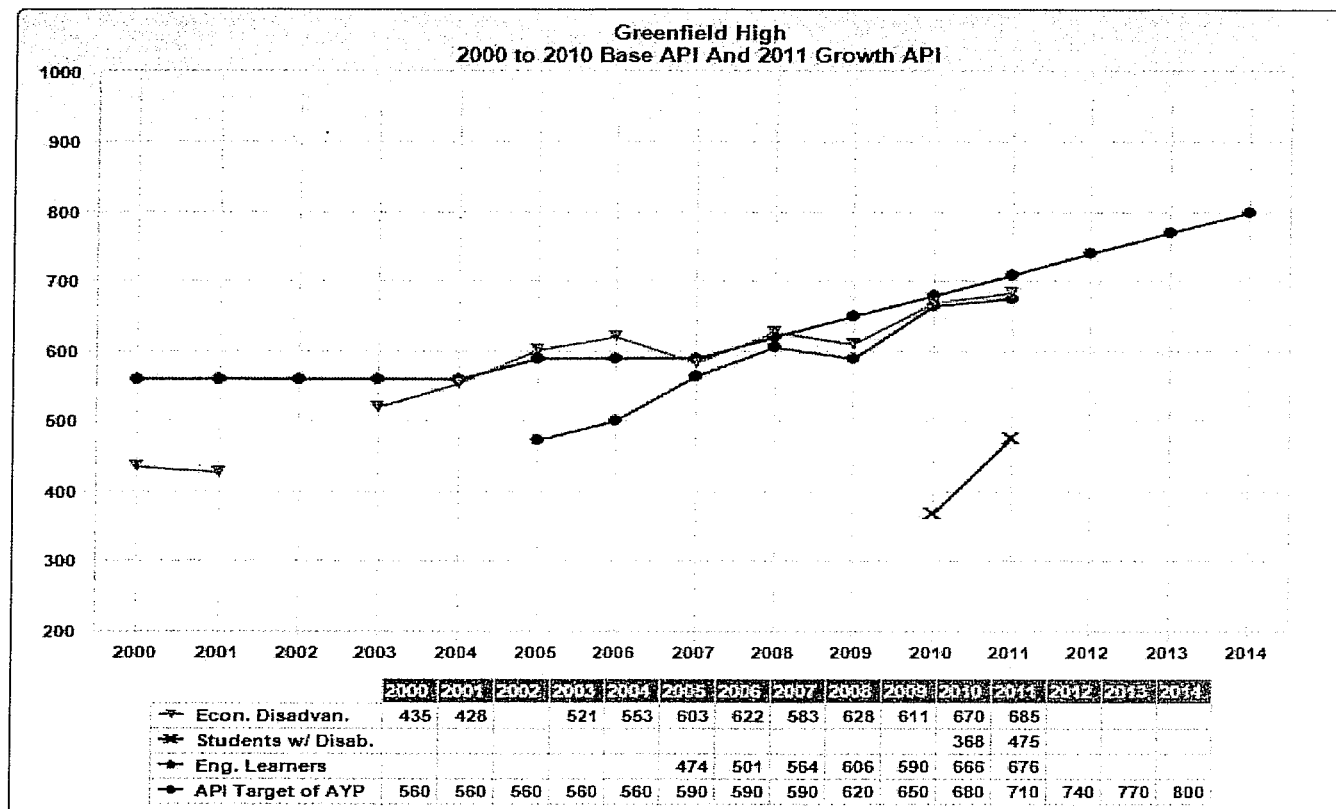
## Greenfield High 2011-12 Single Plan For Student Achievement Report

How does this goal align to your Local Educational Agency Plan goals?

Greenfield High School met 10 of the 18 AYP criteria. One of the LEA plan's objective is that schools (including significant subgroups) will meet the state target growth for API, AYP and graduation rates. The LEA plan recommends the need for the school to adapt to support these subgroups.

What did the analysis of the data reveal that led you to this goal?

From 2007, Greenfield High School's API has increased from 584 to 688. The economically disadvantaged student subgroup moved from 26.7% proficient to 43% proficient (16.3 percentage points). The English Learner subgroup moved from 20.8% proficient to 40.5% proficient (19.7 percentage points). From 2009, the English Language Arts CST results indicate a growth of 14 percentage points from 22% proficient to 36% proficient. The data reveals that Greenfield High School is making steady progress in moving students out of the Far Below Basic and Below Basic categories to the Basic category. The data also reveals that our students are not moving as steadily from the Basic category into Proficient and from Proficient to Advanced.



Which stakeholders were involved in analyzing data and developing this goal?

The English department and administration of Greenfield High School analyzed and developed this goal.

Who are the focus students?

All students enrolled in a core English Language Arts course at Greenfield High School will be included in this goal.

What is the expected growth?

- Socioeconomically Disadvantaged: from 43% to 48% for a growth of 5 percentage points
- Hispanic: from 43.5% to 48.5% for a growth of 5 percentage points
- English Learners: 40.5% to 45.5 % for a growth of 5 percentage points
- English 9th Grade: from 36% to 41% for a growth of 5 percentage points
- English 10th Grade: from 33% to 38% for a growth of 5 percentage points
- English 11th Grade: from 38% to 43% for a growth of 5 percentage points

## Greenfield High 2011-12

### Single Plan For Student Achievement Report

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What data will be collected to measure student achievement?

The following assessments will be used to evaluate student progress:

- CST tests in English Language Arts

Other measurement tools will also be used to monitor student progress:

- CELDT
- CAHSEE
- Local Assessments will include a benchmark assessment for writing standards given four times a year.
- Quarterly benchmarks for each grade level.

What process will you use to monitor and evaluate the data?

To monitor student achievement in English Language Arts, teachers will review annual assessment data. Teachers will also utilize research-based strategies, benchmarks, and pacing guides to move students to higher academic levels. In addition, staff members will collaborate to discuss strategies and student models that have been successful. Teachers will analyze student work to determine mastery and identify standards that need to be retaught.

Actions to improve achievement to exit program improvement (if applicable).

**Action Title: Instructional Pacing Guides, Benchmark Assessments to raise student achievement**

#### **Means of Achievement: Alignment of instruction with content standards**

Tasks :

- Create and modify instructional pacing guide for each grade level
- Create and modify quarterly benchmarks for each grade level
- Develop an English Learner plan
- Correctly identify and place students in corresponding English courses
- English SDAIE and Strategic course for Basic, Far Below Basic and Below Basic students
- READ 180 implemented for intensive intervention for students who score Far Below Basic
- Collaboration time focused on research based instructional strategies
- Review CST data

Measures :

- Pacing and assessment guide for each grade level
- Analysis of scores for quarterly benchmarks
- Lesson plans
- Principal and Vice Principal walk through observations

People Assigned :

- State Administrator
- Assistant Superintendent
- Principal
- Assistant principal
- English teachers

Start Date : 8/3/2011

Completion Date : 6/1/2012

Greenfield High 2011-12  
Single Plan For Student Achievement Report

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**Goal Area : English Language Arts**

**Goal Title : WASC Goal 1D: Improve 10th grade student achievement on the ELA portion of the CAHSEE**

By June 2012, student data will indicate that there will be a 6 percentage point increase in the passing rate for the English Language Arts portion of the CAHSEE from 70% to 76% among all 10th grade students at Greenfield High School.

Strategic Goal: By June 2012, Economically Disadvantaged student data will indicate that there will be a 6 percentage point increase in the passing rate for the English Language Arts portion of the CAHSEE from 71% to 77%.

**Interventions:**

- Standard based Curriculum
- After School Tutoring
- CAHSEE prep class offered during the school day

**Persons Responsible:**

- Teachers
- Student Services Coordinator

**Methods to Access and Evaluate Evidence:**

- CST Data
- CAHSEE Results
- Grades
- CELDT test
- Scholastic Reading Inventory (SRI) test
- Benchmark tests

**Resources:**

- Supplemental Materials for basic educational needs
- Updated state adopted textbooks
- READ 180
- CAHSEE computer program
- EL curriculum and materials (EDGE program)
- Smart boards and document cameras
- Mobile/wireless computer lab for English department use only
- Supplemental materials for state adopted texts
- Enrichment activities
- Training in researched based instructional strategies during collaboration days
- GEAR-UP tutors

**Program Funding:**

- 

Intensive Goal: By June 2012, English Learner student data will indicate that there will be a 9 percentage point increase in the passing rate for the English Language Arts portion of the CAHSEE from 41% to 50%.

**Interventions:**

- Standard based Curriculum
- After School Tutoring
- CAHSEE prep class offered during the school day

**Persons Responsible:**

- Teachers
- Student Services Coordinator
- GEAR-UP Program

**Methods to Assess and Evaluate Evidence:**

Greenfield High 2011-12  
Single Plan For Student Achievement Report

- CST Data
- CAHSEE Results
- Grades
- CELDT test
- Benchmark tests
- Scholastic Reading Inventory (SRI) test

Resources:

- Supplemental Materials for basic educational needs
- Updated state adopted textbooks
- READ 180
- CAHSEE computer program
- EL curriculum and materials (EDGE program)
- Smart boards and document cameras
- Mobile/wireless computer lab for English department use only
- Supplemental materials for state adopted texts
- Enrichment activities
- Training in researched based instructional strategies during collaboration days
- GEAR-UP tutors

Program Funding:

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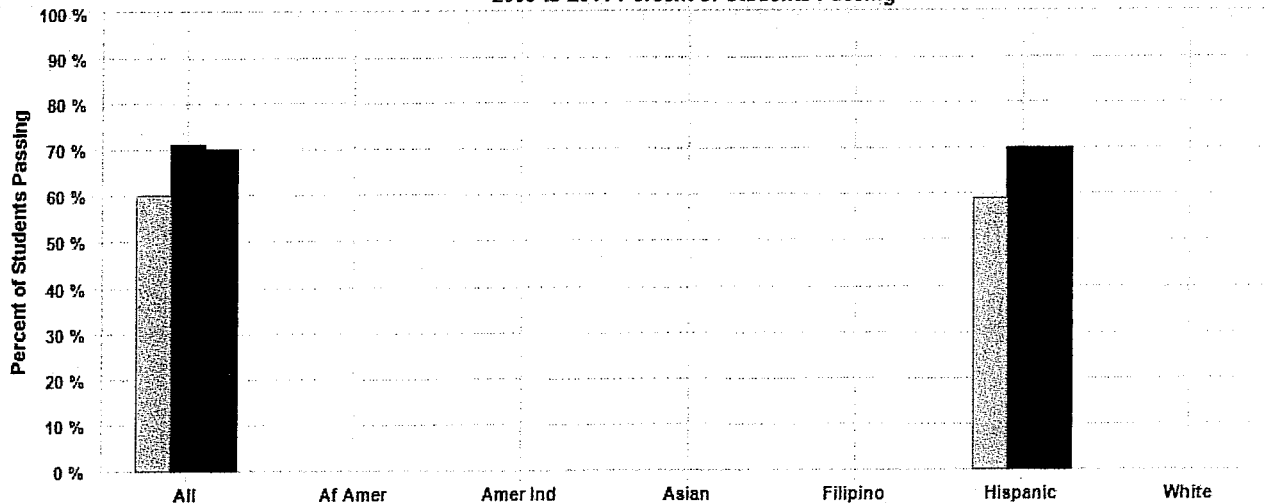
Essential Program Components									
EPC#	1	2	3	4	5	6	7	8	9
Have	✓	✓			✓				

What data did you use to form this goal (findings from data analysis)?

We used 2009-2011 CAHSEE data for the English Language Arts portion to form this goal.

Greenfield High 2011-12  
Single Plan For Student Achievement Report

Greenfield High School  
CAHSEE English-Language Arts: Grade 10 Students  
2009 to 2011 Percent of Students Passing



	All	Af Amer	Amer Ind	Asian	Filipino	Hispanic	White
2009 %	60 %					59 %	
2009 #	165					154	
2010 %	71 %					70 %	
2010 #	155					148	
2011 %	70 %					70 %	
2011 #	155					149	

Greenfield High School  
CAHSEE English-Language Arts: Grade 10 Students  
2009 to 2011 Percent of Students Passing



	English Learner	Economically Disadvantaged	Special Education
2009 %	35 %	64 %	29 %
2009 #	48	30	7
2010 %	34 %	71 %	
2010 #	27	97	
2011 %	41 %	71 %	
2011 #	31	130	

## Greenfield High 2011-12

### Single Plan For Student Achievement Report

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How does this goal align to your Local Educational Agency Plan goals?

The district's LEA plan addresses the need to increase student achievement and graduation rates. The CAHSEE is an essential component in that goal. The district is providing for CAHSEE preparation and intervention for identified students.

What did the analysis of the data reveal that led you to this goal?

An analysis of this data revealed that our English Learner population is still significantly behind on passing the English Language Arts portion of the CAHSEE on their first attempt. The analysis also revealed that Greenfield High School is still behind the Monterey County average for 10th graders passing on their first attempt.

Which stakeholders were involved in analyzing data and developing this goal?

Greenfield High School staff and administration were involved in analysis and development of this goal.

Who are the focus students?

All students who are enrolled in a 9th or 10th grade English Language Arts or English Language Development course at Greenfield High School will be included in this goal.

What is the expected growth?

Student data will indicate that there will be a 6 percentage point increase in the passing rate for the English Language Arts portion of the CAHSEE from 70% to 76% of all 10th grade students at Greenfield High School.

What data will be collected to measure student achievement?

The following assessments will be used to evaluate student progress:

- CAHSEE English Language Arts test results

Other measurement tools will also be used to monitor student progress:

- CELDT
- CST
- Local Assessments will include a benchmark assessment for writing standards given four times a year.
- Scholastic Reading Inventory (SRI) test

What process will you use to monitor and evaluate the data?

To monitor and evaluate the data, all English teachers will review 2011 CAHSEE results for the English portion. We will review the areas where we were successful. We will also explore strategies to improve our weak areas. Additionally, we will review other assessment data including local assessments and CST's.

Actions to improve achievement to exit program improvement (if applicable).

**Action Title: CAHSEE Students on track for Graduation**

**Means of Achievement: Alignment of instruction with content standards**

Tasks :

- Create and modify instructional pacing guide
- Create and modify benchmarks
- After school tutoring
- English SDAIE and Strategic course for Far Below Basic and Below Basic students
- CAHSEE prep English classes in the master schedule for junior and senior students who have not yet passed the high school exit exam
- Correctly identify and place students into the CAHSEE prep classes
- Review the CAHSEE data

Measures :

- CAHSEE test results
- Pacing and assessment guide for each grade level
- Analysis of scores for quarterly benchmarks
- Lesson plans
- Principal and Vice Principal walk through observations

People Assigned :

- State Administrator
- Assistant Superintendent
- Principal
- Assistant principal
- Student Services Coordinator
- English teachers

Start Date : 8/3/2011

Completion Date : 6/1/2012

# Greenfield High 2011-12

## Single Plan For Student Achievement Report

### Goal Area: English Language Arts

#### Goal Title: WASC Goal 1E: Close the achievement gap with English Learners (WASC Follow up #3)

By June 2012, English Learner student data will indicate a 5 percentage point increase in achievement levels on the CELDT test.

#### Strategic Goal:

By June 2012, English Learner student data will indicate a 5 percentage point increase (from 32% to 37%) in students achieving Early Advanced and above on the CELDT test.

#### Intensive Goal:

By June 2012, English Learner student data will indicate a 5 percentage point decrease (from 28% to 23%) in students achieving Early Intermediate or below on the CELDT test.

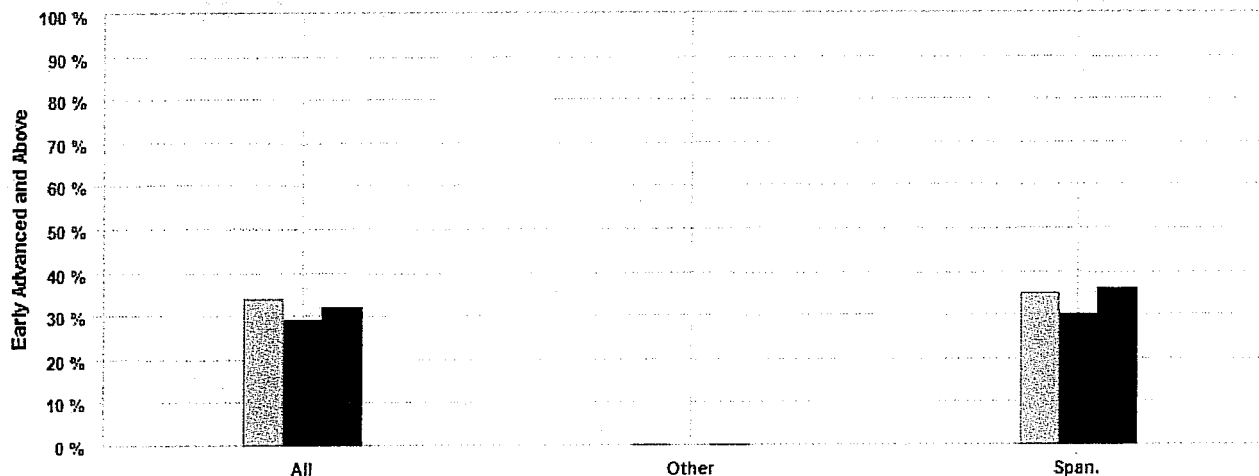
#### Essential Program Components

EPC#	1	2	3	4	5	6	7	8	9
Have	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>				

What data did you use to form this goal (findings from data analysis)?

2011 CELDT test data was studied to form this goal.

Greenfield High School  
California English Language Development Test (CELDT)  
2009 to 2011 Early Advanced and Above



	All	Other	Span.
2009 %	34 %	0 %	35 %
2009 #	100	0	99
2010 %	29 %		30 %
2010 #	89		88
2011 %	32 %	0 %	36 %
2011 #	94	0	92



## Greenfield High 2011-12

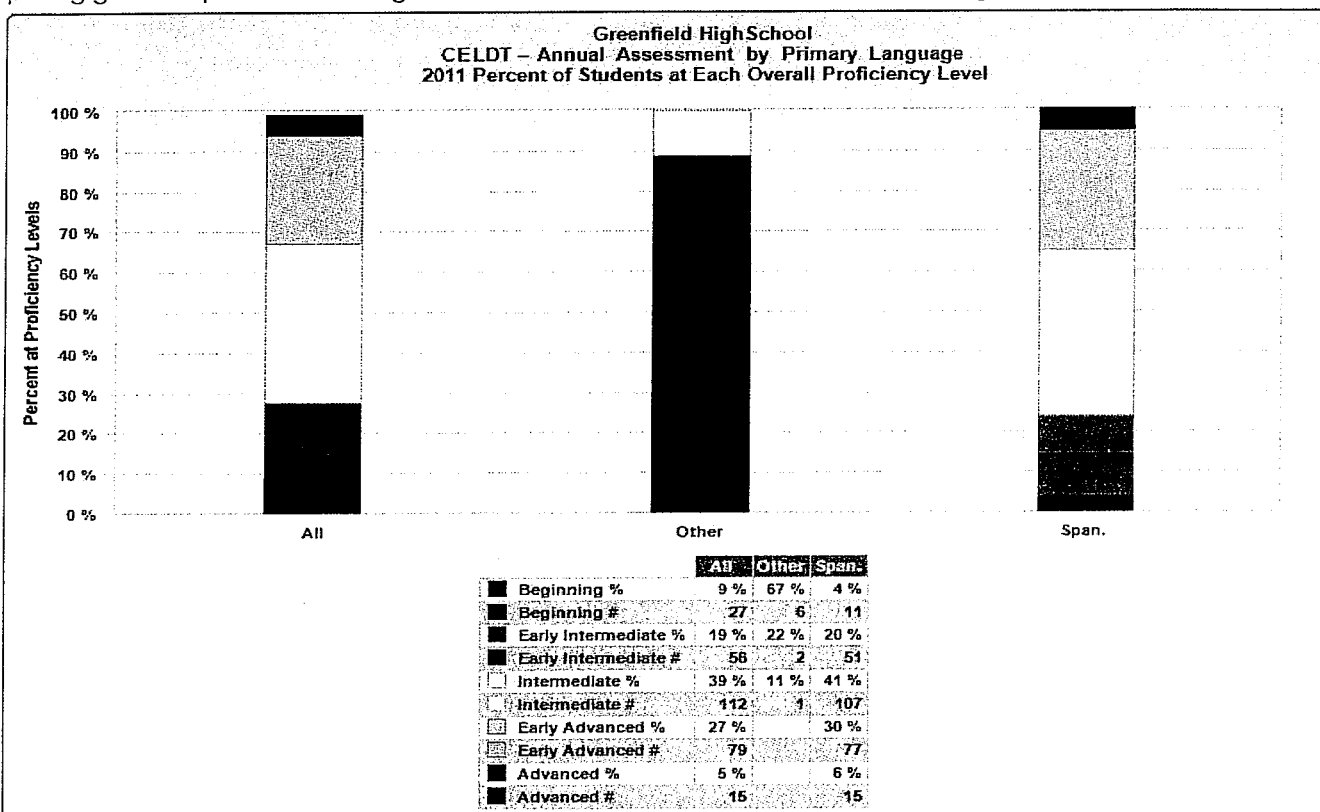
### Single Plan For Student Achievement Report

How does this goal align to your Local Educational Agency Plan goals?

Greenfield High School met 10 of the 18 AYP criteria. One of the LEA plan's objective is that schools (including significant subgroups) will meet the state target growth for API, AYP and graduation rates. The district criteria for EL's and the Hispanic population in English language arts was not met. The LEA plan recommends the need for the school to adapt to support these subgroups. Support provided in the plan includes the development and implementation of an EL plan, identification of students and proper placement within English language development courses, and staff development training regarding ELD strategies.

What did the analysis of the data reveal that led you to this goal?

The analysis of the 2011 CELDT data revealed that Greenfield High School students are achieving a level of Intermediate, but are becoming stagnated at that level. This seems to indicate the need for our course offerings and pacing guides to provide a more rigorous curriculum to ensure these students move to higher proficiency levels.



Which stakeholders were involved in analyzing data and developing this goal?

The Greenfield High School English teachers and administration were involved in analysis and development of this goal.

Who are the focus students?

All English Learners are the focus students for this goal.

What is the expected growth?

Our goal is providing for a 5 percentage point growth on the CELDT among all English Learners.

What data will be collected to measure student achievement?

2012 CELDT results will be collected and analyzed to track student achievement.

## Greenfield High 2011-12

### Single Plan For Student Achievement Report

What process will you use to monitor and evaluate the data?

Student data will be monitored and evaluated as part of our academic placement process. Development of an English Learner plan is essential so that student achievement can be assessed to ensure proper placement and growth for this subgroup. This year, Greenfield High School created a two-period non-interrupted block class for each ELD level. Those classes are scheduled at the same time of the school day to allow for greater flexibility for appropriate student placement. We will continue to monitor student achievement within those classes at the semester point and make appropriate changes. Through this process we will also be analyzing CST and CELDT results to ensure we are redesignating students.

Actions to improve achievement to exit program improvement (if applicable).

#### Action Title: Correct Identification and Placement of English Learners

#### Means of Achievement: Alignment of instruction with content standards

Tasks :

- Develop an English Learner plan so students will be correctly identified and placed.
- Students who scored CELDT level 1 (Beginning) are to be placed in ELD 1 for a two period non-interrupted block.
- Students who scored CELDT level 2 (Early Intermediate) are to be placed in ELD 2 for a two period non-interrupted block.
- Students who scored CELDT level 3 (Intermediate) are to be placed in ELD 3 for a two period non-interrupted block.
- Students who scored CELDT level 1-3 may be placed in a higher English class if they scored proficient or advanced on the CST.
- Students who have scored level 3 (Intermediate) on the CELDT for 2 or more consecutive years and have not been reclassified are to be placed in a grade level SDAIE class for a two period non-interrupted block.
- Students who scored Below Basic on the CST are to be placed in a core English class with an additional strategic English class in a non-interrupted block.
- Students who score Far-Below Basic on the CST will be placed in a two period non-interrupted block of Read 180 class.
- Students who score Basic on the CST are placed in a college prep English class.

Measures :

- CST data
- Benchmark assessments
- Curriculum maps
- Lesson plans
- CAHSEE data
- CELDT data

People Assigned :

- State Administrator
- Assistant Superintendent
- Principal
- Assistant principal
- English teachers
- Student Services Coordinator

Start Date : 8/3/2011

Completion Date : 6/1/2012

Funding Resources	Related Expenditures	Estimated Cost
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Salaries and Benefits ELD, Read 180, CAHSEE Class, Support ELA Classes	\$55,766

## Greenfield High 2011-12 Single Plan For Student Achievement Report

### Form A: Planned Improvements in Student Performance

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

#### Goal Area: WASC

#### Goal Title: WASC Goal 2: Refinement and modification of benchmark and curriculum maps

Benchmarks and curriculum maps will be regularly updated and modified contingent upon data obtained from formative and summative assessments.

EPC#	Essential Program Components								
	1	2	3	4	5	6	7	8	9
Have	✓	✓			✓				

What data did you use to form this goal (findings from data analysis)?

CST data and CAHSEE data was used to form this goal.

How does this goal align to your Local Educational Agency Plan goals?

The LEA plan indicates the need for developing and implementing district wide benchmark assessments and pacing guides in order to improve student achievement.

What did the analysis of the data reveal that led you to this goal?

The analysis of data revealed the need for a more rigorous curriculum in our college prep English classes to move students from the Basic category to the Proficient and Advanced categories.

Which stakeholders were involved in analyzing data and developing this goal?

Greenfield High School staff and administration analyzed data and developed this goal.

Who are the focus students?

All students of all grade levels will participate in this goal.

What is the expected growth?

The anticipated average growth on the CSTs for all groups is 5 percentage points.

What data will be collected to measure student achievement?

- CST data
- Benchmark assessments
- Curriculum maps
- Lesson plans
- CAHSEE data
- CELDT data

What process will you use to monitor and evaluate the data?

Each year teachers and administrators will review assessment data to make modifications to existing benchmarks and curriculum maps. Modifications will be evidenced by lesson plans, administrator classroom walk-throughs, and new assessment data.

Actions to improve achievement to exit program improvement (if applicable).

**Action Title: Use data to drive instruction (WASC Schoolwide Critical Area for Follow-up #4)**

**Means of Achievement: Alignment of instruction with content standards**

**Tasks :**

- Review CST data and released test items from the previous year. Revise benchmark exams to reflect CST format.
- Refine curriculum maps in all subject areas.
- Continue to discuss and analyze data as a faculty to better understand what the numbers indicate and to determine how teachers can use the data to improve instruction.
- SChoolPlan data analysis software
- Develop the process for creating a data team on campus to assist teachers in analyzing and disaggregating data.
- Work with District to standardize curriculum maps and benchmark testing.
- Departmental time during collaboration days to analyze data, benchmark tests, and pacing guides.

**Measures :**

- CST scores
- CAHSEE results
- Benchmark tests
- Grades
- Training sign in sheets
- Department minutes
- Powerpoints and handouts from meetings

**People Assigned :**

- State Administrator
- Assistant Superintendent
- Principal
- Assistant principals
- All teachers

Start Date : 8/3/2011

Completion Date : 6/1/2012

Funding Resources	Related Expenditures	Estimated Cost
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Software Licenses	\$62,273

Goal Area: WASC

Goal Title: WASC Goal 3: Collaboration time for vertical and horizontal articulation

Staff will be assigned time for interdepartmental, intradistrict, and interdistrict collaboration.

Essential Program Components									
EPC#	1	2	3	4	5	6	7	8	9
Have	✓	✓			✓				

What data did you use to form this goal (findings from data analysis)?

The 2011-2012 English Language Arts and Mathematics CST data was used.

How does this goal align to your Local Educational Agency Plan goals?

The LEA plan addresses the need that collaboration time is valuable and must be used effectively to address professional development goals. Vertical and horizontal collaboration will be used as a tool to increase student achievement.

What did the analysis of the data reveal that led you to this goal?

As evidenced by the 2011 English Language Arts CST scores, Greenfield High School students are moving out of the Far Below Basic and Below Basic categories, but are failing to advance to Proficient and Advanced categories. As evidenced by the 2011 CELDT scores, our students are moving into the Intermediate category, but are failing to move into the Early Advanced and Advanced categories. The use of collaboration time to continue to adapt our curriculum is essential to further student achievement.

The 2011 CST mathematics scores showed an increase in performance. Although the target goal wasn't met, the data indicates improvement. The target goal for next year doesn't reflect as large of an increase as last year but the growth is still projected.

Which stakeholders were involved in analyzing data and developing this goal?

Greenfield High School staff and administration developed this goal to address WASC concerns.

Who are the focus students?

All students of all grade levels will be the focus of this goal.

What is the expected growth?

The anticipated average growth on the CSTs for all groups is 5 percentage points. As of this point, it has been challenging to count on the participation of our feeder school. We are continuing to ask for increased participation and anticipate that their collaboration would lead to higher gains.

What data will be collected to measure student achievement?

- CST data
- Benchmark assessments
- Curriculum maps
- Lesson plans
- CAHSEE data
- CELDT data

What process will you use to monitor and evaluate the data?

Staff and administration will produce collaboration time minutes, pacing guides, and benchmarks as evidence for the process of collaboration. We will continuously review our test data to drive our future collaboration.

Actions to improve achievement to exit program improvement (if applicable).

**Action Title: Focus on research based instructional strategies (WASC Schoolwide Critical Area for Follow-up #5)**

**Means of Achievement: Staff development and professional collaboration**

**Tasks :**

- Prioritize implementing teacher training on research based strategies: schoolwide note taking, cooperative learning, nonlinguistic representation (graphic organizers), and reciprocal teaching.
- Introduce Bloom's Taxonomy and Costa's Three Level's of Questioning into lesson plans.
- AVID summer institute or trainings.
- Coordinate with all departments to help support ELA writing applications and strategies with an emphasis on non-fiction reading.
- Coordinate with all departments to implement the use of sentence frames.
- Coordinate with all departments to implement the use of Cornell notes.
- Coordinate with all departments to implement the use of Constructing Meaning Strategies for English Learners.
- Begin to study and implement the Common Core Standards into curriculum.

**Measures :**

- CST / CAHSEE improvement
- Benchmark improvement
- Overall academic improvement
- Collaboration minutes
- Change in lesson strategies

**People Assigned :**

- State Administrator
- Assistant Superintendent
- Principal
- Assistant Principal
- All teachers

Start Date : 8/3/2011

Completion Date : 6/1/2012

**Action Title: Articulate interdistrictly and intradistrictly**

**Means of Achievement: Staff development and professional collaboration**

Tasks :

- Continue developing articulation with Vista Verde Middle School to align math curriculum maps and benchmarks.
- Establish articulation with Vista Verde Middle School to align English curriculum maps and benchmarks.
- Collaborate intradistrictly by department to create a sequential curriculum with pacing guides and benchmarks.

Measures :

- CST / CAHSEE improvement
- Benchmark improvement
- interdistrict and intradistrict curriculum maps
- Overall academic improvement
- Minutes
- Change in lesson strategies

People Assigned :

- State Administrator
- Assistant Superintendent
- Principal
- Assistant principals
- All teachers

Start Date : 8/3/2011

Completion Date : 6/1/2012

**Goal Area - WASC**

**Goal Title - WASC Goal 4: Increase sense of ownership, responsibility, and belonging at Greenfield HS**

Create a shared sense of responsibility and pride in order to achieve improved academic success.

What data did you use to form this goal (findings from data analysis)?

Part of the analysis that led to the formation of this goal, was studying the WASC recommendations. Looking at our 2011 CST, CAHSEE, and CELDT scores provided further evidence to the relevance of this goal.

How does this goal align to your Local Educational Agency Plan goals?

The LEA plan outlines strategies for increased parent and community involvement in school. This goal attempts to give our community and students more control in school-related matters.

What did the analysis of the data reveal that led you to this goal?

Through the WASC process, we discovered that one potential factor in our school's test scores was a lack of student buy-in. This goal was created to search for ways to increase student, parent, and community involvement and representation.

Which stakeholders were involved in analyzing data and developing this goal?

Greenfield High School staff and administration were involved in studying data and developing this goal.

Who are the focus students?

All students of all grade levels will be the focus of this goal.

What is the expected growth?

The academic result of an increased sense of student ownership, responsibility, and belonging is hard to anticipate; however, our anticipated average growth on the CSTs for all groups is 5 percentage points.

What data will be collected to measure student achievement?

- CST data
- CAHSEE data
- Attendance reports
- Student grades
- SAT, ACT, and AP scores
- Graduation rates

What process will you use to monitor and evaluate the data?

Staff and administration will monitor student and parent participation in extra-curricular meetings and activities. Administration will review attendance, grades, and graduation rates to determine if there is an increase in student ownership and responsibility. As a staff and student body, we will also search for increased ways for students and parents to gain ownership and belonging at Greenfield High School. We will also review all test data on an ongoing basis.

Actions to improve achievement to exit program improvement (if applicable).



**Action Title: Regularly share student performance with parents (WASC Schoolwide Critical Area for Follow-up #1)**

**Means of Achievement: Involvement of staff, parents and community**

Tasks :

- Aeries training for teachers.
- Utilize technology such as website, email, Aeries parent portal to communicate with parents about student achievement.
- Weekly progress reports requested by parents/guardians or generated by teacher.
- Parent conferences requested by either teachers or parents/guardians.
- Phone calls to parents/guardians.
- All teachers will do schoolwide progress reports every five weeks which will include letter grades.
- Use of marquee to inform community of calendar events, progress reports, and upcoming activities.

Measures :

- Parent involvement in Aeries training
- 4 year plan
- Five week progress reports
- Training sign-in sheets for Aeries training

People Assigned :

- State Administrator
- Assistant Superintendent
- Principal
- Assistant principals
- All teachers
- Parents/Guardians
- Counselor
- All staff members

Start Date : 8/3/2011

Completion Date : 6/1/2012

**Action Title: Increase student participation in educational development**

**Means of Achievement: Alignment of instruction with content standards**

Tasks :

- Provide incentives for improvement on CST:
- Implement a student program that promotes a positive learning community atmosphere:
  - student of the month
  - 4.0 reception
  - academic rallies / test rally
- Improve athletic involvement
- Implement a college night
- Math Day/Fair
  - HW passes
  - question booths
  - math trivia /quiz show
  - Mathletics
- Promote CST / CAHSEE
- Continue fostering club activities

Measures :

- CST / CAHSEE improvement
- Benchmark improvement
- Overall academic improvement
- Club charters
- Increased athletic participation
- Increased graduation rate
- Increased college enrollment

People Assigned :

- State Administrator
- Assistant Superintendent
- Principal
- Assistant principals
- All teachers

Start Date : 8/3/2011

Completion Date : 6/1/2012

**Action Title: Increase parent/guardian involvement**

**Means of Achievement: Involvement of staff, parents and community**

**Tasks :**

- Develop a plan to provide opportunities for increased parent/guardian involvement.
- Provide training for Aeries parent portal.
- Bilingual gang awareness presentation provided Greenfield High School's SRO.
- Involve parents in DELAC, ELAC, School Site Council, and District Advisory Committee.
- Utilize district website, phone dialers (AlertNow), Aeries Parent Portal, marquees, newsletters to communicate upcoming events.
- Continue to implement a home/school compact with each student and parent/guardian. Include attendance, academic achievement, behavioral expectations, necessity of taking tests, etc.
- Continue to provide opportunities for parents to come to school (parent informational meetings, Back to School Night, parent/teacher informational meetings).

**Measures :**

- Improved parent/guardian participation at meetings, back to school night, academic/athletic award banquets, sporting events, etc.

**People Assigned :**

- All parents/guardians
- State Administrator
- Assistant Superintendent
- Principal
- Assistant principals
- All teachers

Start Date : 8/3/2011

Completion Date : 6/1/2012

Greenfield High 2011-12  
Single Plan For Student Achievement Report

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Funding Programs Included in this Plan

Each state and federal categorical program in which the school participates.

Total Site Plan Budget : **\$230,027**

Total Annual Expenditures for Current School Plan: **\$298,350**

Funding Resource Code	Funding Resource Description	Funding Allocation	Budgeted Allocation	Balance Available
3010	NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	\$230,027	\$298,350	(\$68,323)
	Close achievement gap with English Learners (WASC Schoolwide Critical Area for Follow-up #3)		\$55,766	
	Correct Identification and Placement of English Learners		\$55,766	
	Modify Instructional Pacing Guides		\$62,273	
	Update benchmarks		\$62,273	
	Use data to drive instruction (WASC Schoolwide Critical Area for Follow-up #4)		\$62,273	
Total amount of categorical funds allocated to this school:		\$230,027	\$298,350	(\$68,323)

Greenfield High 2011-12  
Single Plan For Student Achievement Report

**School Site Council Membership**

Education Code Section 64001 (g) requires that the SPSA be reviewed and updated at least annually, including proposed expenditures of funds allocated to the School through the Consolidated Application, by the school site council. The current make-up of the school site council is as follows:

Name	Represents	Contact Info	Reviewed Plan Date
James Goddard	Principal	831-674-2751	11/16/2011
Juan Aguirre	Other School Staff		11/16/2011
Jose Luis Pacheco	Parent or Community Member		11/16/2011
Gail White	Parent or Community Member		11/16/2011
Jose Luis Llamas	Parent or Community Member		11/16/2011
Tobias Lopez	Classroom Teacher		11/16/2011
Patricia Schierer	Classroom Teacher		11/16/2011
Allison Steinmann	Classroom Teacher		11/16/2011
Sandra Brusch	Classroom Teacher		11/16/2011
Arturo Siguenza	Secondary Student		11/16/2011
Cecilia Aguirre	Secondary Student		11/16/2011
Brenda Dominguez	Secondary Student		11/16/2011

**Total Number of Committee Members**

	Principal	ClassRoom Teacher	Other School Staff	Parent or Community Member	Secondary Student
Number of Members of each Category	1	4	1	3	3

**Recommendations and Assurances**

The school site council recommends this school plan and proposed expenditures to the district governing board for approval and assures the board of the following:

Approval Date

1. School Site Council Members
2. Plan Review Due Date: 11/16/2011
3. The school site council is correctly constituted and was formed in accordance with district governing board policy and state law.
4. The school site council reviewed its responsibilities under state law and district governing board policies, including those board policies relating to material changes in the school plan requiring board approval.
5. The school site council sought and considered all recommendations from the following groups or committees before adopting this plan:
  - Language Arts Teachers 11/4/2011
  - Math Teachers 11/4/2011
  - School Site Council 11/16/2011
6. The school site council reviewed the content requirements for school plans of programs included in this Single Plan for Student Achievement and believes all such content requirements have been met, including those found in district governing board policies and in the LEA Plan.
7. This school plan is based on a thorough analysis of student academic performance. The actions proposed herein form a sound, comprehensive, coordinated plan to reach stated school goals to improve student academic performance.
8. Public Notice Due Date: 11/11/2011
9. District Governing Board Annual Review Due Date: 11/16/2011
10. This School Plan was adopted by the School Site Council at a public meeting on: 11/16/2011
11. Attested by School Principal: 11/16/2011
12. Attested by School Site Council Chairperson: 11/16/2011

James Goddard

\_\_\_\_\_  
Typed name of school principal

\_\_\_\_\_  
Signature of school principal

\_\_\_\_\_  
Date

Patricia Schierer

\_\_\_\_\_  
Typed name of SSC chairperson

\_\_\_\_\_  
Signature of SSC chairperson

\_\_\_\_\_  
Date

### Analysis of Current Educational Practice

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

**Math:** The math department uses results from CSTs, CAHSEE, Cal Poly Algebra readiness test, and departmental benchmarks to assess students and the effectiveness of instruction. The CST results are used specifically to modify curriculum maps. The CAHSEE results are used to help identify the low performing areas of students who haven't passed the exit exam and target those areas when helping them prepare to retake the test. The CAHSEE results have also been used to help modify curriculum for the algebra 1 courses. The overall results are studied and used to identify the low performing areas. Then these areas are targeted in the classroom during regular instruction.

#### **Language Arts:**

The English department uses results from the CSTs, CAHSEE, and departmental benchmarks to assess student learning and then modify instruction as needed. Curriculum maps are in place within most grade levels. The senior college preparatory English class teachers are currently using CSU's Expository Reading and Writing Course (ERWC) as their curriculum. Also, the GHS schedule allows for double period Strategic English classes for targeted students who have scored low on the CSTs. Read 180 classes were added last year for students who scored far below basic on the CSTs. Students' CELDT scores were also taken into consideration and a double period SDAIE English class was instituted at each grade level (9-11) for students scoring 3 -5 and who have not been re-designated yet. CAHSEE prep classes have also been added into the master schedule for those students who have yet passed the CAHSEE and are juniors and seniors. The district modified the bell schedule to increase the contact time with students and improve student achievement.

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

The English and Math departments are working on refining benchmarks and pacing guides within each grade level, the school site and the district. The departments have looked at data available at SschoolPlan and adjusted their curriculum maps accordingly to address core standards. Also, the departments use SschoolPlan to upload data from quarterly benchmark tests and then analyze data to modify instruction. Grade level tests/quizzes aligned to standards are given frequently so that student performance can be monitored and instruction can be modified.

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

At GHS the majority of the teachers meet the Federal Requirements to be Highly Qualified. The school has requested a seniority list from the District Office. The school has also requested that the District provide or send out the NCLB 30 day notices of Non-Highly Qualify teachers. These notices inform parents within 30 days that their child is being taught by a Non-Highly Qualified teacher who has not yet met the Highly Qualify Requirements.

#### 4.Principals' Assembly Bill (AB) 75 training on State Board of Education (SBE) adopted instructional materials (EPC):

The Principal and one of the Assistant Principals both went through the AB 430 training prior to being employed by the KCJUHSD.

#### 5.Sufficiency of credentialed teachers and teacher professional development (e.g. access to AB 466 training on SBE-adopted instructional materials) (EPC):

The ELA department has been asking for AB 466 training for the past 5 years. About 50% of the math teachers have gone through the AB 466 training or an equivalent training.

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

**Math:** The math department has used SchoolPlan this year to modify the curriculum maps from last year. Results from benchmark assessments from last year were also used to make changes.

#### **Language Arts:**

## Greenfield High 2011-12

### Single Plan For Student Achievement Report

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Staff development has been focused on using SChoolPlan to modify and refine curriculum maps and benchmarks from last year. Also, the Greenfield High School English department hopes to continue to collaborate with the English department at King City High School to vertically align curriculum with the EAP portion of the CST in mind. Most students in the district are scoring not ready for college on the English portion and are enrolled in the CSU's Expository Reading and Writing Course (ERWC) course their senior year. The goal is to increase the number of students who score ready for college. The current staff development plan is to create modules that will be incorporated at each grade level that provide readiness for those reading and writing standards. In addition, the English department will begin to analyze the common core standards and align them to the current state standards. All Greenfield High School English teachers were trained in Constructing Meaning strategies at the beginning of the school year. English teachers will use this time to work on creating units which implement these strategies (sentence stems, graphic organizers, etc) in order to help our English Learners and lower achieving students be successful in academic language instruction.

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

Math: ALL teachers in the math department work together in studying SchoolPlan data and benchmark data to help identify weak areas of study and low performing students.

English: English teachers work together to study data, create lessons and assessments. At this time, the district does not have instructional coaches available. Hopefully in the future we will have some.

8.Teacher collaboration by grade level (K-8) and department (9-12) (EPC):

During the 2011-2012 school year weekly Collaboration Days have been negotiated into the contract. Every Wednesday teachers collaborate from 1:45 p.m. to 3:15 a.m. The purpose of collaboration is to promote and sustain the learning of all professionals in the school community with the collective purpose of enhancing student learning. The focus of collective inquiry is both a search for best practices for helping all students learn at high levels and an honest assessment of the current reality regarding teaching practices and student learning. Collaboration time will focus on the following:

- Look at test data to determine the power standards for each core subject
- Develop pacing guides to achieve the power standards to be achieved throughout the life of the course
- Develop benchmark assessments for each subject taught
- Discuss best practices of instruction so students do achieve at higher levels
- Discuss and develop process and procedures for Special Education teachers to collaborate (collaborative teaching) in helping students reach higher levels of achievement
- Determine what "hidden skills of academic literacy" must be identified and taught across the curriculum (all subject areas, i.e. note taking to note making)
- Determine incentives for students to achieve that will be used in all departments, by all teachers

Language Arts:

Teachers in the English department have been meeting by grade level to collaborate on refining pacing guides and curriculum maps. Teachers discuss grade level curriculum to be taught and benchmarks to be given. More collaboration needs to occur, so that the department is collaborating both vertically and horizontally. Collaboration in the English department needs to continue with both district sites. Weekly collaboration days will facility this collaboration and sharing of ideas and curriculum. All English teachers have been trained in Constructing Meaning strategies. English teachers will use this time to work on creating units which implement these strategies (sentence stems, graphic organizers, etc) in order to help our English Learners and lower achieving students be successful in academic language instruction.

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

Math:

The math department has used time inside and outside contract hours to update/modify curriculum maps. We have studied data taken from SchoolPlan to make these changes and to help guide our instruction.



## Greenfield High 2011-12

### Single Plan For Student Achievement Report

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#### Language Arts:

In addition to the ongoing process of refining benchmarks and pacing guides across the grade levels, last year the district adopted new standards-based curriculum to service the specific language levels of students. 12th grade English became Expository Reading and Writing Course (ERWC). This is a CSU developed curriculum designed to help college bound students become more college ready by practicing rhetorical strategies for reading and writing. The California 11th and 12th grade standards are incorporated and designated in the activities. EDGE curriculum was adopted to service the ELD population. Read 180 was adopted for the students who scored "Far Below Basic" on their CST Language tests. SDAIE methods are incorporated in the SDAIE double period classes, which give extra support to "mainstream" ELD students. The English department plans to continue to collaborate with the King City High School English department in order to have vertical alignment across the grades in regards to ERWC goals and academic language production. The plan is to create modules that will be incorporated at each grade level that provide readiness for those reading and writing standards.

10. Adherence to recommended instructional minutes for reading/language arts and mathematics (K-8) (EPC):

Not Applicable (9-12)

11. Lesson pacing schedule (K-8) and master schedule flexibility for sufficient numbers of intervention courses (EPC):

Not Applicable (9-12)

12. Availability of standards-based instructional materials appropriate to all student groups (ESE):

We are Williams compliant with the textbooks and instructional materials used in the classroom. These materials are available to all students. In many of the classes, especially in those courses in which textbooks have recently been purchased and adopted, students have a copy they can keep at home and a class set that they can use in the classrooms (in most classrooms).

Math: Last year was an adoption year for math so new textbooks were purchased for all math courses. This year a geometry practice workbook and assessment book were purchased. A Spanish workbook book was also purchased to help accommodate the EL students. CAHSEE practice books were purchased for use in the CAHSEE prep class and after school CAHSEE tutoring. Standards Plus, a standards based program, has been implemented this year in the algebra support classes. The program consists of 180 mini-lessons including assessments and will be shadowing the regular algebra classes.

Language Arts: Standards aligned textbooks are available in the College Prep, Pre AP and AP classes in the form of the 2002 Glencoe Literature: The Reader's Choice series. We did not purchase English texts on the last adoption cycle; therefore, we do not have many of the up-to-date support material like publisher-created benchmark assessment test and standard-based activities related to the literature. The senior college preparatory English classes are using CSU's created Expository Reading and Writing Course (ERWC). Last year we did purchase the EDGE program for the ELD students and the Read 180 program for the lowest scoring students.

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

The school has State and District Standards-aligned adopted Instructional Materials. There is a concern from the English Language Arts department that budget constraints prevented the English department from textbook adoption in 2007-2008 school year. As a result the English department is using outdated textbooks without many support materials for universal access. Hampton-Brown edge Fundamentals and Edge Level A materials were purchased for ELD 1, ELD 2, and ELD 3 classes. Scholastic's READ 180/ System 44 was purchased for intensive intervention classes and implemented this year. Pearson College Algebra 1 (2007) was purchased for the Algebra 1 classes in 2008.

14. Services provided by the regular program that enable underperforming students to meet standards (ESE):

Math: This is the last year the math department is using the Cal Poly Algebra Readiness test. The math department will be developing its own assessment and implement it for the 2010-2011 school year to help in placement for freshman. The Standards Plus program has been implemented this year in the algebra support classes to help reinforce and reteach the standards covered in the regular algebra classes. Last year rigorous CAHSEE review was implemented throughout the school year in all math classes composed primarily of 10th graders. The same study packet was distributed to 10th graders not in these classes. This year the same type of review will take place except it will be initiated in January to allow for progress in the core classes and to hold the review closer to the test date for the 10th graders.

## Greenfield High 2011-12

### Single Plan For Student Achievement Report

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#### English:

English support classes (both SDAIE and Strategic) are offered for those students in grades 9-11 who are underperforming. A CAHSEE support class is offered for 11th and 12th grade students who have not yet passed the CAHSEE. READ 180 is being used to address the needs of underperforming students as well.

#### 15. Research-based educational practices to raise student achievement at this school (ESEA):

The school is offering an AVID section for 9th grade students and another section for 10-12 grade students. Research-based Cornell Note taking educational practice is part of the daily curriculum. Language Arts: Last year, Read 180 (a double period class) was implemented for students scoring far below basic. This program is designed to teach the students basic skills in order to raise student achievement in their classes and on state mandated tests (CSTs and CAHSEE). The AVID elective class was added to the master schedule this year for a group of freshman students. Teachers who are part of the AVID site team went to an AVID workshop this summer and are implementing the use of Cornell notes in their subject area. Hopefully this will become a school-wide educational practice. All English teachers have been trained in Constructing Meaning strategies (sentence stems, graphic organizers, etc) in order to help our English Learners and lower achieving students be successful in academic language instruction. Many teachers in the English department are using graphic organizers and sentence stems to help students be successful in their grade level assignments. Also, higher level questioning techniques are utilized in lessons. More training in researched-based educational practices are needed for all Greenfield High School teachers.

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

Math: Since last year the math department has been using in-class tutors provided by Gear-up. After school tutoring was also offered on a weekly basis. This year with the assistance of Gear-Up/Title 1 money tutoring is being offered bi-weekly. Title 1 funds have also been used to provide new resources for students still needing to pass the CAHSEE.

#### English:

- SES tutoring
- ELAC
- GEAR-UP
- TALENT SEARCH
- Migrant Ed
- VFW essay contest
- Scheid essay contest

17. Involvement of parents, community representatives, classroom teachers, other school personnel, and students in secondary schools, in the planning, implementation, and evaluation of consolidated application programs. (5 CCR 3932):

At GHS all stakeholders' representatives participate in the following: • WASC Self-Study • School Site Council • ELAC

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

Math: The math department began to take advantage of in-class tutors provided by the Gear-Up program. These tutors are mainly used in the algebra support classes but also in some of the regular math classes. The aid of these tutors is crucial in improving the performance of under-performing students. One tutor has also been assisting twice a week in after school tutoring for students in any math class and students studying for the CAHSEE

#### English:

SES- required by being PI school. Also, in-class tutors provided by the GEAR-UP program are being utilized in the English classes.

#### 19. Fiscal support (EPC):

The District was taken over by the State in 2009-2010 school year due to Fiscal problems. Currently the District has a State Administrator. The role of the Board and the School Site Council is to advise the State Administrator.

### **Nine Essential Program Components**

1. Use of standards-based State Board of Education (SBE)-adopted (kindergarten through grade eight) or standards-aligned (grade nine through twelve) English/reading/language arts and mathematics instructional materials, including intensive interventions and \* English Language Development materials.
2. Implementation of instructional minutes for basic core Reading/Language Arts and mathematics programs, intensive intervention and strategic support courses as well as additional instructional time for structured English Language Development at all grade levels.
3. Use of an annual district instructional/assessment pacing guide for grades K-8 and high school.
4. Implementation of School Administrator Instructional Leadership Training Program- Instructional materials based professional development and ongoing targeted professional development and support for instructional leaders to ensure the full implementation of the district adopted program and the EPCs.
5. Fully credentialed, highly qualified teachers, per the requirements of the Elementary and Secondary Education Act (ESEA) and professional development on SBE-adopted instructional materials.
6. Implementation of ongoing instructional assistance and support for R/LA, ELD and mathematics teachers through the use of content experts, specialists, and instructional coaches.
7. For all grade levels, implementation of a student achievement monitoring system that provides timely data from common formative and curriculum-embedded and summative assessments for teachers and principals to use to monitor ongoing student progress, identify student needs, inform instruction and determine effectiveness of instructional practices and implementation of the adopted programs.
8. Implementation of monthly structured teacher collaboration for all RLA/ELD and mathematics teachers by grade level (K-8) and common course and department levels (9-12) facilitated by the principal.
9. Implementation of Fiscal Support aligned to full implementation of EPCs.

# 2011-12 SINGLE PLAN FOR STUDENT ACHIEVEMENT



## King City High School

South Monterey County  
Joint Union High School District

The District Governing Board  
approved this revision of the School  
Plan on: 11/16/2011

Principal:

Bruce Corbett

Address:

720 Broadway St.  
King City, California 93930-3311

Phone:

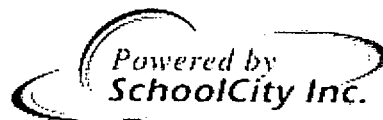
831-385-5461

Email:

[bcorbett@kingcity.k12.ca.us](mailto:bcorbett@kingcity.k12.ca.us)

Website:

[www.kingcityhighschool.com](http://www.kingcityhighschool.com)



**King City High 2011-12**  
**Single Plan For Student Achievement Report**

Goals and Actions	Start Date	Completion Date	Amount
<b>Professional Development</b>			
<b>Administrative Training</b>			
Leadership for Accelerated Results (LAR)	11/9/2011	11/6/2012	\$5,000
<b>Broad-based and collaborative</b>			
<b>Technology</b>			
<b>Webinars</b>			
Continuous Improvement	8/3/2011	7/30/2012	\$12,000
<b>Science</b>			
<b>Pursuit of instructional strategies targeting low performing students</b>			
Staffing and Professional Development	11/9/2011	11/9/2011	\$3,000
<b>English-Language Arts</b>			
<b>Alignment of Instruction</b>			
Professional Development	11/9/2011	7/30/2012	\$10,000
<b>WASC</b>			
<b>Involvement of staff, parents and community</b>			
WASC	11/10/2011	12/16/2011	\$2,500
<b>Other</b>			
<b>Multiple Measures of Student Data</b>			
Data Analysis	10/16/2009	8/31/2012	\$0
TurnItIn.com licensing	2/13/2010	6/3/2012	\$1,000
USA Test Prep	10/18/2011	7/30/2012	\$15,000
<b>Quarterly Benchmarks</b>			
Quarterly Benchmarks	2/1/2010	8/30/2012	\$0
<b>Total Annual Expenditures for Current Site Plan: \$48,500.00</b>			

# King City High 2011-12

## Single Plan For Student Achievement Report

### Goals

#### Form A: Planned Improvements in Student Performance

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

#### Goal Area : Professional Development

#### Goal Title : Administrative Training

In an attempt to become a more effective leader in a program improvement school the site principal engages in LAR (Leadership for Accelerated Results) provided by the Monterey County Office of education.

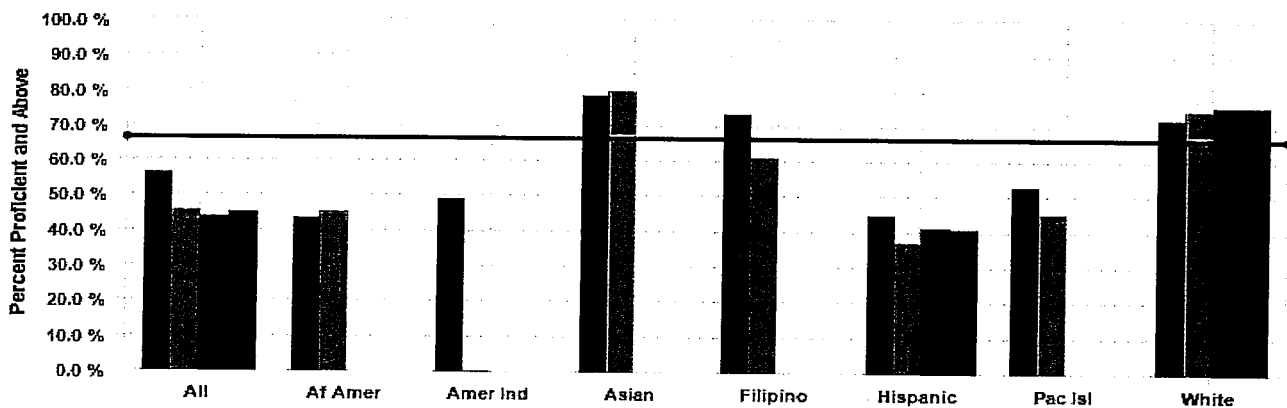
#### Essential Program Components

EPC#	1	2	3	4	5	6	7	8	9
Have	✓			✓					

What data did you use to form this goal (findings from data analysis)?

King City High School continues to remain in program improvement status due to low graduation rate and a large achievement gap between high performing students and low performing students.

**King City High School Comparisons**  
Percent Proficient - Annual Measurable Objectives (AMOs)  
2011 English-Language Arts



	All	Af Amer	Amer Ind	Asian	Filipino	Hispanic	Pac Isl	White
California %	56.2 %	43.4 %	49.0 %	78.7 %	73.6 %	44.7 %	53.0 %	72.3 %
California #	2,084,680	108,003	12,607	247,354	70,705	858,797	11,300	712,773
Monterey County %	45.4 %	44.9 %	0.0 %	79.7 %	60.8 %	37.0 %	45.1 %	74.6 %
Monterey County #	17,110	248		507	377	10,389	41	4,362
South Monterey County High School District %	43.6 %					41.0 %		75.9 %
South Monterey County High School District #	195					165		22
King City High School %	44.9 %					40.7 %		75.9 %
King City High School #	102					77		22

How does this goal align to your Local Educational Agency Plan goals?

NA

## King City High 2011-12

### Single Plan For Student Achievement Report

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#### What did the analysis of the data reveal that led you to this goal?

Upon viewing the AMO's for the four CST's English, Mathematics, Science, and social science it is evident that an achievement gap continues to exist even though the school has made significant improvement in their API scores over the past 3 years.

#### Which stakeholders were involved in analyzing data and developing this goal?

District level administration. Dr. Daniel Moirao Asst. Superintendent of Curriculum.

#### Who are the focus students?

Students performing at basic, below basic, and far below basic on the CST's.

#### What is the expected growth?

8-15 % annum.

#### What data will be collected to measure student achievement?

Review of benchmark data, and the 2012 STAR test results.

#### What process will you use to monitor and evaluate the data?

PLC team meetings, review of school charts.

#### Actions to improve achievement to exit program improvement (if applicable).

Continue process of improving poor student performance primarily through the use of instructional strategies and curriculum designed to meet the needs of all students.

### Action Title: Leadership for Accelerated Results (LAR)

#### Means of Achievement: Alignment of instruction with content standards

##### Tasks :

Enlist in a cohort of elementary, middle school, and high school principals with similar tasks. The training is provided by MCOE every 10 weeks. Focus is on learning researched based strategies unique to Program Improvement school with a commonality of a high population of EL students. Sharing of successful practices and review of best practices in other districts state wide.

##### Measures :

Attend meetings. Engage other high schools in the Salinas Valley that have developed successful strategies in improving their API scores. Implement tools specific to continuous improvement at KCHS.

##### People Assigned :

Bruce Corbett

Start Date : 11/9/2011

Completion Date : 11/6/2012

Funding Resources	Related Expenditures	Estimated Cost
Economic Impact Aid: Limited English Proficiency (LEP)	Principals training	\$5,000

King City High 2011-12  
Single Plan For Student Achievement Report

**Goal Area : Professional Development**

**Goal Title : Broad-based and collaborative**

Opportunities for staff development will be made available for teachers to learn a variety of scientifically research-based teaching strategies, standards-based common assessments, and vertical and horizontal articulation. The school's planning process is broad-based, collaborative and has commitment of the shareholders, including the staff, students, and parents.

Essential Program Components									
EPC#	1	2	3	4	5	6	7	8	9
Have	✓								

**What data did you use to form this goal (findings from data analysis)?**

NA

**How does this goal align to your Local Educational Agency Plan goals?**

WASC Visiting Committee Report A3 Indicators Page 14.

**What did the analysis of the data reveal that led you to this goal?**

NA

**Which stakeholders were involved in analyzing data and developing this goal?**

Administration, faculty, students, parents.

**Who are the focus students?**

Low performing students as identified as basic, below basic, and far below basic.

**What is the expected growth?**

All staff members will have an opportunity to participate in collaboration sessions and professional development in the form of faculty meetings, focus group meetings, WASC leadership training, district buy back data, release time, or other forms of training.

**What data will be collected to measure student achievement?**

Department meeting minutes; School Site Council meeting minutes; budget allocations; staff development surveys; sign-in sheets.

**What process will you use to monitor and evaluate the data?**

Staff development surveys and meeting minutes.

**Actions to improve achievement to exit program improvement (if applicable).**



# King City High 2011-12

## Single Plan For Student Achievement Report

### Form A: Planned Improvements in Student Performance

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

#### Goal Area : Technology

#### Goal Title : Webinars

In pursuit of continuous improvement in instructional strategies designed to meet the needs of low performing students teachers may view a number of webinars through web sites such as West Ed, Khan Academy, USA Test Prep. When needed, selected faculty members may request sub coverage if the webinar is only available during school hours.

#### Essential Program Components

EPC#	1	2	3	4	5	6	7	8	9
Have						✓		✓	

#### What data did you use to form this goal (findings from data analysis)?

Data generated from school plan, local Bench mark tests, CST's.

#### How does this goal align to your Local Educational Agency Plan goals?

WASC Chapter 2 Progress Report. Page 5 #6. "Continued professional development will be provided that is focused on the school's identified and unified supported priorities."

#### What did the analysis of the data reveal that led you to this goal?

Historically the achievement gap between successful and low performing groups has not closed. Recent implementation of new curriculum has showed modest gains in the closing of the gap. Focus must now be shifted to modifying instructional strategies.

#### Which stakeholders were involved in analyzing data and developing this goal?

KCHS site administration, department chairs, teacher leaders.

#### Who are the focus students?

Low performing students.

#### What is the expected growth?

8-15% per year school wide.

#### What data will be collected to measure student achievement?

Bench mark tests, CAHSEE exam, Math and English, STAR test results.

#### What process will you use to monitor and evaluate the data?

School plan, faculty written responses to bench mark testing, review of CST's.

#### Actions to improve achievement to exit program improvement (if applicable).

Improved instructional strategies to engage low performing students will increase graduation rate.

## King City High 2011-12

### Single Plan For Student Achievement Report

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#### Action Title: Continuous Improvement

##### Means of Achievement: Alignment of instruction with content standards

###### Tasks :

Over the past 10 years there have been a number of research based instructional strategies that have prove effective for a variety of learning styles. King City High School must focus the efforts of its faculty upon strategies that are effective and unique to english learners. It only then that we will be able to close the achievement gap between the high and low level learner.

###### Measures :

Using the technological capabilities of the Results Room our faculty can utilize a variety of web based resources to educate themselves. There are a number of websites that can meet the needs of our faculty, including but not limited to WestEd, Khan Academy, USA Test Prep, and Schools Moving Up. This practice far more cost efficient than sending a cohort of instructors to a conference and most importantly, tailor made to our needs due to the number and variety of websites available today.

###### People Assigned :

KCHS faculty, administrative team.

Start Date : 8/3/2011

Completion Date : 7/30/2012

Funding Resources	Related Expenditures	Estimated Cost
Economic Impact Aid: Limited English Proficiency (LEP)	Buy subs to allow faculty to attend webinars	\$12,000

# King City High 2011-12

## Single Plan For Student Achievement Report

### Form A: Planned Improvements in Student Performance

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

#### Goal Area : Science

#### Goal Title : Pursuit of instructional strategies targeting low performing students

Historically speaking students taking earth science classes have not collectively achieved higher than 23% proficient on their CST's. It is the intent of King City High School to acquire and implement contemporary teaching strategies to increase student test scores e.g. Explicit Direct Instruction (EDI) or Constructing Meaning (CM).

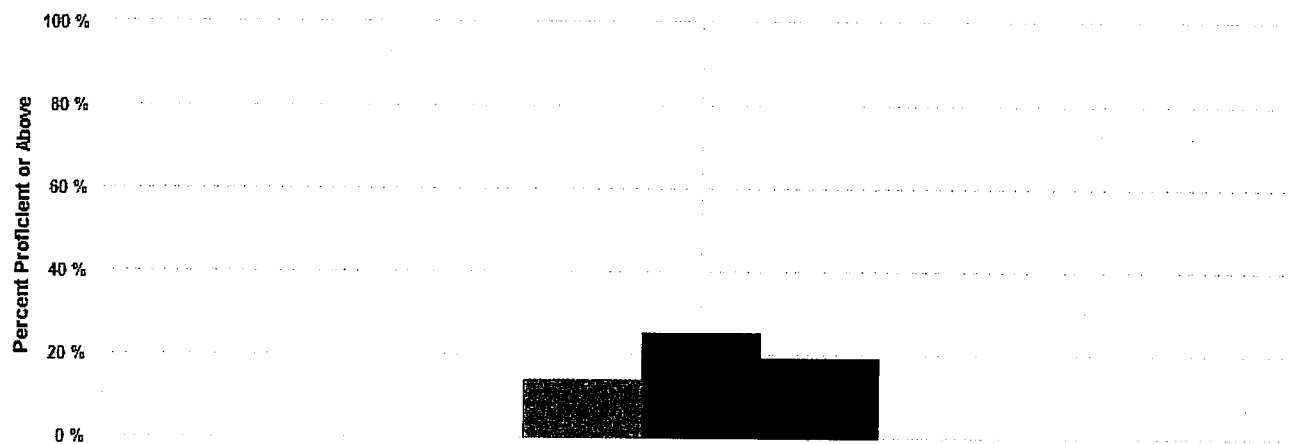
#### Essential Program Components

EPC#	1	2	3	4	5	6	7	8	9
Have								✓	✓

What data did you use to form this goal (findings from data analysis)?

School charts data demonstrating poor student performance over the past 3 years.

King City Joint Union High School District  
King City High School  
CST Earth Science  
2009 to 2011 Students Percent Proficient or Above



CST Earth Science

#### CST Earth Science

2009 %	14 %
2009 #	24
2010 %	25 %
2010 #	57
2011 %	19 %
2011 #	32

How does this goal align to your Local Educational Agency Plan goals?

WASC Visiting Committee Report Standards Based Learning: Instruction C1. "Observations of classroom instruction revealed a general lack of variety in diver, research-based instructional strategies" Areas for Growth: Training in teaching strategies such as but not limited to increasing student engagement, differentiating instruction, use of CLAD stregies, and ....increase the variety of instructional approaches used in the classroom;develop a culture of learning from each other's most effective practices. Use of modified instructional practices and research-based strategies to assist diverse student populations in succeeding at high levels respective to their abilities.

## King City High 2011-12

### Single Plan For Student Achievement Report

---

**What did the analysis of the data reveal that led you to this goal?**

Historically low performance on CST's.

**Which stakeholders were involved in analyzing data and developing this goal?**

Administration, faculty.

**Who are the focus students?**

Students enrolled in earth science and life science classes.

**What is the expected growth?**

10-15 percentage points in the 2012 CST's for earth science.

**What data will be collected to measure student achievement?**

Bench mark tests, STAR test.

**What process will you use to monitor and evaluate the data?**

Collaboration of department members. Adminsitration narrowing the focus upon student achievement. Support from student services coordinator

**Actions to improve achievement to exit program improvement (if applicable).**

Reduction in students failing the course thereby advancing grade level and meeting science requirement for graduation.

#### Action Title: Staffing and Professional Development

#### Means of Achievement: Alignment of instruction with content standards

**Tasks :**

Obtain research based training on instructional strategies designed to engage students in learning. Lower level science classes targeted for implementation: Earth Science, Life Science.

**Measures :**

Review of instructional materials, visiting other high schools in the area that have already implemented Explicit Direct Instruction (EDI) practices. Pilot lessons during the spring of 2012 moving toward full implementation for the 2012-2013 school year.

**People Assigned :**

Roianne Benjamin, Eliseo Silva

**Start Date :** 11/9/2011

**Completion Date :** 11/9/2011

Funding Resources	Related Expenditures	Estimated Cost
Economic Impact Aid: Limited English Proficiency (LEP)	Release Day-Sub Costs, Peer Observation-Sub Costs	\$3,000

## King City High 2011-12

### Single Plan For Student Achievement Report

#### Form A: Planned Improvements in Student Performance

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

#### Goal Area : English-Language Arts

#### Goal Title : Alignment of Instruction

To develop common-core aligned multiple-choice benchmarks in conjunction with EAP-based writing prompts that will be used to generate student data. Grade-level data analysis will be used to institutionalize best practices where English Learners are provided with significant language acquisition scaffolding through Constructing Meaning techniques. Teachers will be trained to help all students in the development of academic discourse while implementing a gradual release of responsibility instructional model. Struggling students will be identified and supported using a Response to Intervention, while Springboard discourages the achievement gap and inspires a greater diversity of student participation in honors and AP courses.

Deconstructed common core standards aligned to our existing scope and sequence using a Tulare county-developed "crosswalk"; "bookmarks" indicating learning objectives and strategies for determining best practices; grade level quarterly multiple-choice benchmarks designed to assess student mastery levels of the standards taught during the quarter; state, county, district and school-wide data comparisons assessed for subgroup growth and program improvement; master schedule recommendations based on data to determine appropriate staffing and course offerings.

Essential Program Components									
EPC#	1	2	3	4	5	6	7	8	9
Have						✓			

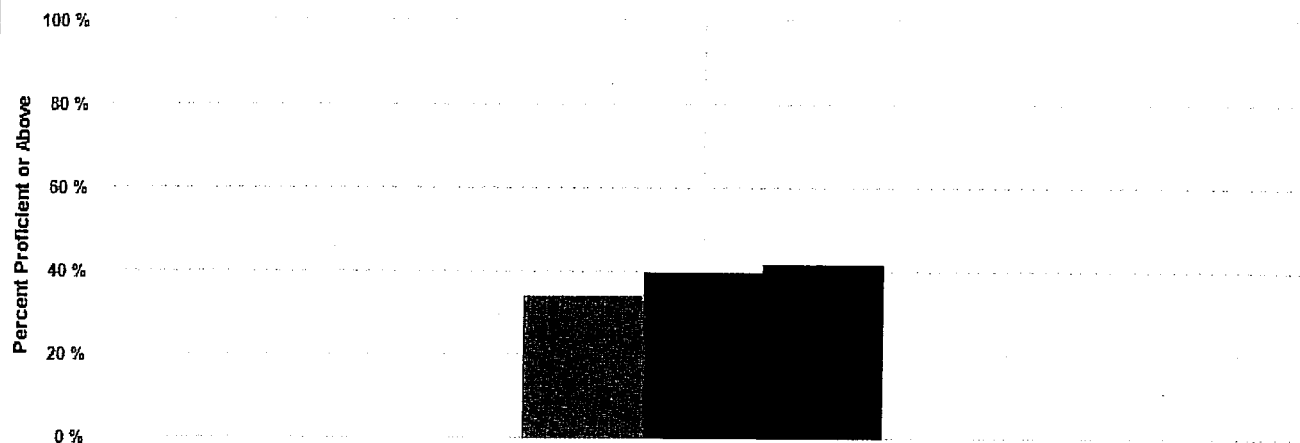
What data did you use to form this goal (findings from data analysis)?

2011 CST scores, CAHSEE exam.

# King City High 2011-12

## Single Plan For Student Achievement Report

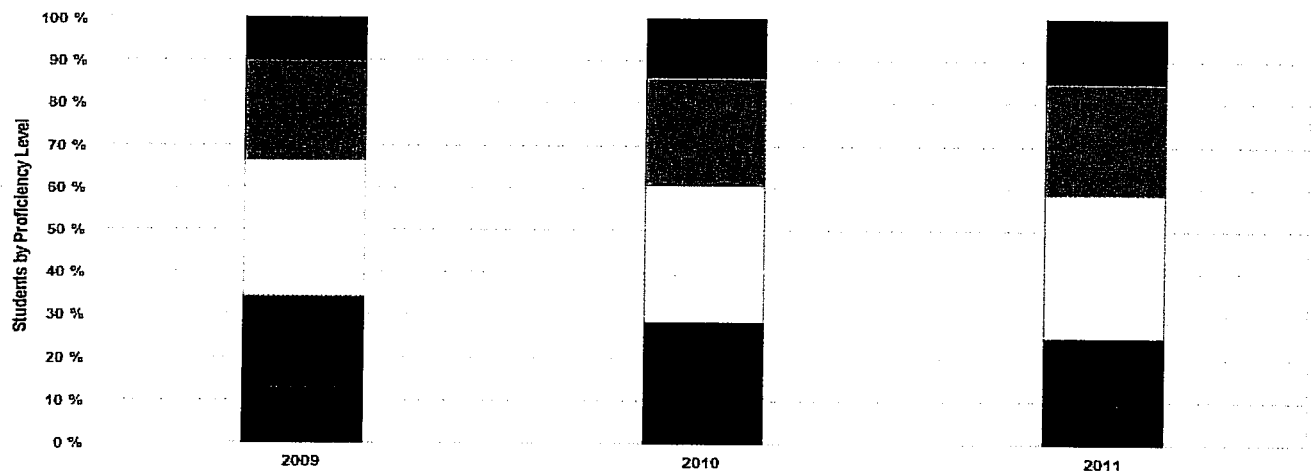
### King City Joint Union High School District King City High School CST English-Language Arts 2009 to 2011 Students Percent Proficient or Above



CST English-Language Arts

CST English-Language Arts	
2009 %	34 %
2009 #	249
2010 %	40 %
2010 #	289
2011 %	42 %
2011 #	274

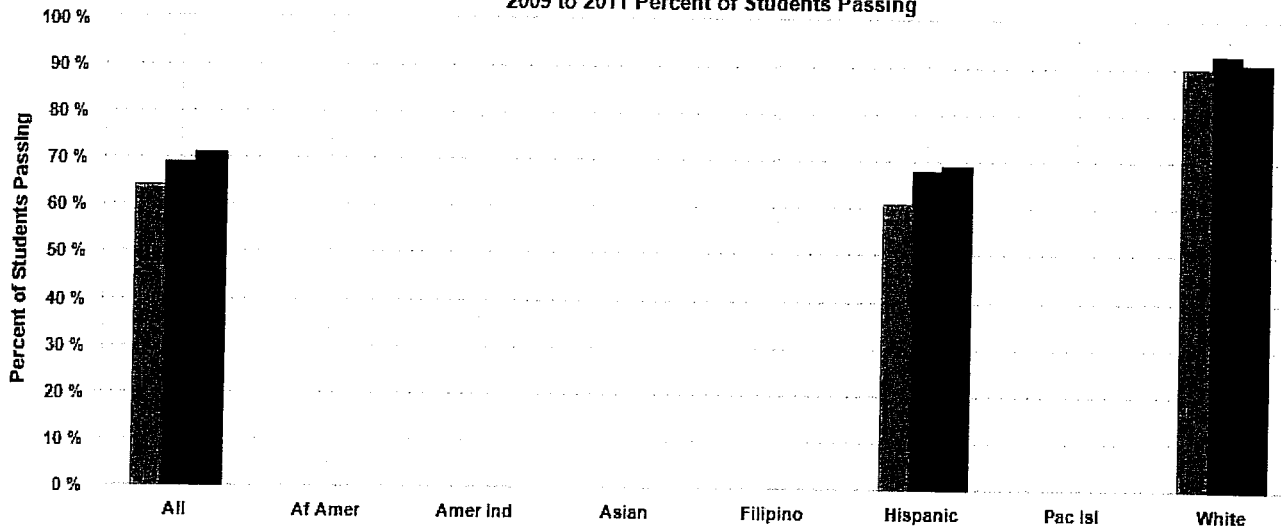
### King City Joint Union High School District King City High School CST English-Language Arts 2009 to 2011 Students by Proficiency Level



	2009	2010	2011
Far Below Basic %	13 %	11 %	9 %
Far Below Basic #	92	83	60
Below Basic %	22 %	17 %	16 %
Below Basic #	161	126	104
Basic %	32 %	32 %	33 %
Basic #	234	233	220
Proficient %	24 %	26 %	27 %
Proficient #	175	187	176
Advanced %	10 %	14 %	15 %
Advanced #	74	102	99

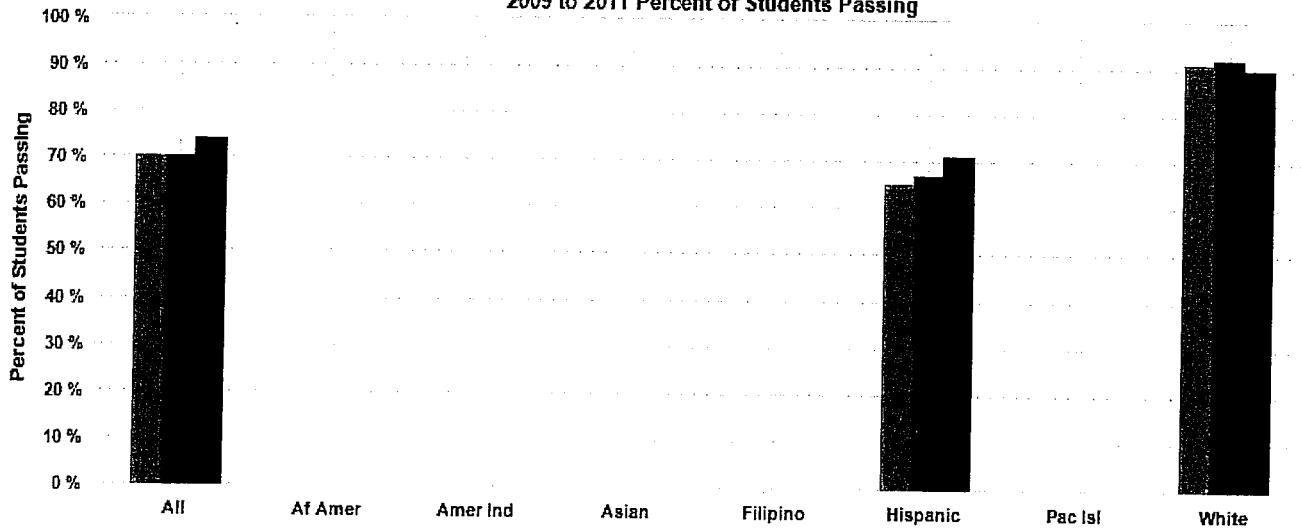
King City High 2011-12  
Single Plan For Student Achievement Report

South Monterey County High School District  
CAHSEE English-Language Arts: Grade 10 Students  
2009 to 2011 Percent of Students Passing



	All	Af Amer	Amer Ind	Asian	Filipino	Hispanic	Pac Isl	White
2009 %	64 %					61 %		90 %
2009 #	353					293		46
2010 %	69 %					68 %		93 %
2010 #	321					288		26
2011 %	71 %					69 %		91 %
2011 #	339					299		29

King City High School  
CAHSEE English-Language Arts: Grade 10 Students  
2009 to 2011 Percent of Students Passing



	All	Af Amer	Amer Ind	Asian	Filipino	Hispanic	Pac Isl	White
2009 %	70 %					65 %		91 %
2009 #	182					133		39
2010 %	70 %					67 %		92 %
2010 #	163					137		22
2011 %	74 %					71 %		90 %
2011 #	175					141		28

## King City High 2011-12

### Single Plan For Student Achievement Report

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#### How does this goal align to your Local Educational Agency Plan goals?

WASC visiting committee report C2:

"Areas for Growth". Increased involvement of students in learning experiences across the curriculum that include the use of reading and writing strategies as well as explicit learning goals for lessons and units.

WASC visiting committee report D4: "Increased modification of instructional planning and delivery following analysis of student performance data; focus on research-based instructional strategies.

#### What did the analysis of the data reveal that led you to this goal?

Achievement gap remains in relatively the same ratio.

#### Which stakeholders were involved in analyzing data and developing this goal?

English Department members: Chair Genevieve Phillips, Stacey Callerman, Brian Brooks, Theresa Shaw, Megan Munoz, Keith Jagger, James Allison, Chris Houston, Kathryn Smith, MCOE staff Sandra Wilson, Jordan Alexander, Kate Kinsella.

#### Who are the focus students?

Poor performing students

#### What is the expected growth?

8-15 % per annum

#### What data will be collected to measure student achievement?

Bench mark tests, CST's.

#### What process will you use to monitor and evaluate the data?

Collaboration among English Dept. members, site and district administration.

#### Actions to improve achievement to exit program improvement (if applicable).

Improved student achievement positively affects graduation rate.

### Action Title: Professional Development

#### Means of Achievement: Alignment of instruction with content standards

##### Tasks :

Meet as a department to implement and refine research based instructional strategies unique to Constructing Meaning (CM).

##### Measures :

Sharing best practices. Develop a common department wide understanding of the program components. To become proficient by the spring of 2012 with the expectation moving outside the English department developing the program school wide.

##### People Assigned :

Genevieve Phillips, Stacey Callarman, Brian Brooks, Theresa Shaw, Megan Munoz, Keith Jagger, James Allison, Chris Houston, Kathryn Smith.

Start Date : 11/9/2011

Completion Date : 7/30/2012

Funding Resources	Related Expenditures	Estimated Cost
Economic Impact Aid: Limited English Proficiency (LEP)	Sub costs-Additional training	\$10,000



## King City High 2011-12

### Single Plan For Student Achievement Report

#### Form A: Planned Improvements in Student Performance

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

#### Goal Area : WASC

#### Goal Title : Involvement of staff, parents and community

Five focus groups, Organization, Curriculum, Instruction, Assessment, and School Culture will meet during the 2011-2012 school year to review and respond to the Critical Needs stated in the WASC Visiting Committee Report. The analyses from each group will also contribute to the creation of ongoing school improvement as reflected in the WASC VCR.

#### Essential Program Components

EPC#	1	2	3	4	5	6	7	8	9
Have								✓	✓

**What data did you use to form this goal (findings from data analysis)?**

WASC Visiting Committee Report

**How does this goal align to your Local Educational Agency Plan goals?**

Specified in WASC report as Critical needs.

**What did the analysis of the data reveal that led you to this goal?**

We must engage more fully in the process of continuous improvement.

**Which stakeholders were involved in analyzing data and developing this goal?**

Facutly, site administration, parents, community.

**Who are the focus students?**

NA

**What is the expected growth?**

Full compliance.

**What data will be collected to measure student achievement?**

NA

**What process will you use to monitor and evaluate the data?**

Meeting by focus groups. Written responses to critical needs.

**Actions to improve achievement to exit program improvement (if applicable).**

NA

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**Action Title: WASC**

**Means of Achievement: Alignment of instruction with content standards**

**Tasks :**

Preparation of the WASC report is time consuming and requires that the best of our authors and data collection faculty be involved. It is necessary to provide adequate time and resources to produce the desired product. Prior to December KCHS must submit a written response to the critical needs assigned to our school. It will be necessary to require the services of 3-5 faculty members to create and produce the document.

**Measures :**

Buy substitutes to cover classes so that the writing committee can meet and collaborate while producing the document.

**People Assigned :**

TBA

**Start Date :** 11/10/2011

**Completion Date :** 12/16/2011

<b>Funding Resources</b>	<b>Related Expenditures</b>	<b>Estimated Cost</b>
Lottery: Unrestricted	Compensation, copying supplies	\$2,500

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### Single Plan For Student Achievement Report

#### Form A: Planned Improvements in Student Performance

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

**Goal Area : Other**

#### Goal Title : Multiple Measures of Student Data

All departments will continue to collaboratively adjust department goals based on disaggregated data and will implement changes to instructional strategies. Each department will also implement two 9-week benchmarks the second semester with a proficiency goal of 80% or higher. This and other efforts to monitor and analyze student performance more frequently is expected to increase the passing rate for CAHSEE of 80% or higher for 10th grade students and a 60% or higher proficiency rate for all subgroups on the 2012 CSTs to continue to close the achievement gap.

Essential Program Components									
EPC#	1	2	3	4	5	6	7	8	9
Have								✓	✓

**What data did you use to form this goal (findings from data analysis)?**

School wide data collection from CST scores.

**How does this goal align to your Local Educational Agency Plan goals?**

Ongoing commitment to close achievement gap of KCHS.

**What did the analysis of the data reveal that led you to this goal?**

The achievement gap based upon CST's continues to remain proportionately to same since 2002.

**Which stakeholders were involved in analyzing data and developing this goal?**

King City High School learning community.

**Who are the focus students?**

All students and all grade levels; all academic departments

**What is the expected growth?**

All departments will submit into their evidence binder at least one common assessment, a curriculum map for that unit of study, and a brief analysis of the results of that common assessment. Passing rates for all students will be 80% or higher for the common assessments and/or benchmark exam. An 80% passing rate is the goal for the 10th Grade CAHSEE and 60% or higher proficiency for ALL subgroups on the CST exams.

**What data will be collected to measure student achievement?**

Common assessment results data; portfolio/project results; student grades; examples of student work; data analyses.

**What process will you use to monitor and evaluate the data?**

Data analyses; examples of student work; department meeting minutes; School Site Council meeting minutes; CAHSEE and CST results

**Actions to improve achievement to exit program improvement (if applicable).**

NA

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**Action Title: Data Analysis**

**Means of Achievement: Staff development and professional collaboration**

**Tasks :**

Individual members of each department will meet to review the results of the common benchmark assessments. The analysis should include an item analysis (how many students answered a question correctly or incorrectly and which standard that question was aligned to) and a summary of trends and patterns. Also, a brief description of any re-teaching or re-assessment methods employed if the goal of 80% passing rate was not achieved.

**Measures :**

Item analysis report, written data summaries, charts (if applicable), and brief summary of actions taken if goal was not achieved.

**People Assigned :**

All teachers

**Start Date :** 10/16/2009

**Completion Date :** 8/31/2012

**Action Title: TurnItIn.com licensing**

**Means of Achievement: Improvement of instruction strategies and materials**

**Tasks :**

To renew licensing for TurnItIn.com, a program used to submit written assignments and to communicate with teachers online. This program helps assess and organize assignments and to prevent issues relating to plagiarism.

**Measures :**

Database reports, assignment lists, etc.

**People Assigned :**

All teachers who wish to implement this program in their courses; students taking those courses

**Start Date :** 2/13/2010

**Completion Date :** 6/3/2012

Funding Resources	Related Expenditures	Estimated Cost
Economic Impact Aid: Limited English Proficiency (LEP)	1 Year licensing fee	\$1,000

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**Action Title: USA Test Prep**

**Means of Achievement: Alignment of instruction with content standards**

**Tasks :**

Instructors teaching core courses Math, Science, English, Social Science utilize web site to supplement the teaching of standards.

**Measures :**

Use of website resources including video, activities, puzzles, benchmark tests. Site administrator can track its use by faculty and individual students.

**People Assigned :**

Math, Science, English, and Social Science departments.

**Start Date :** 10/18/2011

**Completion Date :** 7/30/2012

Funding Resources	Related Expenditures	Estimated Cost
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Staff Development	\$15,000

## King City High 2011-12 Single Plan For Student Achievement Report

### Goal Area : Other

#### Goal Title : Quarterly Benchmarks

Each department has developed 9-week benchmark assessments as outlined in the district comprehensive plan. The benchmark exams have been in place as of the second semester of the 2009-10 school year. These exams are similar to standardized tests given at the end of the year or other types of assessment (for subject areas that are not part of the state standardized tests) for each subject area. The purpose is to provide teachers more timely data as to student achievement of the content standards which in turn drives our instructional strategies.

Essential Program Components									
EPC#	1	2	3	4	5	6	7	8	9
Have							✓		

#### What data did you use to form this goal (findings from data analysis)?

On-going data collection based upon quarterly bench mark tests. Baseline data developed during the 2010-2011 school year.

#### How does this goal align to your Local Educational Agency Plan goals?

WASC Visiting Committee Part B: Schoolwide Critical Areas for follow up. "Continue refinement of standards based instruction and establishment of a system of benchmark data disaggregation that drives instruction towards increased academic achievement."

#### What did the analysis of the data reveal that led you to this goal?

Initial stages of process.

#### Which stakeholders were involved in analyzing data and developing this goal?

KCHS learning community.

#### Who are the focus students?

All students and grade levels.

#### What is the expected growth?

All subject area courses will have quarterly benchmarks created for the 2009-10 and 2010-2011 school years.

#### What data will be collected to measure student achievement?

Copies of quarterly benchmarks; and department/individual data analyses.

#### What process will you use to monitor and evaluate the data?

Copies of the quarterly benchmarks, department meeting minutes, and School Site Council meeting minutes.

#### Actions to improve achievement to exit program improvement (if applicable).

Increased graduation rate.

**Action Title: Quarterly Benchmarks**

**Means of Achievement: Alignment of instruction with content standards**

**Tasks :**

Each department has created 4 benchmark exams to be used during the 2011 - 2012 school year for each subject area that is taught. Copies of the benchmark exams will be provided for department and district-level review by the end of the 2009-10 school year.

**Measures :**

Copy of each benchmark exam

**People Assigned :**

Teachers in each department.

**Start Date :** 2/1/2010

**Completion Date :** 8/30/2012

# King City High 2011-12

## Single Plan For Student Achievement Report

### Funding Programs Included in this Plan

Each state and federal categorical program in which the school participates.

Total Site Plan Budget : \$848,392

Total Annual Expenditures for Current School Plan: \$48,500

Funding Resource Code	Funding Resource Description	Funding Allocation	Budgeted Allocation	Balance Available
1100	Lottery: Unrestricted	\$85,798	\$2,500	\$83,298
	WASC		\$2,500	
3010	NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	\$460,054	\$15,000	\$445,054
	USA Test Prep		\$15,000	
4203	NCLB: Title III, Limited English Proficiency (LEP) Student Program	\$0	\$0	\$0
7091	Economic Impact Aid: Limited English Proficiency (LEP)	\$302,540	\$31,000	\$271,540
	Continuous Improvement		\$12,000	
	Leadership for Accelerated Results (LAR)		\$5,000	
	Professional Development		\$10,000	
	Staffing and Professional Development		\$3,000	
	TurnItIn.com licensing		\$1,000	
Total amount of categorical funds allocated to this school:		\$848,392	\$48,500	\$799,892



**King City High 2011-12**  
**Single Plan For Student Achievement Report**

**School Site Council Membership**

Education Code Section 64001(g) requires that the SPSA be reviewed and updated at least annually, including proposed expenditures of funds allocated to the School through the Consolidated Application, by the school site council. The current make-up of the school site council is as follows:

Name	Represents	Contact Info	Reviewed Plan Date
Teri Umbarger	Parent or Community Member	teri@creeksidefarms.	11/16/2011
Rosaneli Martinez	Parent or Community Member	rmartinez@kingcity.k	11/16/2011
Cara Williams	Classroom Teacher	cwilliams@kingcity.k	11/16/2011
Adriana Veysey	Classroom Teacher	aveysey@kingcity.k12	11/16/2011
James 'Mike' Allison	Classroom Teacher	mallison@kingcity.k1	11/16/2011
Theresa Shaw	Classroom Teacher	tshaw@kingcity.k12.c	11/16/2011
Elizabeth Hernandez	Other School Staff	ehernandez@kingcity.	11/16/2011
Kevin Guerra	Secondary Student		11/16/2011
Estaban Rodriguez	Secondary Student		11/16/2011
Bruce A. Corbett	Principal	bcorbett@kingcity.k1	11/16/2011

**Total Number of Committee Members**

	Principal	ClassRoom Teacher	Other School Staff	Parent or Community Member	Secondary Student
Number of Members of each Category	1	4	1	2	2

King City High 2011-12  
Single Plan For Student Achievement Report

Recommendations and Assurances

The school site council recommends this school plan and proposed expenditures to the district governing board for approval and assures the board of the following:

	Approval Date
1. School Site Council Members	
2. Plan Review Due Date:	11/16/2011
3. The school site council is correctly constituted and was formed in accordance with district governing board policy and state law.	
4. The school site council reviewed its responsibilities under state law and district governing board policies, including those board policies relating to material changes in the school plan requiring board approval.	
5. The school site council sought and considered all recommendations from the following groups or committees before adopting this plan	
English Learner Advisory Committee	11/9/2011
School Culture and Student Support Focus Group	11/15/2011
6. The school site council reviewed the content requirements for school plans of programs included in this Single Plan for Student Achievement and believes all such content requirements have been met, including those found in district governing board policies and in the LEA Plan.	
7. This school plan is based on a thorough analysis of student academic performance. The actions proposed herein form a sound, comprehensive, coordinated plan to reach stated school goals to improve student academic performance.	
8. Public Notice Due Date:	11/14/2011
9. District Governing Board Annual Review Due Date:	11/16/2011
10. This School Plan was adopted by the School Site Council at a public meeting on:	11/16/2011
11. Attested by School Principal:	11/16/2011
12. Attested by School Site Council Chairperson:	11/16/2011

Bruce Corbett  
\_\_\_\_\_  
Typed name of school principal

\_\_\_\_\_  
Signature of school principal

\_\_\_\_\_  
Date

Teri Umbarger  
\_\_\_\_\_  
Typed name of SSC chairperson

\_\_\_\_\_  
Signature of SSC chairperson

\_\_\_\_\_  
Date

# King City High 2011-12

## Single Plan For Student Achievement Report

### Analysis of Current Educational Practice

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

STAR data is analyzed in core classes, and other subject areas across campus. Quarterly bench mark tests are given in each course and subsequently entered into School Plan for further analysis. Utilizing structured collaboration day activity on Wednesday afternoon, teachers use data and are discussing strategies to improve teaching content standards. Over the past two years teachers have increased their use of data to make informed decisions in regard to re-teaching the standards. Each department has created common assessments and evaluates student achievement based on agreed-upon departmental smart goals each semester. Teachers have expressed their appreciation for being able to communicate and collaborate with one another and in being able to have more timely assessments to measure the proficiency of students.

The administration disseminates information to the public and faculty through school board meetings, faculty meetings, Aeries Parent Portal, local news media, and parent news letters. At the staff's buy back days, the district level administration presented the STAR results to the staff, showing strong and weak points. Each faculty member reviews the STAR test results and determines which areas are in need of improvement and sets goals in their departments accordingly. The faculty is now learning to use school plan, a data base program that will allow the staff to monitor their students' CST scores and other assessments during the year. Some members of the staff have received additional training on 11/02/2011 on how to maneuver through the site. Parents are kept informed as mentioned above through a parent newsletter produced by the student services department.

After establishing a baseline of data for the 2010-2011 school year through the use of school plan, this year is a learning year for the staff as departments attempt to find a balance between quantity and quality of questions for the benchmark tests. The district has provided all teachers with training on how to use the School Plan program, but there may need to be on-going follow-up training provided by teacher leaders to ensure that all teachers are proficient in its use and are able to maximize the full width and breadth of the system.

In the past, teachers have requested resources for student support based on department or individual needs, and have been accommodated by the administration on a case-by-case basis. For the 2011-2012 school year, USA Test Prep was purchased to supplement the learning of core standards in the English, Math, Social Science, and Science departments. Other curriculum resources have been made available by the administration to the teachers e.g. READ 180, and System 44 in English, . The School Site Council is also an available resource for reviewing and making suggestions for the funding of programs to raise student achievement. Teachers and administrators are able to go to the school site council and propose their intent to utilize funding for educational programs. As previously mentioned, collaboration days give the staff time to review data, assess student needs, and develop ways to best address these needs. With the purchase of School Plan, the staff is able to create local assessments and analyze data to see where the strengths and weaknesses lie.

All expenditures and programs at the site reflect the goals outlined in the single school plan, which reflects the test results from STAR and has led to developing common assessments. As the leadership team, focus groups, and school site council review and disaggregate such data, common goals are communicated and established for the upcoming school year. Those goals are identified in the single school plan along with detailed resources, positions, and time dedicated to the completion of those goals. The entire plan is presented to the school site council for their review and then presented to the governing board for their approval. Those goals are reviewed by the leadership team and School Site Council to create the main goals that will be the focus of the upcoming school year's SPSA. Projected budgets and expenditures will be based on activities and materials needed to achieve the goals set by these groups.

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

The faculty continues to meet on Wednesday afternoon collaboration days and among themselves to review data generated from the 2011 CST's and benchmark testing. All faculty members have been given training on how to access school charts to obtain departmental and school wide data linked to the CST's and CAHSEE. Each week the faculty meets by department to discuss trends and review the results from benchmark tests via school plan.

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

At KCHS, all teachers meet the Federal Requirements to be Highly Qualified. The school has requested a seniority list from the District Office. The school has also requested that the District provide or send out the NCLB 30-day notices of Non-Highly Qualified teachers. These notices inform parents within 30 days that their child is being taught by a Non-Highly Qualified teacher who has not yet met Highly Qualified requirements.

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#### **4.Principals' Assembly Bill (AB) 75 training on State Board of Education (SBE) adopted instructional materials (EPC):**

The Principal and one Assistant Principal have participated in AB 430 training.

#### **5.Sufficiency of credentialed teachers and teacher professional development (e.g. access to AB 466 training on SBE-adopted instructional materials) (EPC):**

Several teachers have participated in AB 466 training, but not all staff.

#### **6.Alignment of staff development to content standards, assessed student performance, and professional needs (ESEA):**

Department meetings, faculty meetings, and in-service days are all utilized to examine the current program, recent data on student achievement and attainment of the expected school wide learning results. Programs are instituted or modified on the basis of these examinations. If professional development is seen as a need, steps are taken to institute it in a timely manner.

The district has applied for and received grants for staff development. Teachers attend conferences, classes, workshops, and in-services to further their professional development. In the Spring of 2011 and Fall of 2011, the English and Math departments have attended training for the new common core standards scheduled to be rolled out in the 2012-13 school year. The ELA department has received on-going training in Constructing Meaning which is an instructional strategy designed for Math, Social Science, Science, and English, to promote vocabulary development within the common core standards. Departments meet individually to discuss teaching strategies, curriculum, student achievement, benchmarks, the incorporation of student data, the expected school wide learning results, academic standards, and department issues. The staff is in the initial stage of planning staff development for cross-curricular collaboration to increase school wide academic achievement. Teachers are provided with testing scores and have access to student data.

Standards-aligned common assessments have been created and instituted in all core subject areas and are currently being developed in other departments to better assess students' subject mastery of skills and knowledge. Focus Group meetings take place for parents, students, and staff to share ideas and verify that a variety of learning experiences are being offered to students. Faculty meetings, department meetings, and release time has been proposed for faculty and staff to create and analyze common assessments and student achievement.

Staff development activities are scheduled according to the needs of teachers identified in the evaluation process, as well as by faculty requests. Various faculty members serve as mentors for other teachers in their various areas of expertise and experience. Requests for other professional development needs are submitted directly to the Principal for scheduling at the school site. Teachers also attend conferences, classes, workshops, and in-services to individually further their professional development.

Professional staff development is determined and driven by goals created in the single school plan. Currently on site staff development takes place during faculty meetings that occur once a month. Other staff development opportunities are available after school—these are facilitated by either district or site personnel. The topics often reflect the goals set by each department and are chosen by consensus by the faculty. The stakeholders at King City High School are committed to providing an academic program that is rigorous, relevant, and based on the current state standards. To assist in meeting this commitment, King City High School has incorporated new expected school wide learning results that are capable of being measured with standards-based assessment tools. All departments are using state frameworks and content standards in their programs. Individual departments, such as English and Math, are working cohesively with school leadership to make data-driven decisions concerning instruction and curriculum.

Many teachers attend conferences to receive training on current strategies to motivate students to meet state standards. Two of the recent conferences and workshops attended by the English department address the new common core standards, and Constructing Meaning. Conferences attended recently by other departments include AVID and math.

#### **7.Ongoing instructional assistance and support for teachers (e.g., use of content experts and instructional coaches) (EPC):**

Currently, all teachers at KCHS have many students that are experiencing low student performance. However, King City High School experienced a dramatic improvement in their API score since 2010. An increase of 59 points in a two years, in particular math, science, and Special Education, indicates that the students have responded to increased accountability for their test results. Beginning with the 2010 STAR results, teachers encounter 41 % of students not proficient in English Language Arts, 43% of students not proficient in Mathematics, 36 %of students not proficient in Social Studies, and 56% of students not proficient in Science.

#### **8.Teacher collaboration by grade level (K-8) and department (9-12) (EPC):**

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Beginning with the 2011-2012 school year collaboration days are now held each Thursday after school. Attendance data collected during the 2010-2011 school year indicated that the Thursday pre-school format resulted in a dramatic rise in students arriving late to school on Thursday morning. District level administration responded to this trend by allowing after school collaboration. Departments meet individually to discuss bench mark testing, review CST scores both departmentally and school wide, and to review instructional practices. All faculty members have submitted their bench mark tests to the site administration and have written responses to standards that they feel need to be reviewed.

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

Students at King City High School participate in an academic curriculum (including both instruction and materials) which is based on the standards and the expected school wide learning results. A goal of the school is to challenge students to do their best academically in order to prepare them for college and the workplace.

The curriculum includes college preparatory, honors, advanced placement, and elective courses which provide a rigorous comprehensive education for all students at all grade levels. The needs of the various students are considered in the curriculum offerings, but students are encouraged to take the most advanced classes possible to make the most of their educational opportunities.

All textbooks are standard-aligned as are course outlines. All departments have created benchmarks, common assessments, and scope and sequence. Intervention classes are offered in both English and Math to help students meet the CAHSEE requirements. Advanced Placement classes are offered in English, Chemistry, Economics, Biology, U.S. History, and Calculus. Students are also encouraged to take the AP Spanish test. Students choose and generally follow a major sequence (e.g. math, business, art) in order to give a sharper focus to their studies. Articulation with the local community college takes place regularly and articulation with nearby colleges has also increased.

The teachers acknowledge the need for more inter-departmental collaboration such as developing cross-curriculum projects. Another need is for a regular after-school program to help students with homework. CAHSEE tutoring classes for English and Math have been offered the past two years, 4 days a week. Tutoring is offered after school via S.E.S. funding for the students that have the most critical needs. There are Math tutoring classes two times a week for students that qualify for the Migrant Education program. Articulation with the feeder schools currently is sporadic, but plans are under way to have regularly scheduled meetings.

To ensure that the academic programs support academic success individual departments continue to discuss courses and programs that would need to be improved or discontinued. Proposals are then presented to the Governing Board and State Administrator for their approval.

KCHS students have a four-year plan that is reviewed their first year. All core courses are aligned to state standards. The Career Technical Education, special education, and English Language Development classes are aligned to state standards to support the students in passing the CAHSEE. AVID, Educational Talent Search, and teachers recruit students for rigorous courses.

#### **10.Adherence to recommended instructional minutes for reading/language arts and mathematics (K-8) (EPC):**

In response to WASC critical needs recommendations departments need to work more cohesively with other departments to discuss students that are low performing and to create strategies that will help raise student achievement. Most departments do not participate in cross-curricular planning and have to rely solely on annual state testing results, and benchmark reporting through School Plan in order to provide more frequent and consistent data needed throughout the school year to address those students' deficiencies.

All departments have finished their common assessments, and frequently participate in data analysis efforts that will be presented throughout this year to the School Site Council.

#### **11.Lesson pacing schedule (K-8) and master schedule flexibility for sufficient numbers of intervention courses (EPC):**

Not applicable (9-12).

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

We are Williams compliant with the textbooks and instructional materials used in the classroom. These materials are available to all students. In many of the classes, especially in those courses in which textbooks have recently been purchased and adopted, students have a copy they can keep at home and a class set that they can use in the classrooms.

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

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Hampton-Brown edge Fundamentals and Edge Level A materials have been purchased for ELD 1, ELD 2, and ELD 3 classes. Scholastic's READ 180/System 44 program has been purchased for intensive intervention classes and implemented in the 2010-2011 school year. Pearson California Algebra 1 (2007) and California Geometry 1 were purchased for math classes in 2008. Special Education Algebra classes are using a textbook dated back to 2002. Pearson's California Algebra Readiness (2009) textbooks were purchased for all Algebra Readiness classes, both SpEd and mainstream.

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

The teachers at King City High School provide challenging learning experiences in a variety of ways. The goal is for all students to achieve the academic standards and meet the expected school wide learning results while addressing the various student learning styles exemplified by the following strategies: Socratic Seminars, science labs, video presentations, collaborative group projects and Power Point presentations by both the students and the teachers. In addition, many classes utilize Turn-it-in.com, oral presentations, Quizdom, interactive notebooks, discovery learning and small group instruction to assist all students who have a variety of learning styles. Through the available technology of the Smart Boards and the individualized computer reading labs, differentiated instruction is more readily possible in the classroom.

Students are rewarded for achieving academically no matter what their curriculum emphasis is. A few of the awards given are the California Scholarship Federation, Honor Roll, Diamond Award, Academic Block, Mustang Gold recognition, Honor Cords for graduating Seniors, and Student of the month nomination. All students may earn an off campus lunch pass card for attaining proficiency in at least one core subject area.

To help all of the students achieve at the highest levels, new classes have been created to address various needs. The Strategic @ SDAIE courses have been instituted in the English department to prepare students for the regular college-prep English program. The math classes have been restructured to better prepare the students for the CAHSEE. Special classes such as Practical Writing and HSEE Mathematics for students who have not yet passed the CAHSEE are taught during the school day. Students are encouraged to take the PSAT, SAT, ACT and AP tests, to participate in the Scheid Writing Contest, the VFW Voice of Democracy Speech Contest, the national Lions Club Speech Contest and the Monterey County High School Poetry Contest. In addition, the FFA chapter has hosted the regional conference on the campus for many years and sends a leadership team to various state and national conferences and competition, where they have won many awards over the years.

Common assessments have been instituted in English and math and are currently being developed in other departments to better access student skills.

#### **15.Research-based educational practices to raise student achievement at this school (ESEA):**

The school is offering an AVID section for 9th-10th grade students. Another section designed to meet upper level AVID students will be added in the 2012-2013 secondLanguage Arts: Beginning with the 2010 school year Read 180 (a double period class) was implemented for students scoring far below basic on the STAR test. This program is designed to teach the students basic skills in order to raise student achievement in their classes and on state mandated tests (CSTs and CAHSEE). Teachers who are part of the AVID site team have attended two AVID workshops this year and are implementing the use of Cornell notes in their subject area. Many teachers in the English department are using graphic organizers and sentence stems to help students be successful in their grade level assignments. Also, higher level questioning techniques are utilized in lessons. The science department is scheduled to attend Explicit Direct Instruction (EDI) in December, in an attempt to discover instructional practices designed to reach poor performing students in physical and earth science. As expected of all instructors at King City High School more training in researched-based educational practices are needed as we commit to on-going improvement.

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

King City High School has one bilingual Student Services Coordinator, one bilingual College Advocate with an emphasis on English Learners, who are all dedicated full-time to helping students. The goal is for all students together with the parents and jointly develop a four-year pathway to identify graduation requirements and personal interests and goals. If a parent can not attend, the counselor meets with the student individually. At the end of the Junior year, student records are reviewed to ensure progress as to graduation requirements and candidates are identified for student study teams. The school has an active AVID program designed to assist first-generation college-bound students in the achievement of their goals. There is also a representative from the CSUMB campus on site two to three times a week to assist students in planning, preparing, and applying for college. Academic referrals have been in place since the beginning of the 2011-2012 school year to effectively identify at-risk students The school uses Student Study Teams for high-risk students to review their specific learning modalities.

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The Special Education department meets with every student yearly to discuss educational goals and graduation requirements. Individualized Transition Plans are developed for special education Freshmen (14 years old), rather than the state-required age of 16, because the school believes this is of the most benefit to students in special education.

Currently, the counselor is available to all students by appointment. However, the school realizes that 9th through 11th grade students need more systematic attention from the counseling department. Plans are under way to improve services to those students. The counseling department will meet with teachers in the English department to create more after-school opportunities for academic support. Also, they are investigating ways to increase their availability for before-school and after-school counseling for all students to more frequently review their academic progress. In addition, the career preparation program for non-college bound students needs strengthening.

Parent involvement is encouraged at King City High School and a variety of opportunities and activities are available. The school sends letters home for these events both in English and Spanish. Many events, such as Back to School Night, are announced in the local paper. The school web-site is currently being updated to offer this information.

Student/parent activities include the following: sports boosters (Mustang Bench); ASB Awards Night and other activities: drama productions, music concerts, and art shows; Freshman Orientation at night (parents & students); Back to School Night; athletic banquets for each sport and for FFA and other organizations (clubs and class activities/competitions).

The counseling department provides the following events and activities: the 4- year plan with all 9th graders and their parents, credit updates sent home at the beginning of the senior year letting parents know what classes their child needs in order to graduate, progress reports are mailed home, on-going parent/teacher contact (written, phone, personal), Student Study Teams, and ABI802 counseling academic review of all 11th and 12th graders who have not passed the exit exam.

Community-parent involvement activities are the following: FFA - where students help with many community activities, King City Invitational Track Meet, Mustang Bench, Parents' Meetings which are conducted in both English and Spanish, School Site Council - (newly updated), WASC Focus groups, Career Technical Education advisory committees (newly expanded), and hospital volunteer/internship partnership with students. The school has recently conducted several parent meetings to increase parent involvement in the teaching/learning process. More classes are scheduled and attendance has been increasing. King City High School has made bookmarkers in both English and Spanish with the ESLRs. These will be used to pass out to all students.

The staff, students, and parents at King City High School all agree that there are many opportunities for students to not only get involved in extra-curricular activities, but also find the personal support service they need. Many academic and social clubs, organizations and support services exist for the students. There are seven teacher-sponsored clubs with a wide range of interests on campus. Community and school support is also provided by the library and computer labs, as well as gyms, which are often open before and after school. The counseling department has an open door policy.

King City High School needs to increase the community's awareness of all these activities and programs including community service hours, students of the month, and academic blocks. Strengthening the relationship with the community will support the school's expected school wide learning goals and help insure that students take advantage of opportunities that will benefit them both at school and in the community.

In reviewing the counseling programs available, the focus groups noticed a need for a more consistent referral process for students that are struggling academically or who are in need of services. Student Study Teams are in place, in which special services referrals and/or suggestions for academic placement or support are discussed.

Also, all co-curricular organizations and activities are being reviewed to determine whether or not they support the academic standards. Each department that includes co-curricular activities is working to assess those programs in terms of: standards, goals, and methods of measured success. For example, all agriculture classes under the umbrella of the Future Farmers of America (FFA) have completed their annual review as outlined in the Perkins Grant, which includes strict standards-based guidelines. The FFA co-curricular program must also submit a single school plan that includes goals, allocation of resources, and other pertinent information.

#### **17. Involvement of parents, community representatives, classroom teachers, other school personnel, and students in secondary schools, in the planning, implementation, and evaluation of consolidated application programs. (5 CCR 3932):**

At KCHS, all stakeholders' representatives are routinely invited to participate in the following: • WASC Self-Study • School Site Council • ELAC/DELAC.

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

## King City High 2011-12

### Single Plan For Student Achievement Report

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KCHS provides a variety of services to under-performing students which are funded through categorical funds such as Title III-LEP, Migrant, CAHSEE grants, Title I, Block Grants, AB1200 Counseling grant, and Economic Impact Aid funds.

Currently, EIA funds continue to provide the College Advocate for English Learners position and the Constructing Meaning training to increase academic literacy and vocabulary specific to content area. The School Site Council will look at this year's categorical funds such as Title I to determine what funds are available and will hear from departments and organizations as to what would be their best use, in accordance with the prescribed goals.

#### 19. Fiscal support (EPC):

The District was taken over by the State in 2009-2010 school year due to fiscal insolvency. Currently, the District is under the direction of a State Administrator. At present the school Board and the KCHS School Site Council exist as an advisory to the State Administrator.

### Nine Essential Program Components

1. Use of standards-based State Board of Education (SBE)-adopted (kindergarten through grade eight) or standards-aligned (grade nine through twelve) English/reading/language arts and mathematics instructional materials, including intensive interventions and \* English Language Development materials.
2. Implementation of instructional minutes for basic core Reading/Language Arts and mathematics programs, intensive intervention and strategic support courses as well as additional instructional time for structured English Language Development at all grade levels.
3. Use of an annual district instructional/assessment pacing guide for grades K-8 and high school.
4. Implementation of School Administrator Instructional Leadership Training Program- Instructional materials based professional development and ongoing targeted professional development and support for instructional leaders to ensure the full implementation of the district adopted program and the EPCs.
5. Fully credentialed, highly qualified teachers, per the requirements of the Elementary and Secondary Education Act (ESEA) and professional development on SBE-adopted instructional materials.
6. Implementation of ongoing instructional assistance and support for R/LA, ELD and mathematics teachers through the use of content experts, specialists, and instructional coaches.
7. For all grade levels, implementation of a student achievement monitoring system that provides timely data from common formative and curriculum-embedded and summative assessments for teachers and principals to use to monitor ongoing student progress, identify student needs, inform instruction and determine effectiveness of instructional practices and implementation of the adopted programs.
8. Implementation of monthly structured teacher collaboration for all RLA/ELD and mathematics teachers by grade level (K-8) and common course and department levels (9-12) facilitated by the principal.
9. Implementation of Fiscal Support aligned to full implementation of EPCs.



# SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

**SUBJECT:** School Improvement Grant

**MEETING:** November 16, 2011

**AGENDA SECTION:**

☒ **ACTION**

☐ **INFORMATION**

☐ **ACTION/CONSENT**

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## GOVERNING BOARD

### Board Goals:

- ☒ Improve/Sustain Student Achievement through STAR Test and Other Assessment Measures
- ☐ Improve School Climate and Student Discipline in Support of Teaching, Learning and Student Safety
- ☐ Develop/Sustain Fiscal Crisis Long-Term Solution
- ☐ Ensure Board and Administrator Participation in CSBA's Masters in Governance and Other Trainings
- ☐ Ensure that Facilities are Safe for Staff and Students
- ☐ Ensure compliance with Education/Other Codes/Updating Board Policies and Administrative Regulations

### Summary:

The South Monterey County Joint Union High School District qualifies for a School Improvement Grant (SIG) from the federal government. The district did apply during the initial funding opportunity, but was unsuccessful in this very competitive process. A new opportunity has opened to apply and with the help of a team from the Houghton Mifflin Company we plan to submit another application. Attached is a draft of the application for your review. A final copy will be provided as it is completed.

### Recommendation:

It is recommended that the State Administrator approve the School Improvement Grant Application for submission.

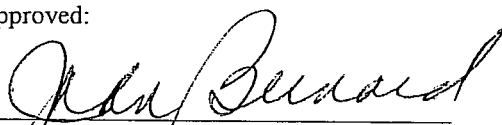
### Fiscal Impact:

Successful grants allow for the funding of intervention programs, staff development and program materials for our students. There is no cost to the general fund or any Title grants.

Submitted By:

Daniel R. Moirao, Ed.D.  
Assistant Superintendent Educational Services/  
Human Resources

Approved:

  
John Bernard Ed.D.  
State Administrator

# UNEDITED DRAFT

## SIG Form 1—Application Cover Sheet

### School Improvement Grant (SIG) Application for Funding

#### APPLICATION RECEIPT DEADLINE

November 18, 2011, 4 p.m.

Submit to:  
California Department of Education  
Improvement and Accountability Division  
School Turnaround Office  
1430 N Street, Suite 6208  
Sacramento, CA 95814-5901

**NOTE:** Please print or type all information.

<b>County Name:</b> Monterey County		<b>County/District Code:</b> 2766068	
<b>Local Educational Agency (LEA) Name</b> South Monterey County Joint Union High School District		<b>LEA NCES Number:</b> 0619650	
<b>LEA Address</b> 800 Broadway		<b>Total Grant Amount Requested</b> \$3,765,126	
<b>City</b> King City		<b>Zip Code</b> 93930	
<b>Name of Primary Grant Coordinator</b> Daniel R. Moirao		<b>Grant Coordinator Title</b> Assistant Superintendent Ed. Services/Human Resources	
<b>Telephone Number</b> 1-831-385-0606	<b>Fax Number</b> 1-831-385-0695	<b>E-mail Address</b> dmoirao@kingcity.k12.ca.us	
<b>CERTIFICATION/ASSURANCE SECTION:</b> As the duly authorized representative of the applicant, I have read all assurances, certifications, terms, and conditions associated with the federal SIG program; and I agree to comply with all requirements as a condition of funding. I certify that all applicable state and federal rules and regulations will be observed and that to the best of my knowledge, the information contained in this application is correct and complete.			
<b>Printed Name of Superintendent or Designee</b> Dr. John Bernard, State Administrator		<b>Telephone Number</b> 1-831-385-0606	
<b>Superintendent or Designee Signature (Blue Ink)</b>		<b>Date</b> November 9, 2011	

## SIG Form 2—Narrative Response

### i. Needs Analysis

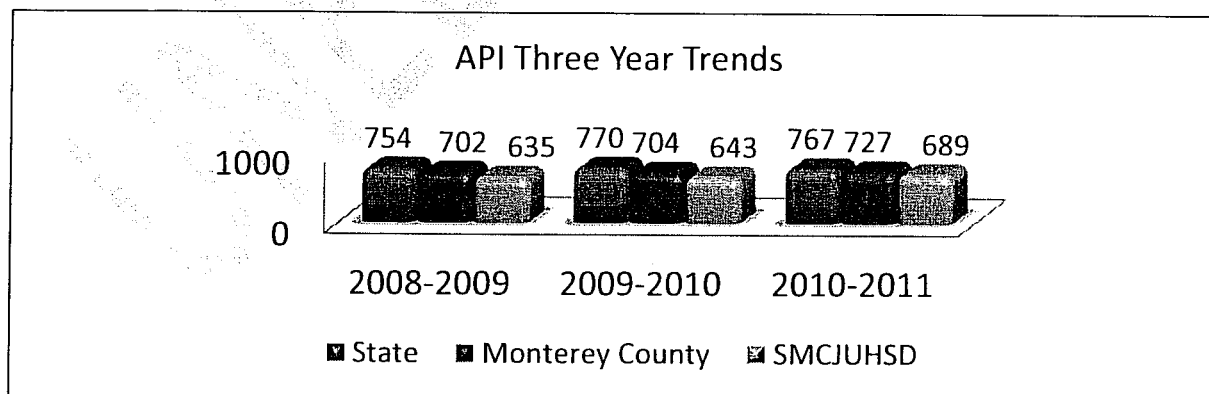
Response:

South Monterey County Joint Union High School District, located in rural Southern Monterey County, serves fewer than 2,000 students in grades 9 – 12. Greenfield High School and King City High School are the two comprehensive high schools in the District. Greenfield is a persistently low-performing Tier I high school, in year 5 of Program Improvement. King City High School is identified as a Tier III high school in year 2 of Program Improvement.

The South Monterey County Joint Union High School District falls short of being a 90-90-90 school district. More than 90% of the students are on free and/or reduced lunch, 90% of the students represent an ethnic minority population and 90% of the student population has **not** met the state academic standards. There are 588 English Language Learners; fifty-five are eligible for resources under the Title III program. One-thousand two-hundred and sixty students are Limited English Proficient (LEP) and/or RFEP (Reclassified Fluent English Proficient). One-hundred students qualify for migrant education, 149 are Special Education students 1393 are Social-Economically Disadvantaged. District wide only 16 students are of American Indian or Alaskan heritage, one Japanese, 5 Asian Indian, 2 other Asian, 1 Guamanian, 1 Samoan, 1 Other Pacific Islander, 18 Filipino, 1727 Hispanic, 10 Black or African American and 165 are white.

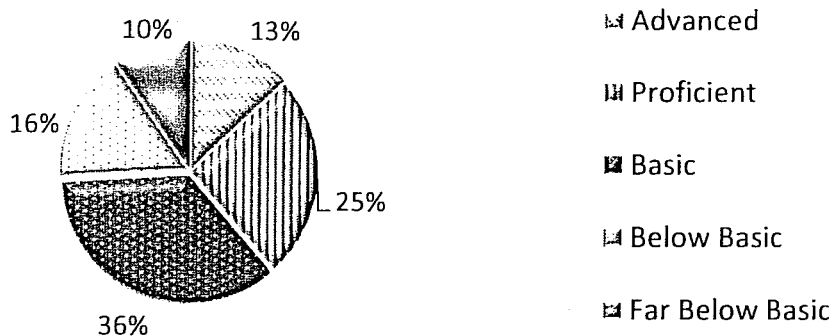
On August 30 and August 31, 2011 and scheduled again for January 18 and 19, 2012 the State Administrator has and will conduct community forums on the state of the schools and seeking community input. Information gathered from those meetings helped guided the concepts presented in this grant application.

Student performance continues to fluctuate with some increase in performance on the California State Standards. However, both school sites and thus the school district are in Program Improvement Status.



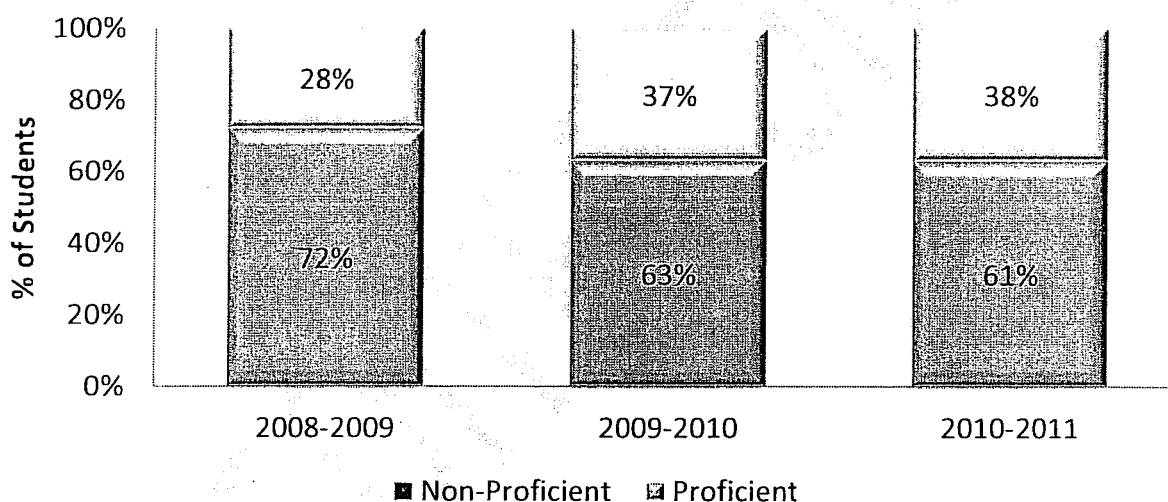
Sixty-two percent of the district's students performed at basic to far below basic on the most recent Standardized Testing and Reporting (STAR) assessment.

### 2011 ELA Proficient/Non-Proficient



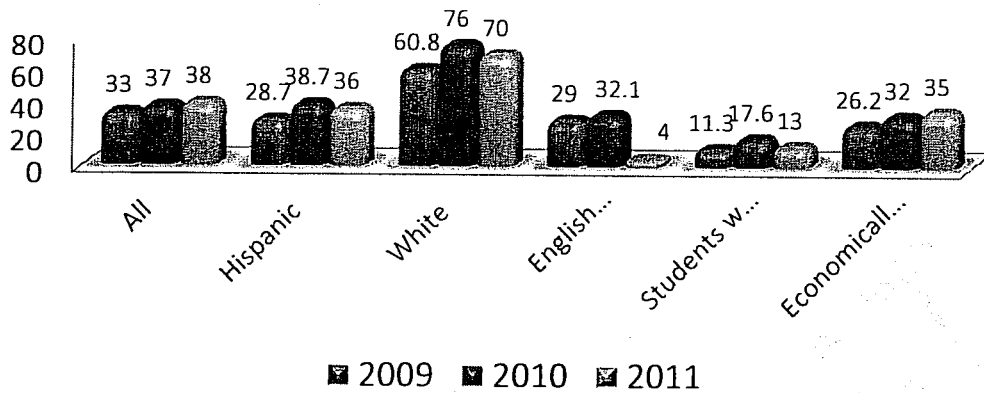
The district trends in English Language Arts demonstrate a slight increase in students performing Proficient or above.

### 3 Year ELA Proficient Trends



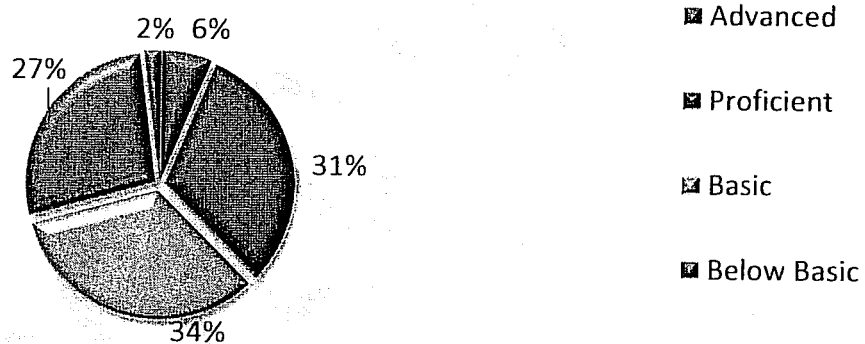
Based on the performance of the significant sub-groups, the English Language Learners and students with disabilities are the two groups that are distant in proficiency from all other groups. Economically disadvantaged students are a group to monitor and watch for their proficiency to advanced performance.

ELA Percent Proficient



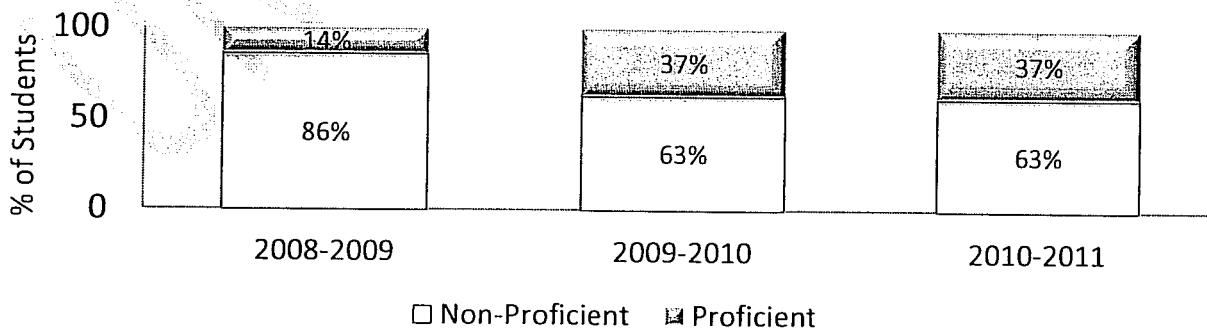
Similarly to ELA, students performing proficient or below in math are at 62%.

2011 Math Proficient



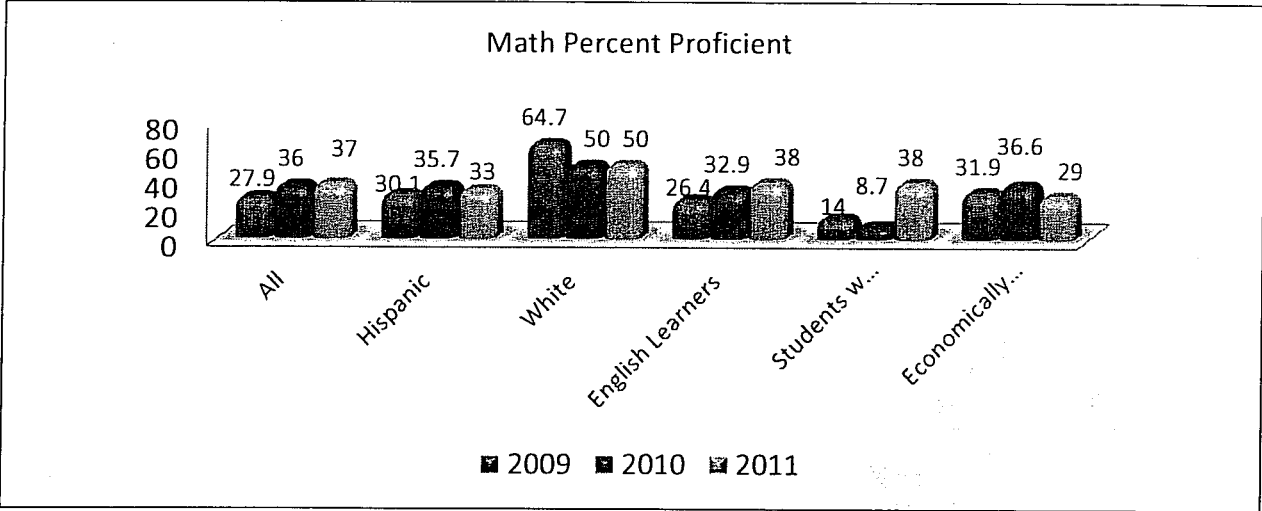
More students are performing proficient to advanced in math as the following chart illustrates. However, the movement is slow and minimal and may be plateauing.

3 Year Math Proficient Trends

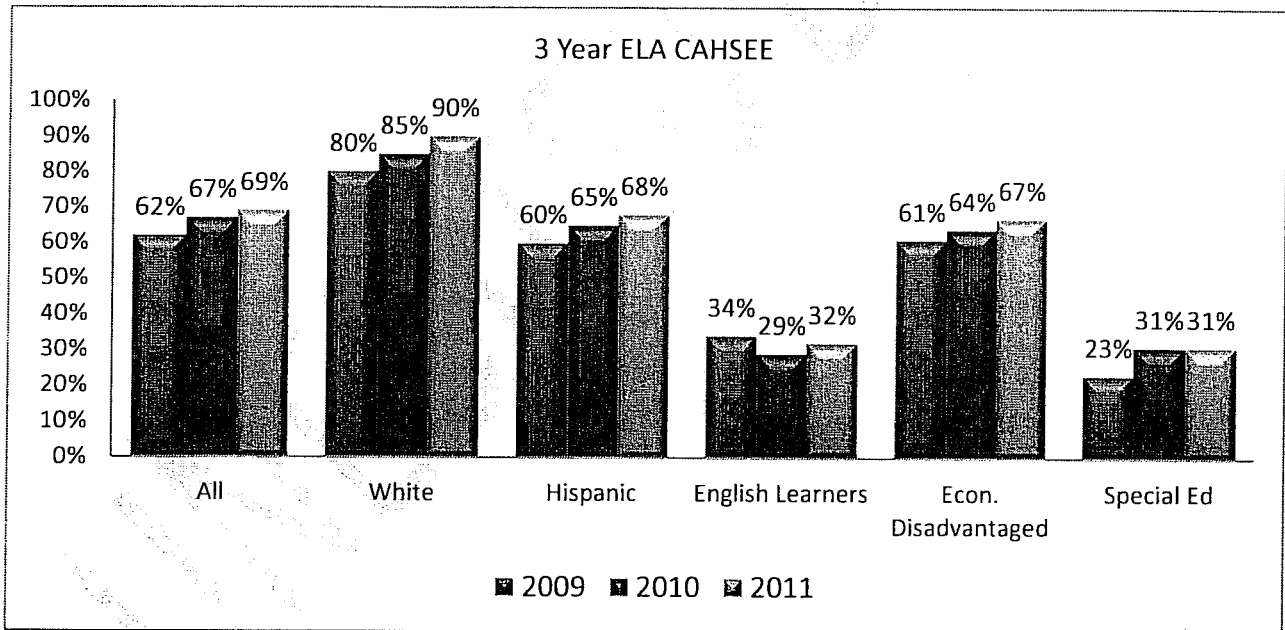


In mathematics, the English Learning student and students with disabilities are showing

continuous progress.



The California State Exit Exam results continue to demonstrate that the English Learning population of the South Monterey County Joint Union High School District underperform as compared to the other groups of students.



A State Administrator was appointed on July 23, 2009, and is responsible for all academic, fiscal, facility, and personnel decisions for the South Monterey County Joint Union High School District. The District Board of Trustees is advisory to the State Administrator.

The Academic Performance Survey, the Inventory of Services and Support (ISS) for Students with Disabilities (formerly LRE), and District Assessment Survey (DAS) were used to assess the status and needs of the District.

The DAS has found the District less than compliant in all survey areas. The State

Administrator's priority is to focus on all areas of the District Assessment Survey, beginning with the fiscal operation, curriculum/instruction/assessment, human resources, and staff professional development. These assessment instruments support the need for comprehensive district and school-wide reform.

The LEA and school personnel responsible for conducting the needs assessments were limited to the Greenfield and King City High Schools site administrators and the District Director of Educational Services. There were no other collaborative partners. The Greenfield High School Assistant Principal completed the Academic Performance Survey (APS) in collaboration with the Math and Language Arts departments. The District Assessment Survey (DAS) and the LRE were completed by the Director of Educational Services in consultation with the Monterey County Office of Education SELPA Director.

The State Administrator shared these assessment surveys and findings with the Board of Trustees and the Director of Educational Services for input on the analysis of the results.

The process for analyzing the findings and determining the appropriate intervention model began with the State Administrator, district staff, and the Board reviewing the above assessments and the intervention model options. This group analyzed the assessment surveys and focused on the district areas for improvement and growth expectations on the Academic Performance Index (API) and not achieving Adequate Yearly Progress (AYP) for the past 5 years.

The Academic Performance Survey (APS) and the District Assessment Survey (DAS) analyzed eight different areas that need improvement.

As a result of the survey analysis the following recommendations were made:

**Academic Performance Survey (APS):** average rubric score 2

Instructional Program – The school needs to adopt standards-aligned textbooks to be provided in English Language Arts and Algebra 1 as well as to provide intervention materials in Language Arts and intervention materials for mathematics.

Access to High School standards-aligned core courses – The district needs to develop pacing guides to provide intervention for all students beyond the 9<sup>th</sup> grade.

School Administrator Training – Although the Principal has completed AB75 and Assistant Principal has completed AB 430 they need to further their training in staff evaluations, accountability, Professional Learning Communities, data driven instruction, best practices in instructional strategies, and safe-school environments.

Teacher Professional Development -- All the teachers and thus students would benefit from professional development in their respective content areas. Although, English/Reading Language Arts and Mathematics teachers are fully credentialed, the 9<sup>th</sup>/10<sup>th</sup> grade English/Reading Language Arts teachers did not attend AB472 training and only 80% of Algebra teachers completed AB472.

Student Achievement Monitoring System – An assessment system that drives instruction

on a daily basis must be developed, implemented, and monitored. Currently the Gates McGinnity test is administered to all 9th grade students. This assessment guides course placement. Students also produce four written essays four times a year; however there are no assessments in all content areas to inform teachers of student progress.

On-going Instructional Assistance and Support – Coaches and/or specialists are needed primarily in Language Arts and Mathematics. All teachers would benefit from ongoing coaching in best practices.

Teacher/Department/Subject Matter Collaboration – Regular collaboration opportunities are provided, however, these need to function more as professional learning communities, rather than ongoing faculty and/or department meetings. Teachers need to be instructed in curriculum-embedded assessment data and data analysis.

Intervention Program for Students Below Grade Level -- Currently there are CAHSEE preparation classes, Read 180, Algebra Strategic and SES tutoring available for student. A more defined response to intervention model is needed to provide all students access to the curriculum

Fiscal Support -- The LEAP and School Site Plan need to state specifically how categorical monies are spent for the students.

The instructional program, teacher professional development, and student achievement function at a minimal level and must be a reform program priority. The school program did not include targeted teaching and interventions appropriate to student needs. Student growth data was not based on multiple observation-based assessments of performance and ongoing collections of professional practice reflective of student achievement. Opportunities for teacher professional development and collaboration have been minimal.

#### **Inventory of Services and Support (ISS) for Students with Disabilities (formerly LRE):**

District states: The district follows all legal guidelines regarding the placement of students with special needs into the Least Restrictive Environment (LRE). This is a function of the Student Study Team process, initially, and then a product of the IEP Team decision regarding placement. Psychological and Academic testing instruments are among a variety of things that the team reviews. There may also be supplemental placements into Occupational Therapy, Speech and Language services, **Adaptive** P.E., Health and Nursing services, Itinerant vision services, counseling, etc. The school district does collaborate with the Monterey County Office of Education, local health, behavioral, and rehabilitation services, and other non-public agencies or schools.

#### **District Assessment Survey (DAS):**

##### **A. Governance**

- i. The State Administrator provides district management, as the Board is advisory and is undergoing governance training.
- ii. LEA's vision, mission, policies and priorities are being updated to include the new



- goals included in the grant.
- iii. LEA leadership's goal is to change to a culture of respect and trust throughout the district by hiring new leadership.
- iv. LEA is establishing expectations for instruction, assessment and professional development.
- v. A supplement to the LEAP has been completed and is being implemented during the 2011-2012 academic year
- vi. The state administrator and administrative staff are in the process of aligning all fiscal policies.
- vii. The State Administrator and the teacher's association have negotiated a new evaluation system for teachers.
- viii. The data system in place is not being used but will be required in the 2011-2012 school year.

In addition to the survey information for the school and district, the site performance results suggest that the current school site Principals are not providing the needed leadership to focus the staff and students on educational achievement.

#### Alignment of Curriculum, Instruction, Assessment --

Textbooks must be updated to align to the common core standards. To rectify this problem, the district will adopt appropriate textbooks and supplemental materials to provide access to all the district's learners of an equitable and viable curriculum.

#### **Reading**

Funding from this grant will be used to identify and implement a new reading core program. These resources will be purchased and delivered in early June to allow time to inventory and organize materials for each classroom. Training with the new program will begin prior to the start of the 2012-2013 academic school year. A team comprised of the administrator, teachers, outside facilitator, and the project manager will meet in late June of 2012 to devise a training schedule, determine a best schedule for implementing materials and aligning them with the developing formative, summative data to inform instruction. An on-going professional development and coaching plan will be developed by the same team for the first, second and third year of this grant.

Various reading programs will be reviewed by each grade level team, administrators, special education, and English as Second Language teachers. Tools such as a "Consumer's Guide to Analyzing a Core Reading Program Grades 9-12; A Critical Elements Analysis" by Dr. Deborah C. Simmons will be used to determine the best program for the SMCJUHSD students.

Any materials selected will

closely align to the new common core standards

provide explicit and intentional lessons that includes formative assessments

provide extension and support lessons for enrichment or remedial work

integrate science and social studies to teach reading and comprehension  
integrate reading and writing  
provide writing lessons that are aligned to grade level standards  
have components that can be extended into any extended day program for all students  
provide support for special education and English Language Learners  
expose students to high interest authentic literature  
provide materials for guided reading groups

### **Timeline**

May 1, 2012- necessary materials will be ordered  
May 6, 2012-order materials  
June- 15, 2012-inventory and organize materials  
Week of July 23- 27-teacher training on the materials

### **Math**

There has never been a greater need to ensure that the math programs today's students are using are optimally supporting them in developing the mathematical skills and strategies required for success in college and in the workplace. Instructional materials will be reviewed for important concepts that are made understandable to all students through clear explanations, instructional diagrams and graphics, interactive activities, and numerous examples. Within every lesson, help notes will direct students to resources, in the text and on the Internet, that support basic skills, homework help, and problem solving. Abundant and separate skill practice and problem solving exercises will be provided to balance skills, application problems, open-ended practice, and questions in standardized test formats. Regular mixed reviews will be provided so that students maintain their newly-acquired skills and lessons can be adjusted to meet the immediate needs of the learner.

### **Timeline**

May 1, 2012- necessary materials will be ordered  
May 6, 2012-order materials  
June- 15, 2012-inventory and organize materials  
Week of July 23- 27-teacher training on the materials

Developing curriculum pacing guides in all content areas will maximize effective use of instructional time. Instructional staff will be trained in the common core standards, unwrapping standards into common curriculum pacing guides, and developing regular common assessments for learning improves teaching and learning.

The resulting instructional program will:

- focus on academic achievement of ALL students

- have clear curriculum choices
- have frequent assessments of student programs
- have an emphasis on nonfiction writing
- collaborative scoring of student work.

An increase of instructional minutes has been implemented. A reform model that requires the increase in instructional time supports this change.

To ensure that the curriculum is being used properly, the district will use analysis of common formative and summative assessment data to inform instruction. Teachers will be provided time to observe best practices within the school and other school districts. Administrators will have a weekly scheduled walk-about to monitor the implementation of instructional strategies. A protocol for best practices will be developed.

### **Summative Assessments**

Students in grades 9-11 will take the Standardized Testing and Reporting (STAR) assessment as required, the California High School Exit Exam (CAHSEE), the California English Language Development Test (CELDT) on a yearly basis. The data generated from these assessments will be disaggregated and analyzed by faculty and staff and used to improve instruction for the subsequent year. Data from the CST is used to determine progress of students and to evaluate reading and math instruction.

### **Formative Assessments**

Formative assessments are a process used to shape instruction and learning and are used on a daily basis. Teacher observations, questioning strategies, active engagement check-ins, progress monitoring and analysis of student work are all part of the formative assessment that will be used by SMCJUHSD teachers. The data gathered from these formative assessments will cause the teacher to monitor and adjust instruction to best promote learning. These will be developed by teachers in the SMCJUHSD.

### **Benchmark Assessments**

Benchmark assessments are designed to provide feedback to both the student and the teacher. Benchmark assessments demonstrate how well the student is progressing toward mastery of the common core standards. In the SMCJUHSD schools students in grades 9-12 will take regular benchmark assessments to determine their progress. A calendar of test dates will be developed once an academic calendar year has been negotiated. Benchmarks will occur a minimum of four times per year.

### **Fiscal Operation**

1. The Fiscal Crisis Management Assistance Team (FCMAT) report supports placing district in state receivership.
2. The LEA Plan supplement has been developed and is being implemented.

3. LEA differentiated funding to sites is under review and will be fixed during the 2011 school year.

This was a major finding of the (FCMAT) report, and a priority goal for the State Administrator. The State Administrator will make sure the dollars are following the students that qualify for specific programs, and will ensure legal and ethical fiscal alignment. Funds have not been allocated to the sites for a few years. Sites now have carryover dollars and in 2011-2012 site budgets will properly align the funds.

#### B. Parent and Community Involvement

Site administrators will engage all stakeholders in active school improvement efforts so that all stakeholders (teachers, district administrators, school administrators, para-educators, parents, community members, and students) share the responsibility to participate in, learn about and lead the school improvement effort. Parental Involvement is emphasized in this proposal. Parents will be actively engaged in the implementation of the school transformation model. Parents will be involved with decision making through representation on the School and District Advisory councils.

Parents will be given a survey to see how they feel about the school climate and to gauge their involvement in the schools. Below is a sample of the types of activities parents will be asked to volunteer for tutoring, special skills presentations, classroom assistance. Parent Teacher Associations,

Parents have also indicated that the school does encourage the parents to work with them at home. Below is a sample list of services schools will offer the parents and students: Parent Center, workshops, homework help, job fair, General Education Diploma (GED) services, translation, English classes, resume writing, technology, and other identified needs.

It is the sincere desire of the SMCJUHSD to enhance home-school partnerships; Provide parents with resources to support their child's academic achievement; and, engage parents to become active in the school community.

Parents will be provided opportunities to provide feedback to the school that will be considered in school-wide decisions that affect all students. This will be accomplished through parent surveys and parent meetings. The school is looking into offering a parent center, homework help, and other activities of interest as indicated by the survey

The State Administrator has conducted a series of community meetings in January of 2011, where much of this data was collected. Site administrators will be trained on how to conduct similar "town hall" meetings to gather data and seek input. A regular calendar of meetings will be implemented.

#### C. Human Resources

1. During the fall of 2011, the Human Resources Department developed a recruitment plan for both certificated and classified staff. The plan emphasizes the need for Highly Qualified teachers and administrators, and employees that better reflect the demographics of the student population.
2. There has been limited professional development for administrators and not sequentially planned. However, plans are being developed to work with the

Leadership and Learning Center to have a focused program of professional development for a collaborative leadership approach to student achievement. The focus will be on accountability, data driven decisions, professional development, change management, and effective communication. Administrators will learn how to identify best instructional practices and provide feedback immediately and directly so that data can be turned into information that can improve teaching and learning.

3. During year one of the grant there will be a comprehensive review of administrator's practices
4. Teachers in the SMCJUHSD have been the highest paid in the state of California. This has impacted the fiscal integrity of the school district to provide the academic programs needed by students.
5. There is ongoing support for teachers through Beginning Teacher and Support and Assessment (BTSA) and some mentors are in place.
6. The newly negotiated teacher evaluation system is based on California Standards for the Teaching Profession (CSTP). The State Administrator is working with the local chapter of the California Teachers Association to align an evaluation system with the Great Teacher's, Great Principal's Act. It is the intent that the evaluations of both teachers and administrators will be aligned with the Growing Excellent Achievement Training Academies (GREAT).
7. A rigorous system of selection of teachers and administrators will be implemented to get the best and brightest into the SMCJUHSD schools. Expectations of teachers and administrators will be tied to student achievement.

#### D Data Systems and Monitoring

1. Training in the effective use of the data management system currently operated by the SMCJUHSD is needed.
2. Professional development will be provided to focus on outcomes rather than inputs or intentions. Teachers and administrators will develop SMART goals that are specifically aligned with the goals of the school and district.
3. Data and learning teams will be developed as an integrated, sustainable system, focused on how to increase student achievement. Professional development will be implemented to provide the tools, processes, and supports to implement and link effective school practices.
4. Protocols will be developed for using data to inform instruction.
5. A schedule of formative and summative assessments will be developed and implemented.
6. An ongoing schedule of reviewing student four-year plans (to be expanded into six year plans, starting at the middle school) and a review of assessments with students and parents will be developed and implemented.
7. A district wide technology plan will be developed and implemented that supports student achievement.
8. A student data management system is in place and expectations for consistent use will be developed and implemented.

#### **Summative Assessments**

Students in grades 9-11 will take the Standardized Testing and Reporting (STAR) assessment as required, the California High School Exit Exam (CAHSEE), the California

English Language Development Test (CELDT) on a yearly basis. The data generated from these assessments will be disaggregated and analyzed by faculty and staff and used to improve instruction for the subsequent year. Data from the CST is used to determine progress of students and to evaluate reading and math instruction.

Districtwide common End of Course summative assessments will be developed for each core content area. These EoC will be used to measure student progress and assess program quality and consistency.

#### **How we review the data? How do we use the data?**

The data will be reviewed at Grade level, team, leadership and faculty meetings. Data will be used to set classroom, grade level and school goals. Data will be used to make decisions about effective instructional practices and program quality. Data analysis will lead to grade level and subject area data teams to inform instruction and create an RTI model.

#### **Formative Assessments**

Formative assessments are a process used to shape instruction and learning and are used on a daily basis. Teacher observations, questioning strategies, active engagement check-ins, progress monitoring and analysis of student work are all part of the formative assessment used by SMCJUHSD teachers. The data gathered from these formative assessments cause the teacher to monitor and adjust instruction to best promote learning. Formative assessments within each subject area will be standardized. Each student will have a portfolio of data which will be used in a diagnostic/prescriptive structure during data team meetings. This will be used to differentiate instruction in the classroom and determine afterschool or virtual learning programs. All daily observations, quizzes and other forms of assessments will be used to shape a learning profile for each student and each class as well as review for meeting curriculum standards for each subject and grade level.

#### **Benchmark Assessments**

Benchmark assessments are designed to provide feedback to both the student and the teacher. Benchmark assessments demonstrate how well the student is progressing toward mastery of the standards. At SMCJUHSD, students in grades 9-12 will take assessments in the core content areas at least four times per year. These benchmarks will allow teachers to develop baseline goals and objectives for each student, each class and subject. A model of differentiated instruction – RTI will be developed.

#### **How we review the data? How do we use the data?**

The data will be reviewed at Grade level, team, Leadership and Faculty meetings. Teachers and administrators will use the data to set classroom, grade level and school goals. Data will be used to make decisions around effective instructional practices.

The staff is committed to consistently using data to inform tiered, scientifically based research instruction for all students as we increase the use and frequency of formative assessments. We will maximize our use of formative assessments such as district wide formative benchmarks, in order to conduct trend analyses to determine strengths, identify areas that need immediate attention, and provide a basis for modifying or updating our professional development plan. Most importantly, data will be used to guide instruction for all students and provide a student learning profile for Tier 2 and 3 students in need of

moderate to extensive intervention. Math and literacy intervention specialists (as requested in the SIG budget) will be used to disaggregate data and support the development of short-cycle common formative assessments.

During weekly grade levels common planning time, all staff including paraprofessionals, will be trained in the assessment protocols and participate in data analysis. Staff will use multiple measures to screen reading, and mathematics. Following initial screening assessments, an early dropout warning system, teachers will identify students in need of further diagnostic assessment and additional intervention supports. Students who have significant concerns (Tier 3), will be monitored bi-weekly (2X per month), students with moderate concerns (Tier 2) will be monitored monthly, and other students will be monitored 3X per year (Tier 1). Student's progress data will be graphed and visually analyzed for changes in trend, level, and variability. Additional progress monitoring data will be collected through embedded program assessments, portfolio assessments, and teacher observation.

Team-level and program-level data analysis meetings will be held quarterly. Suggested strategies will then be incorporated into lesson plans. At the program-level, literacy and math coaches, and special education personnel will meet to discuss classroom-level data and to analyze program-level data for professional learning.

The literacy and math coaches, classroom teacher, and special needs staff, will organize student data and identify trends and generalities. The team will then generate problem statements based on identified trends, conduct a root cause analysis, and write goals and action plans based on the analysis. Plans will be developed outlining intervention strategies and additional testing. Students identified as needing intervention, Tier 2 & 3, will be slotted for additional support in appropriate RTI programs.

The district uses the data program to collect all district assessment. Teachers have access to data to create various types of reports to inform instruction.

### C Professional Development

The survey showed there was

1. Little Professional Development for instructional staff.
2. Administrators need training in adopted materials.
3. Teacher training in adopted materials has been very sporadic.
4. No ongoing and targeted support for learning and implementing research-based instructional practice.
5. Attendance at training in use and analysis of student achievement data was on a voluntary basis only.
- 6.

Planning time will be protected time for teacher professional development and collaboration. Together, the staff will examine the calendar, establish meeting and collaboration times, and then demonstrate the importance of these times by considering them protected. Teacher academies will be used for initial training in the new core reading program and for intensive training.

Professional development opportunities are part of the current school structure. Collaboration time is provided weekly for 90 minutes. Flexible teacher groups are assigned on a monthly calendar based on job assignment and need. Master schedules will be developed to incorporate common planning time daily in common content areas. Structures for peer coaching and collaborative planning will be implemented.

All professional development activities will continue to be based upon needs assessment in the areas of School Improvement and specified in the School Site Plan. With effective collaboration and data analysis developing, intensive coaching for educators to learn when and how to use the 15 most high-yield, engaging instructional strategies through the Power Strategies for Effective Teaching support. This aligns directly with Robert Marzano, John Hattie, and other key researchers to provide teachers with useful, practical strategies and skills on how to select and implement key instructional strategies, based on student data. Intensive professional development will give teachers the tools to do this effectively and appropriately select instructional strategies by understanding when and how to utilize which effective process based on the data.

The Data Teams process is also the manner to implement RTI, ensuring the right students get the right interventions and appropriate differentiated instruction, without RTI being seen as an "additional initiative."

This support will also include lesson planning to engage students and align learning to prioritized standards.

One of the key findings of our 90/90/90 (90% poverty, 90% minority, and 90% of students meeting or exceeding standards) research is the power of non-fiction writing as one of the most salient instructional strategy weapons. We will relate this use of non-fiction writing, across the curriculum, in our Power Strategies for Effective Teaching, as well as in our related Writing to Learn practices: modeling, coaching, and co-teaching to provide support for educators of all subject areas to develop writing as a thinking tool across subject areas and grade levels.

As a final piece of Year 1 professional development that is also supported through deep implementation and monitoring, math teachers will utilize steps to a balanced math program. They will learn how to best utilize the framework to understand the specific gaps in student proficiency and to provide the most effective math review and problem solving support possible.

Evaluation of all levels of professional development will be ongoing with yearly initial needs assessment surveys completed the first week of school for teachers, coaches and administrators. Evaluation will also be reflective of teacher observations and improved scores in formative, summative and benchmark assessments

The analyses of student data will also be used as part of the process for identifying the professional development needs of teachers. In combination with the data collected and analyzed regarding the overall progress being made by the school, the information from



needs assessment regarding the professional development needs of teachers in these schools will provide a more complete picture from which to design an effective response.

### **Selection of Intervention Models**

#### **Response:**

The State Administrator, with the Board and District Administration as an advisory analysis group, focused on the intervention model that would provide substantial change with the least disruption to the school community. The District and Site areas of need coincide with the changes necessary to take the District out of receivership.

The State Administrator reviewed the standards-aligned core curriculum instructional materials purchased, but not universally used, and the lack of appropriate intervention materials within the school district. The intervention model would need to address the coordinated use of instructional materials and the development of a consistent, targeted intervention program.

Curriculum pacing guides are limited to specific teachers, not commonly articulated within the departments. Use of instructional time and limited instructional minutes are priority areas to be addressed. The Student Data Management system is not being used to analyze student progress and areas of need in order to modify instruction. The District fiscal operations must align federal, state, private, and district resources to appropriately support the schools and students. The lack of staff professional development and collaboration time limits teacher knowledge and effectiveness.

Reviewing the school assessment information and the site academic performance results suggests that the previous school Principals were unsuccessful in providing the needed leadership to focus the staff and students on educational achievement.

The majority of the staff is experienced and appropriately credentialed and is open to professional development opportunities to improve their practice and increase student achievement.

28% of the teachers have taught 0-5 years  
31% have taught 5-10 years  
17% have taught -15 yr.  
14% have taught 15 – 20years  
11% more than 20 years

The Intervention model would need to implement targeted teaching and intervention strategies with intense initial program training for all certificated staff, combined with on-going follow-up, coaching, and collaboration opportunities to transition from current practice to a coherent program for teachers and students.

To maximize the use and number of instructional minutes, the model would have to require an increase of time. Additional instructional minutes need be added to the school

day and the school year to provide time for core instruction and intervention for all students.

The State Administrator has negotiated the collective bargaining agreement to incorporate the California Standards for the Teaching Profession (CSTP). This provides administrators with state approved teaching and learning standards for teacher observations and evaluations. Professional development days and collaboration time will be required for all credentialed staff to improve their teaching practice.

The selected Intervention model requires and supports these district modifications to provide the required rigorous, transparent, and equitable evaluation system for teachers and principals using standards, data, and regular assessments of student performance.

Under the leadership of the State Administrator, the models were explained and discussed with the Board. There is limited parental and community involvement at the sites and in the District. The State Administrator held four public forums to discuss the intervention options with the school community.

The State Administrator is responsible for district improvement and decisions. He selected the Transformation model as the most effective model for SMCJUHSD.

The Turnaround model requires replacing the principal and rehiring no more than 50% of the school's staff. In a rural area, recruiting highly quality teachers is difficult. Therefore, retaining the majority of teachers and restructuring systems, expectations, and providing professional development is a more workable choice. The Turnaround model is not the ideal choice for the District.

The Restart model to reopen as a charter school requires a process that involves more time than available, and would be confusing to a majority of the school community. The Restart model is not an option for the District.

Greenfield and King City are communities that are 10 miles apart. Each community values its own high school. Closing Greenfield High School would leave the Greenfield community without a high school, and would create an overcrowded situation at King City High School. Additionally, the Greenfield HS campus is used as collateral for the \$13,000,000, 20-year bail-out loan from the state through the I-BANK (Infrastructure Bank). The School Closure choice is not an option.

The Transformation model is the selected intervention model for high schools within the school district. The Transformation model provided the opportunity to replace the school principal, to assess and develop teacher effectiveness, to increase instructional time, and to focus staff on student learning. The State Administrator is in the process of developing collaborative partners, however, none participated in the intervention model selection.

The Transformation model supports using a more rigorous evaluation system based on the California Standards for the Teaching Profession that allows the school and District to identify those teachers who choose not to improve their professional practice after

extensive training.

Ongoing, high-quality, job-embedded professional development provides resources for the instructional staff that will facilitate effective teaching and learning strategies. These elements give the school the opportunity to successfully implement the necessary school reform goals and objectives stated in the needs assessments.

This model opens the door to reward instructional staff for increased student achievement, leadership participation in the collaborative Data and Learning teams, measured implementation of professional development programs, and improved attitudes towards staff, students, and the school community.

The Transformation model supports the comprehensive instructional reform the school and district require.

### **Demonstration of Capacity to Implement Selected Intervention Models**

Response:

Needs Analysis:

Greenfield is a persistently low performing Tier I high school, in year 5 of Program Improvement. Greenfield High School

2008 Base API was 617,

2009 Base API was 609,

2010 Base API was 674

2011 Growth API is 680

A 65 point growth, therefore, did meet the 2010 API growth criteria.

The school met 9 of 18 AYP criteria, and did not meet its AYP score in 2011.

The percent of English Language Learners at or above proficient in English Language Arts was 24.7%, and in Mathematics was 23.5%. Greenfield did not meet its AYP criteria.

The 2011 STAR reports in CST English-Language Arts:

9<sup>th</sup> grade – % Far Below Basic and Below Basic 39%

10<sup>th</sup> grade - % Far Below Basic and Below Basic 47%

11<sup>th</sup> grade - % Far Below Basic and Below Basic 50%

Out of 220 9<sup>th</sup> graders, 71 English Learners were tested on the CELDT. In the remaining group of 149 students, 49 scored Far Below and Below Basic in English Language Arts, and 75 scored Far Below and Below Basic in Mathematics. The academic numbers suggest that more students may be English Learners than are currently designated in each grade level. This may require additional ELD and targeted interventions classes, as well as specific teacher training in ELD and intervention strategies.

The 2009 R-30 reports that out of 420 English Learners at Greenfield High School, the number of students receiving ELD or SDAIE instruction is 0, and the number of students

receiving primary language support is 58. Students not receiving any English Language instruction are 362. Six teachers provide some type of English Language service. All teachers are teachers of English and will benefit from professional development in teaching English Language Development (ELD).

King City High School is a program improvement school year 2.

2008 Base API was 673,

2009 Base API was 680,

2010 Base API was 718

2011 Growth API is 723

a 38 point growth, therefore, did meet 2010 API growth criteria

The school met 20 of 25 AYP criteria, and did not meet its AYP score in 2011.

The Fiscal Crisis Management Assessment Team (FCMAT) report compared the results of the California High School Exit Exam (CAHSEE) and the California Standards Test (CST) and found inadequate student achievement compared to statewide results. The report noted persistent gaps between the proficiency levels of Hispanic and white students, and that these gaps are significant and growing. The report stated there was no evidence of a coordinated approach to addressing these gaps, and that most district and school staff interviewed did not articulate concerns regarding these gaps. It was reported that the systems in place focused on adults, not students.

The FCMAT report recommended the district and staff understands and implements best practices and systems, to include a defined and monitored intervention system. The district must also establish systems of planning and monitoring to ensure the alignment of curriculum, instruction and assessment district-wide, and to establish and use these systems to hold district and site staff accountable. The report requires the district to develop and implement district-wide research-based best practices to ensure all students have access to the core curriculum, to English Language Development, and strategic and intensive interventions. The State Administrator is required to follow through with the FCMAT recommendations.

The District teacher and principal evaluation system has been revised. The development of a rigorous, transparent and equitable evaluation system for teachers and principals is now in place. The California Standards for the Teaching Profession (CSTP) has become the basis for teacher evaluation in the contract. Student achievement as documented on regular classroom assessments, the California Content Standards Tests (CST), and the California English Language Development Test (CELDT) will also be considered.

The State Administrator has re-negotiated all collective bargaining agreements, and instructional minutes were added to the 2010-2011 school year, both number of minutes per day and number of days per school year.

Teacher leaders will have the opportunity to lead collaborative Data and Learning Teams that will assist with defining specific professional development needs to ensure staff is equipped to make the necessary changes in the school program. Up to 35 collaboration days shall be scheduled during each school year.

The District has hired Student Services Coordinators at both high schools to support staff and instructional issues. This grant provides a Coordinator to oversee the professional development trainings and ensure the staff implements the requirements of the Transformation intervention model with fidelity to improve the learning environment and student achievement.

#### Process and Rationale for Selection of Intervention Model(s):

When evaluating the needs analysis and school performance trends, the need is evident to provide effective models for English Language Development (ELD), intensive targeted intervention, informed use of student data, collaboration, and strategic teacher professional development. Teacher attitudes and student motivation are also areas of need, as well as strong, collaborative leadership.

The Transformation model focuses on developing teacher and school leader effectiveness. An effective Principal will provide strong leadership and have school leader collaborative teams to transform the school to a more positive learning environment.

Learning time has been increased for students. Instructional minutes must be optimized. Teachers and principals are held more accountable for their practice and for student achievement through a rigorous, equitable evaluation system.

The majority English Learner population of SMCJUHSD requires that all teachers are English teachers. All instructional staff must use effective instructional strategies for all students.

The school and District must implement comprehensive instructional reform strategies based on data and research-based programs to improve student achievement. The current student data system is seldom used by teachers and must be incorporated into the reform model.

The District and the staff recognize that high school is not working for many students. More English, math, science, social studies without relevance will not engage students. In order to engage students and make learning more meaningful, SMCJUHSD needs to incorporate multiple pathways to prepare students for both college and career.

Teachers are more motivated once they understand that change is a certainty, and when they are part of the change process. The Professional Learning Communities approach trains staff in the collaborative process and how to effectively use this process and to participate in the change process.

The Transformation intervention model requires successful implementation of these

activities, and is the model that best matches the District resources to improve systems and services for student achievement.

### **Recruitment, Screening, and Selection of External Providers**

Response:

The South Monterey County Joint Union High School District recognizes the need for intensive staff professional development and the need to implement more effective approaches to teaching and learning. The District goal is to recruit external providers who will work together to provide an interlocking, integrated, seamless system of coherent change and consistent improvement.

The FCMAT report stated that teacher attitude is a foremost concern. The staff must have a better understanding of the school community it serves and establish on-going family and community engagement.

EdEquity addresses the concern of staff apathy towards working with limited-proficient English Learners. EdEquity is a SAIT provider whose mission is to implement systems of high quality instruction and increased academic achievement through culturally and linguistically conscious staff development. This approach is a "mind-set" to "challenge traditional methodology with a cultural, racial and linguistic lens". Beginning with a transformational change in teacher attitude and approach, the District hopes to improve the quality of instruction and student achievement.

The master schedule has been restructured to a 6 period day with the focus on English Language Arts, English Language Development (ELD), Mathematics, and targeted Intervention classes. English Learners will be scheduled in English Language Arts and English Language Development classes based on the California English Language Development Test (CELDT) levels and California Standards Test (CST) proficiency status.

Grades 9 and 10 and grades 11 and 12 students may be combined to provide this specific instruction. Students who performed Far Below Basic and Below Basic on the CST have been scheduled into targeted intervention classes in English Language Arts, English Language Development and Mathematics before the addition of elective courses in their class schedule.

The Solution Tree model of Professional Learning Communities addresses the concern for using data to guide instruction. In order to inform their teaching, teachers will participate in Data and Learning Teams (training provided by Solution Tree and The Leadership and Learning Center) using the Professional Learning Communities model. Through this model, core content area essential standards are selected from which to develop regular, common assessments for learning that inform instruction. The Professional Learning Communities model will also structure the Tiers of Response to Intervention and the teaching requirements and student expectations of each Tier level.

Leadership and Learning Accountability and Data Teams train the teaching staff to understand and use student data to develop these common, regular assessments for learning. Teacher Professional Learning Communities will collaborate to develop these common regular assessments, based on essential standards and student data, to provide systematic interventions or enrichments and design a system of continuous improvement.

The Accountability and Data Teams professional development training by Solution Tree will demonstrate the need for a commitment to understand the connection between instructional strategies and assessment results. The purpose of Data Teams collaboration is to focus on improving the effectiveness of teaching and learning with common assessments and goals. Accountability, Data Teams, Common Assessments will facilitate collaborative teams to improve teaching and student progress.

In addition to intensive professional development, this grant will fund instructional coaches. As a result direct professional development and coaching in best practices, especially for the English Learner, educators will apply strategies that will lead to active participation and lessons based on the language acquisition levels for their students. The intensive professional development of strategies for English Language Learners intensive focuses on differentiating between ESL/ELD curriculums (what we teach) and sheltered instruction (how we teach). It will model teaching strategies throughout the training to enable the teacher to experience active participation in a learning situation.

Additionally, the professional development provided in the model of Gradual Release of Responsibility and Constructing Meaning will analyze exactly what constitutes active participation and collaborative learning and how that analysis should inform the selection of instructional strategies that result in immediate, increased achievement for English learners. The models that will be used are all research-proven strategies, and participants will work to apply these to their own unique teaching situations.

As a direct result of professional development and coaching in Power Strategies for Response to Intervention (RTI), educators will understand how to guide effective Tier 1 differentiated instruction for all students, along with the selection and implementation of appropriate interventions for Tier 2 and Tier 3 students, all aligned with the Data Teams process.

Case studies, interactive activities, video clips and other tools will be used to provide engaging scenarios that model what effective use of RTI means for teaching and learning of **all** students.

In the Gradual Release of Responsibility, trainers and coaches will work directly with teachers and leaders to gradually release responsibility to effectively utilize these practices.

In addition to specific job-embedded support, Certification Training for two educators per topic area (Decision Making for Results/Data Teams, Gradual Release of Responsibility, Constructing Meaning, Building Academic Vocabulary and Bookmark Leaders). This Certification process will build the internal capacity with in-building experts. The teachers

will become experts on the specific practices that will be the foundation for dramatic improvement.

The South Monterey County Joint Union High School District serves students in a rural, agricultural area of the southern Salinas Valley. Students need to be introduced to career pathways that motivate and make real life connections to their learning. ConnectEd will assist in developing academic career pathways that integrate with the academic program and student instructional needs.

The South Monterey County Joint Union School High School District will develop pathways in the health occupations and public safety careers through collaborative partnerships with Mee Memorial Hospital in King City, the Greenfield and King City Police Departments, and the King City campus of Hartnell Community College.

The State Administrator and District staff reviewed the available external providers and had initial discussions with the above providers to discuss their programs. A significant factor in the selection is the integration of the external providers to provide a coordinated, congruent professional development program and implementation product. After talking with the above research-based programs, the District selected the following providers to develop an integrated program to implement this Transformation Intervention Model:

- EdEquity (Edwin Javius)
- Technology Integration included in all content and intervention areas
- ConnectED
- Gradual Release of Responsibility service provider
- Constructing Meaning
- Solution Tree, Professional Learning Communities
- Leadership and Learning Center

The above external providers are experienced, recognized research-based organizations. Each element is a current missing piece in the school program. Each has a record of improved student achievement success in school districts around the United States. The district has not previously contracted with any of these providers.

If the District receives this grant, representatives of the provider companies will be invited to discuss their specific plan with the district, and will be asked to meet together to develop an integrated, seamless delivery of professional development for program improvement.

#### **Alignment of Other Resources with the Selected Intervention Models**

Response:

Federal, State and private resources will be aligned with the intervention programs used to support the Transformation school model.

Title I funds will supplement intervention programs; Title III funds provide additional support for English Learner enrichment/support programs. AVID and GEAR UP will



integrate their goals and objectives with the intervention programs and the selected career pathways. Title II funds will support professional development and certificated staff recruitment and retention. The district general funds will coordinate with the SIG funding to ensure maximum effectiveness in the use of all resources.

The State Administrator is charged with the District alignment of budget and curricular resources. His responsibilities include certifying the re-negotiation and ratification of the collective bargaining agreements, certifying that the school board and district personnel have completed specified training, creating and implementing a multiyear fiscal recovery plan, and addressing the health and safety needs of staff and students. Academically, he is to guide the improvement of student achievement and the closing of the achievement gap between English speakers and English Learners. He also has the responsibility to ensure the alignment of other resources with the selected intervention model.

#### **Alignment of Proposed SIG Activities with Current DAIT Process (if applicable)**

Response

**Not Applicable**

#### **Modification of LEA Practices or Policies**

Response:

The site and District needs analysis and the FCMAT report emphasize the need to modify LEA practices and policies. The requirements and structure of the Transformation intervention model allows the District and the State Administrator to implement the following modifications of LEA practices or policies:

LEA will establish specific expectations for administrators as instructional leaders connected to a reported accountability system.

Collective Bargaining contract modifications:

Teacher observations and evaluations are now based on the California Standards for the Teaching Profession (CSTP)

Teaching and learning strategies are to be included in teacher evaluation

Increased instructional days and minutes have been implemented

Required participation in regular collaboration time for all staff

Required staff participation in professional development

The District will implement a system to identify and reward effective teaching and improved student achievement with input from teacher leaders and district administrators.

The District will implement a system to identify and remove staff, after ample opportunities have been provided to improve their professional practice, who has not done so.

The State Administrator ensures the equitable distribution of resources to district school sites.

The District and school sites will develop more effective parent involvement policies and practices district-wide.

The District will implement flexible conditions and develop a program for additional compensation to recruit and retain staff with skills to meet the needs of students in a Transformation School.

The District will develop and institute a system for measuring changes in instructional practice resulting from professional development.

The District will ensure the school is not required to accept a teacher without the mutual consent of the teacher and the principal, regardless of the teacher's seniority.

The State Administrator has the responsibility and authority to implement the above modifications of LEA practices or policies. He will work collaboratively with teachers and administrators to develop and implement the above systems and modifications. The Board and appropriate parent and community groups will act as an advisory team to review the modifications.

#### **Sustainment of the Reforms after the Funding Period Ends**

Response:

The South Monterey County Joint Union High School District is under the control of an appointed State Administrator who will continue in the district after the funding period for the School Improvement Grant ends. The State Administrator ensures the sustainment of the Transformation school reforms and requirements and continued support at both high schools after the funding period ends.

All district resources are being aligned to support the development of a sustained focus on student achievement.

Teacher leaders are being identified and trained to sustain the efforts put forth in this grant.

#### **Establishment of Challenging LEA Annual School Goals for Student Achievement**

Response:

The needs analysis and District and site performance reports point out the importance of establishing challenging LEA annual school goals for student achievement. The Greenfield and King City High School administrators and teachers, the District staff, and the State Administrator will work together to ensure the following goals:

Staff will focus instruction on educating students, not just teaching them, as measured by reported student progress on regular common assessments.

Students will advance a minimum of one CELDT level each year as measured by annual CELDT testing.

Students will gain a minimum of one CST proficiency level each year in reading/language arts and mathematics as reported on annual CST results.

Staff will demonstrate more cultural awareness of the students and the school community, and will use this awareness to support culturally responsive school and classroom instruction, as observed by the implementation of equity-based and culturally responsive instructional strategies.

The mindset of instructional staff will change from a focus of accommodating adults to a focus on improved student learning, as demonstrated by teacher active participation in professional learning communities that gathers specific evidence of student achievement, to conduct regular common assessments for learning, to motivate students to learn, and to make informed instructional decisions.

The school and district will implement accountability systems and measures to ensure all staff are accountable for all students to exceed achievement and performance targets, as demonstrated by the developed systems and measures.

The school and district will establish Data and Learning teams that develop and implement effective English Language Development and Intervention strategies to teach all students, as measured by SLOP observation guidelines.

#### **Inclusion of Tier III Schools (if applicable)**

Response:

King City High School is a Tier III school. The modifications of the LEA practices and policies will also affect King City High School. The King City High School staff will participate in professional development activities and collaboration opportunities incorporated into this grant.

#### **Consultation with Relevant Stakeholders**

Response:

The South Monterey County Joint Union School High School District (SMCJUHS) has been under the control of a State Appointed Administrator since July 2009. This appointment is a result of the absence of leadership, ineffective communication, inadequate budget development, lack of budget monitoring, and other deficiencies in operational systems and structures. Engaging parents and the community in supporting and advising the schools had not been a District priority.

The State Administrator has held several community forums to discuss the needed changes for SMCJUHS. Included at the forums were a presentation of the intervention models and the reasons for the selection of the Transformation model.

The State Administrator has established relevant stakeholder groups to solicit their input for the further development and implementation of this Transformation school model for the districts' comprehensive high schools. The State Administrator ensures the participation of the School Site Council, the English Language Advisory Committee and the District English Language Advisory Committee in the implementation process, and will consult with students and parents and the community in future forums.

The Board of Trustees and the bargaining units have been advised of the importance of fully implementing with fidelity the requirements and activities of this improvement model.

## SIG Form 4a—LEA Budget Summary

Fiscal Year (FY) 2012–13

Name of LEA: South Monterey County Joint Union High School District	
County/District (CD) Code: 2766088	
County: Monterey	
LEA Contact: Daniel R. Moirao, Assistant Superintendent Educational Services/Human Resources	Telephone Number: 1-831-365-0606
E-Mail: dmoirao@kingcity.k12.ca.us	Fax Number: 1-831- 385-0695
SACS Resource Code: 3180 Revenue Object: 8920	

Object Code	Description of Line Item	SIG Funds Budgeted		
		FY 2012–13	FY 2013–14	FY 2014–15
1000-1999	Certificated Personnel Salaries			
1100	Data and Learning Team Coordinator	85,000	85,000	85,000
1100	Professional Development Certificated Staff	190,000	190,000	190,000
1900	Substitutes for certificated Professional Development and additional Collaboration days	39,900	39,900	39,900
1900	Substitutes for additional collaboration days	25, 650	25, 650	25, 650
2000- 2999	Classified Personnel Salaries			
2200	Translators - Triqui, Spanish, Mixteco, Zapoteca (hourly)	13,950	13,950	13,950
3000-3999	Employee Benefits			
3101	Certificated	10,000	10,000	10,000
4000-4999	Books and Supplies			
4100	Standards aligned R/LA and Math textbooks	70,000	70,000	70,000
4100	R/LA and Math intervention Materials	110,000	110,000	110,000
4100	English Language Development Materials	110,000	110,000	110,000
4200	Professional Development resource materials for instructional staff to support external provider programs	50,000	50,000	50,000
4200	Program Materials and Office			

	Supplies 1000/month x 10 months = \$10,000 x 3 years = \$30,000	30,000	30,000	30,000
5000-5999	Consultants			
5100	<ul style="list-style-type: none"> <li>EdEquity (Edwin Javius)</li> <li>Technology Integration included in all content and intervention areas</li> <li>ConnectED</li> <li>Gradual Release of Responsibility service provider</li> <li>Constructing Meaning</li> <li>Solution Tree, Professional Learning Communities</li> <li>Leadership and Learning Center</li> </ul>	277,000	277,000	277,000
5200	School Leaders Travel & Conference Incentive 50 Leaders @ \$350 each = \$17,500/yr. X 3 years = \$52,500	17,500	17,500	17,500
6000-6999	Capital Outlay			
6400	Instructional leader materials and supplies incentive from approved vendors 95 teachers x \$125/yr. = \$11,875 x 3 years = \$35,625	11,875	11,875	11,875
6400	Computers	75,834	75,834	75,834
6400	Classroom printers	15,000	—	
6400	Smart Boards	22,875	22,875	
6400	Classroom Projectors	10,000	10,000	
6400	Cables and Speakers for purchased equipment	8750	8750	
6400	Equipment purchase incentive for teachers through approved vendors	11, 875	11,875	11,875
6400	(4) Portable computer lab for classrooms to share.	28,000	28,000	28,000
6500	Replace old computers (120) 40 each year	52,000	52,000	52,000
7310 & 7350	Indirect costs	833	833	807
<b>Total Amount Budgeted</b>		1,265,042	1,250,042	1,250,042

### SIG Form b – LEA Budget Narrative

Activity Description (See instructions)	SIG Funds Budgeted (Identified per year)			Object Code
	FY 2012–13	FY 2013–14	FY 2014–15	
<u>1000-1999</u>				
Data and Learning Team Leader Program Learning Coordinator 210 days on Assistant Principal salary schedule \$85,000 x 3 years	85,000	85,000	85,000	1100
Professional Development Days for certificated Staff 5 days x 95 teachers x \$400 = \$190,000 x 3 yrs.	190,000	190,000	190,000	1100
Substitutes for certificated staff professional development days 3 days x 95 teachers x \$140 = \$39,900 x 3 yrs. 119,700	39900	39,900	39,900	1900
Substitutes for additional staff collaboration days 2 days x 95 teachers x \$135 =25,650 for each of the 3 years	25,650	25, 650	25,650	1900
<u>2000-2999</u>				
Classified Program Translators for Triqui, Spanish, Mextico, Zapoteca (hourly) 93 hrs. /month x \$15/hr. = \$1395 x 10 months for each of the 3 years.	13,950	13,950	13,950	2200
<u>3000-3999</u>				
Certificated Benefits for Data and Learning Leader 10,000/year for each of the 3 years	10,000	10,000	10,000	3101
<u>4000-4999</u>				
Standards-aligned Reading/Language Arts and Math textbooks – high quality additional lower level appropriate texts to supplement current textbooks. \$70,000 x 3 years = \$210,000	70,000	70,000	70,000	4100

<u>4000-4999</u>				
English Language Development materials – additional high quality materials to support targeted ELD and content classes 110, 000/yr. x 3 years = \$330,000	110,000	110,000	110,000	4100
Reading and Language Arts and Math intervention materials – additional quality materials to support implemented intervention program and intervention tiers 110,000/yr. x 3 years = \$330,000	110,000	110,000	110,000	4100
Professional Development materials for instructional staff to support and supplement external provider programs \$50,000/yr. x 3 years = \$1500,000	50,000	50,000	50,000	4200
Program Materials and Office Supplies 1000/month x 10 months = \$10,000 x 3 years = \$30,000	30,000	30,000	30,000	4200
<u>5000-5999</u>				
Professional Development Providers:				
EdEquity (Edwin Javius), to develop a learning environment of culture awareness, acceptance, and equitable curriculum for all learners Equity walks 17 days @ \$2500/day = \$42,000/year x 3 years = \$127,000	42,000	42,000	42,000	5100
Technology Integration included in all content and intervention areas	235,000	235,000	235,000	5100
ConnectED, The California Center for College and Career: to develop integrated programs promoting college and career opportunities for students.				
Gradual Release of Responsibility				



<p>service provider to move from teacher directed to more engaging student centered learning.</p> <p>Constructing Meaning strategies for EL students and curriculum engagement.</p> <p>Solution Tree, Professional Learning Communities and Data and Learning Team professional development. To help with data analysis.</p> <p>Leadership and Learning Center to develop instructional leaders for accountability and monitoring of all the district programs.</p>				
<p>School Leaders Travel &amp; Conference Incentive</p> <p>50 Leaders @ \$350 each = \$17,500/yr.</p> <p>X 3 years = \$52,500</p>	17,500	17,500	17,500	5200
<p><u>6000-6999</u></p> <p>Classroom Computers to support program technology integration and intervention programs-</p> <p>175 classroom computers x \$1300 = \$227,000 divided into 3 years = \$75,834 each year</p>	75,834	75,834	75, 834	6400
<p>Classroom printers to support classroom computers</p> <p>150 printers x \$100 each = \$15000 in year 1</p>	15,000			6400
<p>Smart Boards to support classroom instruction, engage learners and motivate learning</p> <p>30 Smart Boards x \$1525 = \$45,750.00</p> <p>\$45,750.00 across Year 1 and Year 2 = \$22,875/yr.</p>	22,875	22,875		6400
<p>30 Classroom projectors to support the use of Smart Boards 30 x 666.67 = \$20,000</p>	10,000	10,000		6400
	8750	8750		6400
<p>Cables and speakers for purchased</p>				

<p>equipment  <math>25 \times \\$700 = \\$17,500</math> across Year 1 and Year 2 = \$8750/yr.</p> <p>Instructional leader materials and supplies incentive from approved vendors  <math>95 \text{ teachers} \times \\$125/\text{yr.} = \\$11,875 \times 3 \text{ years} = \\$35,625</math></p> <p>Portable computer lab for entire classroom use Lab with 35 computers X \$800/computer = \$20,000 x 3 labs = \$84,000 across 3 years</p>	11,875	11,875		6400
<p><u>6000-6999</u></p> <p>Equipment Replacement:          Replace old computers  <math>120 \text{ computers} \times \\$1300 \text{ each} = \\$156,000</math>          Replace across 3 years = \$52,000/yr.</p> <p><u>7310 &amp; 7350</u></p> <p>Transfer of Indirect Costs  <math>\\$833 \text{ Year 1} + \\$833 \text{ Year 2} + \\$807 \text{ Year 3} =</math>          \$2473 total indirect costs</p>	52,000	52,000	52,000	6500
<p><b>TOTAL</b></p>	1,188,392	1,193,392	1,149,869	
<p>The State Administrator is responsible for the fiscal and curricular operations and decisions of the District.</p> <p>The State Administrator as the LEA will direct and oversee the Transformation Intervention model fiscal and curricular implementation for Greenfield High School.</p> <p>The LEA Budget and Budget Narrative are the same as the School Budget and Budget Narrative. The District (State Administrator) will be responsible for the distribution of funds in the appropriate budget categories for Greenfield High School.</p>				

<p>The LEA/School Budget will serve Greenfield High School. Professional Development opportunities will also be offered to King City High School (Tier III).</p>				
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### SIG Form 5a—School Budget Summary

Name of School: Greenfield High School	
County/District (CD) Code: 2766068	
County: Monterey	
LEA Contact: Daniel R. Moirao, Assistant Superintendent Ed. Services/Human Resources	Telephone Number: 1-831-365-0606
E-Mail:	Fax Number:
SACS Resource Code: 3180 Revenue Object: 8920	

Object Code	Description of Line Item	SIG Funds Budgeted		
		FY 2012–13	FY 2013–14	FY 2014–15
1000-1999	Certificated Personnel Salaries			
1100	Data and Learning Team Coordinator	85,000	85,000	85,000
1100	Professional Development Certificated Staff	190,000	190,000	190,000
1900	Substitutes for certificated Professional Development and additional Collaboration days	39,900	39,900	39,900
1900	Substitutes for additional collaboration days	25, 650	25, 650	25, 650
2000- 2999	Classified Personnel Salaries			
2200	Translators - Triqui, Spanish, Mixteco, Zapoteca (hourly)	13,950	13,950	13,950
3000-3999	Employee Benefits			
3101	Certificated	10,000	10,000	10,000
4000-4999	Books and Supplies			
4100	Standards aligned R/LA and Math textbooks	70,000	70,000	70,000
4100	R/LA and Math intervention Materials	110,000	110,000	110,000
4100	English Language Development Materials	110,000	110,000	110,000
4200	Professional Development resource materials for instructional staff to support external provider programs	50,000	50,000	50,000
4200	Program Materials and Office Supplies 1000/month x 10 months = \$10,000 x 3 years = \$30,000	30,000	30,000	30,000
5000-5999	Consultants			

5100	<ul style="list-style-type: none"> <li>• EdEquity (Edwin Javius)</li> <li>• Technology Integration included in all content and intervention areas</li> <li>• ConnectED</li> <li>• Gradual Release of Responsibility service provider</li> <li>• Constructing Meaning</li> <li>• Solution Tree, Professional Learning Communities</li> <li>• Leadership and Learning Center</li> </ul>	277,000	277,000	277,000
5200	School Leaders Travel & Conference Incentive 50 Leaders @ \$350 each = \$17,500/yr. X 3 years = \$52,500	17,500	17,500	17,500
6000-6999	Capital Outlay			
6400	Instructional leader materials and supplies incentive from approved vendors 95 teachers x \$125/yr. = \$11,875 x 3 years = \$35,625	11,875	11,875	11,875
6400	Computers	75,834	75,834	75,834
6400	Classroom printers	15,000	—	
6400	Smart Boards	22,875	22,875	
6400	Classroom Projectors	10,000	10,000	
6400	Cables and Speakers for purchased equipment	8750	8750	
6400	Equipment purchase incentive for teachers through approved vendors	11, 875	11,875	11,875
6400	(4) Portable computer lab for classrooms to share.	28,000	28,000	28,000
6500	Replace old computers (120) 40 each year	52,000	52,000	52,000
7310 & 7350	Indirect costs	833	833	807
	<b>Total Amount Budgeted</b>	1,285,042	1,250,042	1,250,042

SIG Form 5b—School Budget Narrative				
Activity Description (See instructions)	SIG Funds Budgeted (Identified per year)			Object Code
	FY 2012–13	FY 2013–14	FY 2014–15	
<u>1000-1999</u>				
Data and Learning Team Leader Program Learning Coordinator 210 days on Assistant Principal salary schedule \$85,000 x 3 years	85,000	85,000	85,000	1100
Professional Development Days for certificated Staff 5 days x 95 teachers x \$400 = \$190,000 x 3 yrs.	190,000	190,000	190,000	1100
Substitutes for certificated staff professional development days 3 days x 95 teachers x \$140 = \$39,900 x 3 yrs. 119,700	39900	39,900	39,900	1900
Substitutes for additional staff collaboration days 2 days x 95 teachers x \$135 =25,650 for each of the 3 years	25,650	25, 650	25,650	1900
<u>2000-2999</u>				
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Certificated Benefits for Data and Learning Leader 10,000/year for each of the 3 years	10,000	10,000	10,000	3101
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Program Materials and Office Supplies 1000/month x 10 months = \$10,000 x 3 years = \$30,000	30,000	30,000	30,000	4200
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Professional Development Providers:				
EdEquity (Edwin Javius), to develop a learning environment of culture awareness, acceptance, and equitable curriculum for all learners Equity walks 17 days @ \$2500/day = \$42,000/year x 3 years = \$127,000	42,000	42,000	42,000	5100
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ConnectED, The California Center for College and Career: to develop integrated programs promoting college and career opportunities for students.				
Gradual Release of Responsibility service provider to move from teacher directed to more engaging student centered learning.				

Constructing Meaning strategies for EL students and curriculum engagement.				
Solution Tree, Professional Learning Communities and Data and Learning Team professional development. To help with data analysis.				
Leadership and Learning Center to develop instructional leaders for accountability and monitoring of all the district programs.				
School Leaders Travel & Conference Incentive 50 Leaders @ \$350 each = \$17,500/yr. X 3 years = \$52,500	17,500	17,500	17,500	5200
<u>6000-6999</u> Classroom Computers to support program technology integration and intervention programs- 175 classroom computers x \$1300 = \$227,000 divided into 3 years = \$75,834 each year	75,834	75,834	75,834	6400
Classroom printers to support classroom computers 150 printers x \$100 each = \$15000 in year 1	15,000			6400
Smart Boards to support classroom instruction, engage learners and motivate learning 30 Smart Boards x \$1525 = \$45,750.00 \$45,750.00 across Year 1 and Year 2 = \$22,875/yr.	22,875	22,875		6400
30 Classroom projectors to support the use of Smart Boards 30 x 666.67 = \$20,000	10,000	10,000		6400
Cables and speakers for purchased equipment 25 x \$700 = \$17,500 across Year 1 and Year 2 = \$8750/yr.	8750	8750		6400
Instructional leader materials and supplies incentive from approved vendors 95 teachers x \$125/yr. = \$11,875 x 3 years	11,875	11,875		6400



= \$35,625				
Portable computer lab for entire classroom use Lab with 35 computers X \$800/computer = \$20,000 x 3 labs = \$84,000 across 3 years <u>6000-6999</u>	28,000	28,000	28,000	
Equipment Replacement: Replace old computers 120 computers x \$1300 each = \$156,000 Replace across 3 years = \$52,000/yr.	52,000	52,000	52,000	6500
<u>7310 &amp; 7350</u>				
Transfer of Indirect Costs \$833 Year 1 + \$833 Year 2 + \$807 Year 3 = \$2473 total indirect costs	833	833	807	7310 & 7350
<b>TOTAL</b>	1,188,392 FY 2012-13	1,193,392 FY 2013-14	1,149,869 FY 2014-15	

**School Name: Greenfield High School**

## SIG Form 7—General Assurances and Certifications

### **General Assurances** (Required for all Applicants)

**Note:** All sub-grantees are required to retain on file a copy of these assurances for your records and for audit purposes. Please download the General Assurances form located on the CDE Funding Tools and Materials Web Site at <http://www.cde.ca.gov/fq/fo/fm/>. Do **not** submit SIG Form 7 to the CDE; retain at the LEA.

### **Certifications Regarding Drug-Free Workplace, Lobbying, and Debarment and Suspension** (Do not submit as part of RFA.)

Download the following three forms from the CDE Funding Tools and Materials Web site at <http://www.cde.ca.gov/fq/fo/fm/>. The signature on the front of the application indicates acknowledgement and agreement to all assurances.

1. Drug-Free Workplace
2. Lobbying
3. Debarment and Suspension

## SIG Form 9—Schools to Be Served

Indicate which schools the LEA commits to serve, their Tier designation, and the intervention model the LEA will implement in each Tier I and Tier II School. For each Tier I and Tier II Title I school, indicate which waiver(s) will be implemented at each school. **Note:** An LEA that has nine or more Tier I and Tier II schools, including both schools that are being served with FY 2009 SIG funds and those that are eligible to receive FY 2010 SIG funds, may implement the transformation model in no more than 50 percent of those schools. (Attach as many sheets as necessary).

SCHOOL NAME	CDS Code	NCES Code	TIER I	TIER II	TIER III	INTERVENTION (TIER I AND II ONLY)				WAIVER(S) TO BE IMPLEMENTED	
						Transformation	Closure	Restart	Turnaround	Start Over (Restart and Turnaround Only)	Implement SWP
Greenfield High School	2730174	061965008221	X			X					



## SIG Form 10.2—Transformation Implementation Chart for a Tier I or Tier II School

Complete this form for each identified Tier I and Tier II school planning to implement the **Transformation Model** that the LEA intends to serve. Include actions and activities required to implement the model, a timeline with specific start and end dates of implementation, the position (and person, if known) responsible for oversight, and the type of evidence that will be submitted to the CDE, upon request, to verify implementation. The Implementation Chart must address all required components of the selected model and include specific activities for the components that have already been completed as well as the components that will be completed in the future. Actions and activities that are part of the LEA's optional pre-implementation activities should be clearly identified as such.

School: _____ Tier: I or II (circle one)					
Required Components	Actions & Activities	Timeline Start      End	Oversight	Description of Evidence	
a (1) Replace the principal who led the school prior to commencement of the transformation model.	A new principal has been hired	07/01/10      Present	Dr. John Bernard, State Administrator	New employee on duty	
a (2) Use rigorous, transparent, and equitable evaluation systems for teachers and principals that take into account data on student growth as a significant factor and that are designed and developed with teacher and principal involvement.	A new evaluation system has been negotiated with the teachers association.  A new administrative evaluation tool has been developed		Dr. John Bernard, State Administrator	Completed documents using the new formats	

**SIG Form 10.2—Transformation Implementation Chart for a Tier I or Tier II School, Cont.**

School: _____					
Tier: I or II (circle one)					
Required Components	Actions & Activities	Timeline Start End	Oversight	Description of Evidence	
a(3) Identify and reward school leaders, teachers, and other staff who, in implementing this model, have increased student achievement and high school graduation rates; and identify and remove those who, after ample opportunities have been provided for them to improve their professional practice, have not done so.					
A (4) Provide staff ongoing, high-quality, job-embedded professional development that is aligned with the school's comprehensive instructional program.					

**SIG Form 10.2—Transformation Implementation Chart for a Tier I or Tier II School, Cont.**

School: Tier: I or II (circle one)						
Required Components	Actions & Activities	Timeline Start End	Oversight	Description of Evidence		
a (5) Implement strategies that are designed to recruit, place, and retain staff with the skills necessary to meet the needs of the students in the transformation school.						
b (1) Use data to identify and implement an instructional program that is research-based and vertically aligned from one grade to the next as well as aligned with California's adopted academic standards.						
b (2) Promote the continuous use of student data to inform and differentiate instruction in order to meet the academic needs of individual students.						

SLG Form 10.2—Transformation Implementation Chart for a Tier I or Tier II School, Cont.

School: Tier: I or II (circle one)					
Required Components	Actions & Activities	Timeline Start End	Oversight	Description of Evidence	
c (1) Establish schedules and implement strategies that provide increased learning time.	Core				
	Amount Increased: _____				
	Enrichment				
	Amount Increased: _____				
	Teacher Collaboration				
	Amount Increased: _____				
d(1) Provide ongoing mechanisms for family and community engagement.					



SIG Form 10.2—Transformation Implementation Chart for a Tier I or Tier II School, Cont.

School: Tier: I or II (circle one)					
Required Components	Actions & Activities	Timeline Start End	Oversight	Description of Evidence	
e(1) Give the school sufficient operational flexibility (such as staffing, calendars/time, and budgeting) to implement fully a comprehensive approach to substantially improve student achievement outcomes and increase high school graduation rates.					
e(2) Ensure that the school receives ongoing, intensive technical assistance and related support from the LEA, the SEA, or a designated external lead partner organization (such as a school turnaround organization or an EMO).					

SIG Form 10.2—Transformation Implementation Chart for a Tier I or Tier II School, Cont.

Note: See the Program Guidelines section of the RFA for a list of optional Transformation Model components.

School: Tier: I or II (circle one)					
Optional Component	Actions & Activities	Timeline		Oversight	Description of Evidence
		Start	End		



**SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT  
GOVERNING BOARD**

**SUBJECT:** Approval of Resolution 09:11/12  
Biliteracy Seal Award

**MEETING:** November 16, 2011

**AGENDA SECTION:**

☒ **ACTION**

☐ **INFORMATION**

☐ **ACTION/CONSENT**

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Board Goals:

- ☒ Improve/Sustain Student Achievement through STAR Test and Other Assessment Measures
- ☐ Improve School Climate and Student Discipline in Support of Teaching, Learning and Student Safety
- ☐ Develop/Sustain Fiscal Crisis Long-Term Solution
- ☐ Ensure Board and Administrator Participation in CSBA's Masters in Governance and Other Trainings
- ☐ Ensure that Facilities are Safe for Staff and Students
- ☐ Ensure compliance with Education/Other Codes/Updating Board Policies and Administrative Regulations

Summary:

Beginning with the 2011-12 school year, the SMCJUHSD will be awarding graduating seniors who demonstrate mastery in English and any other language the Seal of Biliteracy Award. Those students who receive this recognition will wear an award medallion and be recognized during the graduation ceremony.

This is a state-wide movement to promote the development of literacy in two or more languages and acknowledge the value of biliteracy in our society.

Recommendation:

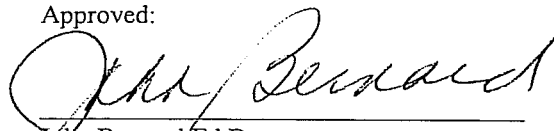
The recommendation is being made to approve the resolution.

Fiscal Impact:

None.

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

Approved:

  
\_\_\_\_\_  
John Bernard Ed.D.  
State Administrator

**RESOLUTION ON THE GOVERNING BOARD OF THE  
SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**

**RESOLUTION 09:11/12**

**Biliteracy Seal**

**Whereas**, mastery of two or more languages makes important contributions to a student's cognitive development, understanding of diverse cultures, and economic opportunities;

**Whereas**, the study of world languages contributes towards our national economy and our national security;

**Whereas**, multiple languages are a critical element in enabling our city and state to participate effectively in a global political, social and economic context;

**Whereas**, the demand for employees to be fluent in more than one language is increasing both in California and throughout the world;

**Whereas**, our community is home to speakers from many different language and cultural groups, and to build trust and understanding across the multiple language and cultural groups in our diverse community requires multilingual skills of communication;

**Whereas**, the California K-16 Master Plan for Education calls for pupils to graduate literate in two or more languages;

**Therefore**, it is the intent of South Monterey County Joint Union High School District to promote the development of literacy in two or more languages and to provide recognition of the attainment of those needed and important skills through the establishment of a Seal of Biliteracy on the high school diplomas or transcripts of pupils attaining functional proficiency in one or more languages, in addition to English.

Through the establishment of this Seal of Biliteracy, the District seeks to:

- Encourage pupils to develop biliteracy skills;
- Provide employers with a method of identifying people with language and biliteracy skills;
- Revitalize and promote world language instruction in our schools;
- Encourage the development of dual language immersion programs, and foreign, native and heritage language programs in schools;
- Recognize and honor our rich and diverse language assets.

The Biliteracy Seal shall be awarded by the Superintendent to pupils who complete the requirements for a high school diploma and who meet all of the following requirements:

- He/she shall pass the California Standards Test in English Language Arts administered in grade 9, 10 or 11 at a proficient level or above AND do any one (1) of the following:
  - Successfully complete four years of instruction in the same world language receiving an academic grade of "A" or "B", **OR**
  - Pass a world language Advanced Placement (AP) test with a score of three or higher, **OR**
  - Pass a district-established foreign-language exam, when available, at a proficient level or higher.

Note: *For languages in which an AP test is not available, equivalent summative tests may be used in place of an AP test.*

**PASSED AND ADOPTED** This 16<sup>TH</sup> day of November, 2011, at a regular board meeting.

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John Bernard, Ed.D., State Administrator

**SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT  
GOVERNING BOARD**

**SUBJECT:** Board Policies – Second Reading

**MEETING:** November 16, 2011

**AGENDA SECTION:**

☒ **ACTION**

☐ **INFORMATION**

☐ **ACTION/CONSENT**

---

**Board Goals:**

- ☐ Improve/Sustain Student Achievement through STAR Test and Other Assessment Measures
- ☐ Improve School Climate and Student Discipline in Support of Teaching, Learning and Student Safety
- ☐ Develop/Sustain Fiscal Crisis Long-Term Solution
- ☐ Ensure Board and Administrator Participation in CSBA's Masters in Governance and Other Trainings
- ☐ Ensure that Facilities are Safe for Staff and Students
- ☒ Ensure compliance with Education/Other Codes/Updating Board Policies and Administrative Regulations

**Summary:**

These 25 policies were reviewed at the October 12, 2011 board meeting.

**Recommendation:**

The recommendation is to approve the policies.

**Fiscal Impact:**


None.

Submitted By:

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Approved:

  
John Bernard Ed.D.  
State Administrator

BP 0450 Philosophy, Goals, Objectives and Comprehensive Plans

**Comprehensive Safety Plan**

The Governing Board recognizes that students and staff have the right to a safe and secure campus where they are free from physical and psychological harm. The Board is fully committed to maximizing school safety and to creating a positive learning environment that includes strategies for violence prevention and high expectations for student conduct, responsible behavior, and respect for others.

*(cf. 0510 - School Accountability Report Card)*

*(cf. 5131 - Conduct)*

*(cf. 5137 - Positive School Climate)*

The school site council at each district school shall develop a comprehensive school safety plan relevant to the needs and resources of that particular school. (Education Code 32281)

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

*(cf. 1220 - Citizen Advisory Committees)*

The school safety plan shall take into account the school's staffing, available resources, and building design, as well as other factors unique to the site.

Each school shall review and update its safety plan by March 1 of each year. New school campuses shall develop a safety plan within one year of initiating operations. (Education Code 32286)

Each school shall forward the safety plan to the Board for approval. (Education Code 32288)

The Board shall review the comprehensive districtwide and/or school safety plan(s) in order to ensure compliance with state law, Board policy, and administrative regulation.

The Board shall approve the plan at a regularly scheduled meeting.

*(cf. 9322 - Agenda/Meeting Materials)*

The Superintendent or designee shall ensure that an updated file of all safety-related plans and materials is readily available for inspection by the public. (Education Code 32282)

*(cf. 1340 - Access to District Records)*

By October 15 of each year, the Superintendent or designee shall notify the California Department of Education of any schools that have not complied with the requirements of Education Code 32281. (Education Code 32288)

*(cf. 1312.3 - Uniform Complaint Procedures)*

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of sex discrimination

32260-32262 Interagency School Safety Demonstration Act of 1985

32270 School safety cadre

32280-32289 School safety plans

32290 Safety devices

35147 School site councils and advisory committees

35183 School dress code; uniforms

35291 Rules

35291.5 School-adopted discipline rules

35294.10-35294.15 School Safety and Violence Prevention Act

41510-41514 School Safety Consolidated Competitive Grant Program

48900-48927 Suspension and expulsion

48950 Speech and other communication

49079 Notification to teacher; student who has committed acts constituting grounds for suspension or expulsion

67381 Violent crime

PENAL CODE

11164-11174.3 Child Abuse and Neglect Reporting Act

CALIFORNIA CONSTITUTION

Article 1, Section 28(c) Right to Safe Schools

CODE OF REGULATIONS, TITLE 5

11992-11993 Definition, persistently dangerous schools

11987-11987.7 School Community Violence Prevention Program requirements

UNITED STATES CODE, TITLE 20

7101-7165 Safe and Drug Free Schools and Communities, especially:

7114 Application for local educational agencies

7912 Transfers from persistently dangerous schools

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

Management Resources:

CSBA PUBLICATIONS

911! A Manual for Schools and the Media During a Campus Crisis, 2001

Protecting Our Schools: Governing Board Strategies to Combat School Violence, 1999

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Safe Schools: A Planning Guide for Action, 2002

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Practical Information on Crisis Planning: A Guide for Schools and Communities, January 2007

Early Warning, Timely Response: A Guide to Safe Schools, August 1998

WEB SITES

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

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

California Emergency Management Agency: <http://www.calema.ca.gov>

California Seismic Safety Commission: <http://www.seismic.ca.gov>

Center for Effective Collaboration and Practice: <http://cecp.air.org>

Federal Bureau of Investigation: <http://www.fbi.gov>



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/index.html>

(11/03 11/04) 3/08

AR 0450 Philosophy, Goals, Objectives and Comprehensive Plans

**Comprehensive Safety Plan**

Development and Review of School Site Safety Plan

When developing the comprehensive school safety plan, the school site council shall consult with local law enforcement as well as other school site councils and safety committees, when practical. (Education Code 32281, 32282)

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

In addition, the school site council may consult with other local agencies as appropriate, including health care and emergency service providers.

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

The school site council may delegate the responsibility for developing a school safety plan to a school safety planning committee. This committee shall be composed of the following members: (Education Code 32281)

1. The principal or designee
2. One teacher who is a representative of the recognized certificated employee organization
3. One parent/guardian whose child attends the school
4. One classified employee who is a representative of the recognized classified employee organization
5. **School Resource Officer (SRO) or other law enforcement representative**
6. Other members, if desired

Before adopting its comprehensive school safety plan, the school site council or school safety planning committee shall hold a public meeting at the school in order to allow members of the public the opportunity to express an opinion about the school safety plan. (Education Code 32288)

The school site council or safety planning committee shall notify, in writing, the following persons and entities of the public meeting: (Education Code 32288)

1. The local mayor
2. A representative of the local school employee organization

3. A representative of each parent organization at the school site, including the parent teacher association and parent teacher clubs

*(cf. 1230 - School-Connected Organizations)*

4. A representative of each teacher organization at the school site

*(cf. 4140/4240 - Bargaining Units)*

5. A representative of the student body government
6. All persons who have indicated that they want to be notified

In addition, the school site council or safety planning committee may notify, in writing, the following entities of the public meeting: (Education Code 32288)

1. A representative of the local churches
2. Local civic leaders
3. Local business organizations

*(cf. 1220 - Citizen Advisory Committees)*

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

### **Content of the Safety Plan**

The districtwide and/or school site safety plan shall include an assessment of the current status of school crime committed on campus(es) and at school-related functions. (Education Code 32282)

The plan also shall identify appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety. The plan shall include the development of all of the following: (Education Code 32282)

1. Child abuse reporting procedures consistent with Penal Code 11164

*(cf. 5141.4 - Child Abuse Prevention and Reporting)*

2. Routine and emergency disaster procedures including, but not limited to:
  - a. Adaptations for students with disabilities in accordance with the Americans with Disabilities Act

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

*(cf. 6159 - Individualized Education Program)*

- b. An earthquake emergency procedure system in accordance with Education Code 32282

*(cf. 3516 - Emergencies and Disaster Preparedness Plan)*

*(cf. 3516.3 - Earthquake Emergency Procedure System)*

- c. A procedure to allow a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare

*(cf. 1330 - Use of School Facilities)*

*(cf. 3516.1 - Fire Drills and Fires)*

*(cf. 3516.2 - Bomb Threats)*

*(cf. 3516.5 - Emergency Schedules)*

*(cf. 3543 - Transportation Safety and Emergencies)*

3. Policies pursuant to Education Code 48915(c) and other school-designated serious acts which would lead to suspension, expulsion, or mandatory expulsion recommendations

*(cf. 5131.7 - Weapons and Dangerous Instruments)*

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

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

4. Procedures to notify teachers of dangerous students pursuant to Education Code 49079

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

5. A discrimination and harassment policy consistent with the prohibition against discrimination pursuant to Education Code 200-262.4

*(cf. 1312.3 - Uniform Complaint Procedures)*

*(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 5145.7 - Sexual Harassment)*

6. If the school has adopted a dress code prohibiting students from wearing "gang-related apparel" pursuant to Education Code 35183, the provisions of that dress code and the definition of "gang-related apparel"

*(cf. 5132 - Dress and Grooming)*

7. Procedures for safe ingress and egress of students, parents/guardians, and employees to and from school

*(cf. 5142 - Safety)*

8. A safe and orderly school environment conducive to learning

*(cf. 5137 - Positive School Climate)*

9. The rules and procedures on school discipline adopted pursuant to Education Code 35291 and 35291.5

*(cf. 5144 - Discipline)*

10. Hate crime reporting procedures

*(cf. 5145.9 - Hate-Motivated Behavior)*

Among the strategies for providing a safe environment, the school safety plan may also include:

1. Development of a positive school climate that promotes respect for diversity, personal and social responsibility, effective interpersonal and communication skills, self-esteem, anger management, and conflict resolution

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

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

2. Disciplinary policies and procedures that contain prevention strategies, such as strategies to prevent bullying, hazing, and cyberbullying, as well as behavioral expectations and consequences for violations

*(cf. 5113 - Absences and Excuses)*

*(cf. 5113.1 - Truancy)*

*(cf. 5131 - Conduct)*

*(cf. 5136 - Gangs)*

3. Curriculum that emphasizes prevention and alternatives to violence, such as multicultural education, character/values education, media analysis skills, conflict resolution, and community service learning

*(cf. 6142.3 - Civic Education)*

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

4. Parent involvement strategies, including strategies to help ensure parent/guardian support and reinforcement of the school's rules and increase the number of adults on campus

*(cf. 1240 - Volunteer Assistance)*

*(cf. 5020 - Parent Rights and Responsibilities)*

*(cf. 6020 - Parent Involvement)*

5. Prevention and intervention strategies related to the sale or use of drugs and alcohol which shall reflect expectations for drug-free schools and support for recovering students

*(cf. 5131.6 - Alcohol and Other Drugs)*

*(cf. 5131.61 - Drug Testing)*

*(cf. 5131.62 - Tobacco)*

*(cf. 5131.63 - Steroids)*

6. Collaborative relationships among the city, county, community agencies, local law enforcement, the judicial system, and the schools that lead to the development of a set of common goals and community strategies for violence prevention instruction

*(cf. 1020 - Youth Services)*

7. Procedures for responding to the release of a pesticide or other toxic substance from properties located within one-quarter mile of the school

*(cf. 3514.1 - Hazardous Substances)*

*(cf. 3514.2 - Integrated Pest Management)*

8. Procedures for receiving verification from law enforcement that a violent crime has occurred on school grounds and for promptly notifying parents/guardians and employees of that crime

*(cf. 5116.1 - Intradistrict Open Enrollment)*

9. Assessment of the school's physical environment, including a risk management analysis and development of ground security measures such as procedures for the closing of campuses to outsiders, surveillance systems, securing the campus perimeter, protecting buildings against vandalism, and providing for a law enforcement presence on campus

*(cf. 1250 - Visitors/Outsiders)*

*(cf. 3515 - Campus Security)*

*(cf. 3515.3 - District Police/Security Department)*

*(cf. 3530 - Risk Management/Insurance)*

*(cf. 5112.5 - Open/Closed Campus)*

*(cf. 5131.5 - Vandalism and Graffiti)*

10. Crisis prevention and intervention strategies, which may include the following:

- a. Identification of possible crises that may occur, determination of necessary tasks that need to be addressed, and development of procedures relative to each crisis, including the involvement of law enforcement and other public safety agencies as appropriate

*(cf. 3515.2 - Disruptions)*

*(cf. 3515.5 - Sex Offender Notification)*

*(cf. 5131.4 - Student Disturbances)*

- b. Assignment of staff members responsible for each identified task and procedure
- c. Development of an evacuation plan based on an assessment of buildings and grounds and opportunities for students and staff to practice the evacuation plan
- d. Coordination of communication to schools, Governing Board members, parents/guardians, and the media

*(cf. 1112 - Media Relations)*  
*(cf. 9010 - Public Statements)*

- e. Development of a method for the reporting of violent incidents
- f. Development of follow-up procedures that may be required after a crisis has occurred, such as counseling

11. Staff development in violence prevention and intervention techniques, including preparation to implement the elements of the safety plan

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

(11/03 11/04) 3/08

## BP 1100 Community Relations

**Communication With The Public**

The Governing Board recognizes the district's responsibility to keep the public informed regarding the goals, programs, achievements, and needs of the schools and district and to be responsive to the concerns and interests of the community. The Superintendent or designee shall establish strategies for effective two-way communications between the district and the public **included in the District's Community Relations & Communications Plan** and shall consult with the Board regarding the role of Board members as advocates for the district's students, programs, and policies.

*(cf. 5020 - Parent Rights and Responsibilities)*

*(cf. 9000 - Role of the Board)*

The Superintendent or designee shall provide the Board and staff with **adopted** communications protocols and procedures to assist the district in presenting a consistent, unified message on district issues. Such protocols and procedures may include, but are not limited to, identification of the spokesperson(s) authorized to speak to the media on behalf of the district, strategies for coordinating communications efforts and activities, and legal requirements pertaining to confidentiality as well as the public's right to access records.

*(cf. 1112 - Media Relations)*

*(cf. 1340 - Access to District Records)*

*(cf. 2111 - Superintendent Governance Standards)*

*(cf. 3580 - District Records)*

*(cf. 5125 - Student Records)*

*(cf. 5125.1 - Release of Directory Information)*

*(cf. 9005 - Governance Standards)*

*(cf. 9010 - Public Statements)*

*(cf. 9011 - Disclosure of Confidential/Privileged Information)*

The Superintendent or designee shall utilize a variety of communications methods in order to provide the public with access to information, **including surveys, as needed**. Such methods may include, but are not limited to, district and school newsletters, web sites, social networking pages or other online communications technologies, direct email communications, mailings, notices sent home with students, recorded telephone messages for parent/guardian information, community forums and public events, news releases, meetings with education reporters and editorial boards, presentations at parent organization meetings, and meetings with representatives of local governments, community organizations, and businesses.

*(cf. 0510 - School Accountability Report Card)*

*(cf. 1020 - Youth Services)*

*(cf. 1113 - District and School Web Sites)*

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

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

In developing communications strategies, the Superintendent or designee shall take into account the needs of all members of the public, including individuals with disabilities and those whose primary language is not English.



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

The Superintendent or designee shall ensure that staff members are responsive to requests by parents/guardians or members of the public for information or assistance and may provide staff with professional development in their "customer service" role as needed.

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

The Superintendent or designee shall provide multiple opportunities for members of the public to give input on district and school issues and operations. Community members are encouraged to become involved in school activities, participate on district and school committees, provide input at Board meetings, submit suggestions to district staff, and use the district's complaint procedures as appropriate.

*(cf. 1220 - Citizen Advisory Committees)*

*(cf. 1230 - School-Connected Organizations)*

*(cf. 1240 - Volunteer Assistance)*

*(cf. 1250 - Visitors/Outsiders)*

*(cf. 1260 - Educational Foundation)*

*(cf. 1312.1 - Complaints Concerning District Employees)*

*(cf. 1312.2 - Complaints Concerning Instructional Materials)*

*(cf. 1312.3 - Uniform Complaint Procedures)*

*(cf. 1312.4 - Williams Uniform Complaint Procedures)*

*(cf. 3555 - Nutrition Program Compliance)*

*(cf. 6020 - Parent Involvement)*

*(cf. 9322 - Agenda/Meeting Materials)*

*(cf. 9323 - Meeting Conduct)*

### Prohibition Against Mass Mailings at Public Expense

No newsletter or other mass mailing, as defined in Government Code 82041.5 and 2 CCR 18901, shall be sent by the district at public expense if such material aggrandizes one or more Board members. The name, signature, or photograph of a Board member may be included in such materials only as permitted by 2 CCR 18901. (Government Code 82041.5, 89001; 2 CCR 18901)

Any newsletter or mass mailing regarding ballot measures, candidates, legislative activities, or any other campaign activities shall be sent and distributed in accordance with law and Board policy.

*(cf. 1160 - Political Processes)*

### Comprehensive Communications Plan

The Superintendent or designee shall develop a written communications plan which establishes priorities for proactive community outreach to build support for district programs and issues. The plan shall identify specific communications goals aligned with the district's vision and goals for student learning. For each communications goal, the plan shall identify key messages, individuals or groups

that can help the district achieve its goal, strategies tailored to each target audience, timelines, persons responsible for each activity, and budget implications.

*(cf. 0200 - Goals for the School District)*

As appropriate for each issue, target audiences may include parents/guardians, the media, local governmental agencies, businesses, community organizations and civic groups, postsecondary institutions, health care professionals, child care providers, community leaders, state or federal legislators or agencies, and/or other segments of the public.

The plan shall incorporate strategies for effective communications during a crisis or other emergency situation that may arise.

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 3516 - Emergencies and Disaster Preparedness Plan)*

The Superintendent or designee shall periodically evaluate the implementation and effectiveness of the district's communications plan and recommend to the Board whether the goals and key issues identified in the plan need to be revised to meet changing circumstances or priorities.

**Legal Reference:**

**EDUCATION CODE**

7054 Use of district property or funds re: ballot measures and candidates

35145.5 Board meetings, public participation

35172 Promotional activities

38130-38138 Civic Center Act

48980-48985 Parental notifications

**GOVERNMENT CODE**

54957.5 Meeting agendas and materials

82041.5 Mass mailing

89001 Newsletter or mass mailing

**CODE OF REGULATIONS, TITLE 2**

18901 Mass mailings sent at public expense

18901.1 Campaign-related mailings sent at public expense

**CODE OF FEDERAL REGULATIONS, TITLE 28**

**Management Resources:**

**WEB SITES**

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

California School Public Relations Association: <http://www.calspra.org>

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

(9/90 3/08) 3/11

**Policy: SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**

Adopted; November 16, 2011

King City, California

AR 1312.4 Community Relations

Williams Uniform Complaint Procedures

Types of Complaints

The district shall use the following procedures to investigate and resolve complaints when the complainant alleges that any of the following has occurred: (Education Code 35186; 5 CCR 4681, 4682, 4683)

1. Textbooks and instructional materials

- a. A pupil, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.
- b. A pupil does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each pupil.
- c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
- d. A pupil was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

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

2. Teacher vacancy or misassignment

- a. A semester begins and a teacher vacancy exists.
- b. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learner pupils in the class.

*(cf. 4112.22 - Staff Teaching Students of Limited English Proficiency)*

- c. A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

*Teacher vacancy* means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been AR

assigned at the beginning of the semester for an entire semester. (Education Code 35186; 5 CCR 4600)

*Beginning of the year or semester* means the first day classes necessary to serve all the pupils enrolled are established with a single designated certificated employee assigned for the duration of the class, but not later than 20 working days after the first day pupils attend classes for that semester. (5 CCR 4600)

*Misassignment* means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold. (Education Code 35186; 5 CCR 4600)

(cf. 4112.2 - Certification)

(cf. 4113 - Assignment)

### 3. Facilities

- a. A condition poses an emergency or urgent threat to the health or safety of pupils or staff.

*Emergency or urgent threat* means structures or systems that are in a condition that poses a threat to the health and safety of pupils or staff while at school, including, but not limited to, gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to pupils or staff; structural damage creating a hazardous or uninhabitable condition; or any other condition deemed appropriate. (Education Code 17592.72)

- b. A school restroom has not been cleaned, maintained, or kept open in accordance with Education Code 35292.5.

*Clean or maintained school restroom* means a school restroom has been cleaned or maintained regularly, is fully operational, or has been stocked at all times with toilet paper, soap, or paper towels or functional hand dryers. (Education Code 35292.5)

*Open restroom* means the school has kept all restrooms open during school hours when pupils are not in classes and has kept a sufficient number of restrooms open during school hours when pupils are in classes. This does not apply when the temporary closing of the restroom is necessary for pupil safety or to make repairs. (Education Code 35292.5)

### 4. High school exit examination intensive instruction and services

A pupil, including an English learner, who has not passed the exit exam by the end of grade 12 was not provided the opportunity to receive intensive instruction and services pursuant to Education Code 37254(d) (4) and (5) after completion of grade 12 for two consecutive academic years or until the pupil has passed both parts of the exam, whichever comes first. (Education Code 35186)

*(cf. 6162.52 - High School Exit Examination)*

*(cf. 6179 - Supplemental Instruction)*

### Filing of Complaint

A complaint alleging any condition(s) specified in items #1-3 in the section entitled "Types of Complaints" above shall be filed with the principal or designee at the school in which the complaint arises. The principal or designee shall forward a complaint about problems beyond his/her authority to the Superintendent or designee in a timely manner, but not to exceed 10 working days. (Education Code 35186; 5 CCR 4680)

A complaint alleging any deficiency specified in item #4 in the section entitled "Types of Complaints" above shall be filed with a district official designated by the Superintendent. Such complaints may be filed at the district office or school site and shall be immediately forwarded to the Superintendent or designee. (Education Code 35186)

### Investigation and Response

The principal or designee shall make all reasonable efforts to investigate any problem within his/her authority. He/she shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. (Education Code 35186; 5 CCR 4685)

Complaints may be filed anonymously. If the complainant has indicated on the complaint form that he/she would like a response to the complaint, the principal or designee shall report the resolution of the complaint to him/her within 45 working days of the initial filing of the complaint. If a response is requested, the response shall be made to the mailing address of the complainant as indicated on the complaint form. At the same time, the principal or designee shall report the same information to the Superintendent or designee. (Education Code 35186; 5 CCR 4680, 4685)

When Education Code 48985 is applicable and the complainant has requested a response, the response shall be written in English and in the primary language in which the complaint was filed. (Education Code 35186)

If a complainant is not satisfied with the resolution of a complaint, he/she has the right to describe the complaint to the Governing Board at a regularly scheduled meeting. (Education Code 35186; 5 CCR 4686)

For any complaint concerning a facilities condition that poses an emergency or urgent threat to the health or safety of pupils or staff as described in item #3a in the section entitled "Types of Complaints" above, a complainant who is not satisfied with the resolution proffered by the principal or Superintendent or designee may file an appeal to the Superintendent of Public Instruction (SPI) within 15 days of receiving the district's response. The complainant shall comply with the appeal requirements specified in 5 CCR 4632. (Education Code 35186; 5 CCR 4687)

All complaints and written responses shall be public records. (Education Code 35186; 5 CCR 4686)

*(cf. 1340 - Access to District Records)*

### Reports

The Superintendent or designee shall report summarized data on the nature and resolution of all complaints to the Board and the County Superintendent of Schools on a quarterly basis. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. These summaries shall be publicly reported on a quarterly basis at a regularly scheduled Board meeting. (Education Code 35186; 5 CCR 4686)

### Forms and Notices

The Superintendent or designee shall ensure a Williams complaint form is available at each school. However, complainants need not use the district's Williams complaint form in order to file a complaint. (Education Code 35186; 5 CCR 4680)

The Superintendent or designee shall ensure that the district's complaint form contains a space to indicate whether the complainant desires a response to his/her complaint and specifies the location for filing a complaint. A complainant may add as much text to explain the complaint as he/she wishes. (Education Code 35186; 5 CCR 4680)

The Superintendent or designee shall ensure that a notice is posted in each classroom in each school containing the components specified in Education Code 35186. (Education Code 35186)

### Legal Reference:

#### EDUCATION CODE

1240 County superintendent of schools, duties

17592.72 Urgent or emergency repairs, School Facility Emergency Repair Account

33126 School accountability report card

35186 Williams uniform complaint procedure

35292.5 Restrooms, maintenance and cleanliness

37254 Supplemental instruction based on failure to pass exit exam by end of grade 12

48985 Notice to parents in language other than English

60119 Hearing on sufficiency of instructional materials  
CODE OF REGULATIONS, TITLE 5  
4600-4687 Uniform complaint procedures, especially:  
4680-4687 Williams complaints

Management Resources:

WEB SITES

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

California County Superintendents Educational Services Association:

<http://www.ccsesa.org>

California Department of Education, Williams case:

<http://www.cde.ca.gov/eo/ce/wc/index.asp>

State Allocation Board, Office of Public School Construction: <http://www.opsc.dgs.ca.gov>  
(3/07 11/07) 11/10

Community Relations

Williams Uniform Complaint Procedures

NOTICE TO PARENTS/GUARDIANS, PUPILS, AND TEACHERS:  
COMPLAINT RIGHTS

Parents/Guardians, Pupils, and Teachers:

Pursuant to Education Code 35186, you are hereby notified that:

1. There should be sufficient textbooks and instructional materials. For there to be sufficient textbooks and instructional materials, each pupil, including English learners, must have a textbook or instructional material, or both, to use in class and to take home.
2. School facilities must be clean, safe, and maintained in good repair.
3. There should be no teacher vacancies or misassignments. There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credential to teach the class, including the certification required to teach English learners, if present.

Teacher vacancy means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

Misassignment means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold.

4. Pupils, including English learners, who have not passed one or both parts of the high school exit examination by the end of grade 12, are to be provided the opportunity to receive intensive instruction and services for up to two consecutive academic years after the completion of grade 12.
5. A complaint form can be obtained at the school office or district office, or downloaded from the school or district web site. You may also download a copy of the California Department of Education complaint form from the following web site:  
<http://www.cde.ca.gov/re/cp/uc>.



## E 1312.4 Community Relations

## Williams Uniform Complaint Procedures

## COMPLAINT FORM: WILLIAMS UNIFORM COMPLAINT PROCEDURES

Education Code 35186 creates a procedure for the filing of complaints concerning deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, teacher vacancy or misassignment, or the lack of opportunity to receive intensive instruction and services to pupils who did not pass one or both parts of the high school exit examination by the end of grade 12. The complaint and response are public documents as provided by law. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below.

Response requested? ☐ Yes ☐ No

Contact information:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone number: Day: \_\_\_\_\_ Evening: \_\_\_\_\_

E-mail address, if any: \_\_\_\_\_

Location of the problem that is the subject of this complaint:

School name/address: \_\_\_\_\_

Course title/grade level and teacher name: \_\_\_\_\_

Room number/name of room/location of facility: \_\_\_\_\_

Date problem was observed: \_\_\_\_\_

Only the following issues may be the subject of this complaint process. If you wish to complain about an issue not specified below, please use the appropriate district complaint procedure.

Specific issue(s) of the complaint: (Please check all that apply. A complaint may contain more than one allegation.)

1. Textbooks and instructional materials: (Education Code 35186; 5 CCR 4681)

- \_\_\_\_\_ A pupil, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.
  - \_\_\_\_\_ A pupil does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each pupil.
  - \_\_\_\_\_ Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
  - \_\_\_\_\_ A pupil was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.
2. Teacher vacancy or misassignment: (Education Code 35186; 5 CCR 4681)
- \_\_\_\_\_ A semester begins and a teacher vacancy exists. A teacher vacancy is a position to which a single designated certificated employee has not been assigned at the beginning of the school year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.
  - \_\_\_\_\_ A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.
  - \_\_\_\_\_ A teacher is assigned to teach a class for which the teacher lacks subject matter competency.
3. Facility conditions: (Education Code 17592.72, 35186, 35292.5; 5 CCR 4683)
- \_\_\_\_\_ A condition exists that poses an emergency or urgent threat to the health or safety of pupils or staff including gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to pupils or staff; or structural damage creating a hazardous or uninhabitable condition; and any other condition deemed appropriate by the district.
  - \_\_\_\_\_ A school restroom has not been cleaned or maintained regularly, is not fully operational, or has not been stocked at all times with toilet paper, soap, or paper towels or functional hand dryers.

\_\_\_\_\_ The school has not kept all restrooms open during school hours when pupils are not in classes and has not kept a sufficient number of restrooms open during school hours when pupils are in classes. This does not apply when temporary closing of the restroom is necessary for pupil safety or to make repairs.

4. High school exit exam intensive instruction and services: (Education Code 35186)

\_\_\_\_\_ Pupils who have not passed the high school exit exam by the end of grade 12 were not provided the opportunity to receive intensive instruction and services pursuant to Education Code 37254(d)(4) and (5) after the completion of grade 12.

Please describe the issue of your complaint in detail. You may attach additional pages and include as much text as necessary to fully describe the situation. For complaints regarding facilities conditions, please describe the emergency or urgent facilities condition and how that condition poses a threat to the health or safety of pupils or staff.

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Please file this complaint at the following location:

Dr. John Bernard, State Administrator  
South Monterey County Joint Union High School District  
800 Broadway Street  
King City, CA 93930

Please provide a signature below. If you wish to remain anonymous, a signature is not required. However, all complaints, even anonymous ones, should be dated.

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(date)

Exhibit                      SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: November 16, 2011

King City, California

BP 3311 Business and Noninstructional Operations

Bids

In order to ensure transparency and the prudent expenditure of public funds, the Governing Board shall award contracts in an objective manner and in accordance with law. District equipment, supplies, and services shall be purchased using competitive bidding when required by law or if the Board determines that it is in the best interest of the district to do so.

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

*(cf. 3000 - Concepts and Roles)*

*(cf. 3300 - Expenditures and Purchases)*

When the Board has determined that it is in the best interest of the district, the district may piggyback onto the contract of another public agency or corporation to lease or purchase equipment or supplies to the extent authorized by law. (Public Contract Code 20118)

Bid specifications shall be carefully designed and shall describe in detail the quality, delivery, and service required.

To assist the district in determining whether bidders are responsible, the Board may require prequalification procedures as allowed by law and specified in administrative regulation.

*(cf. 9270 - Conflict of Interest)*

Legal Reference:

EDUCATION CODE

17595 Purchases through Department of General Services

38083 Purchase of perishable foodstuffs and seasonable commodities

38110-38120 Apparatus and supplies

39802 Transportation services

GOVERNMENT CODE

4330-4334 Preference for California-made materials

6252 Definition of public record

53060 Special services and advice

54201-54205 Purchase of supplies and equipment by local agencies

PUBLIC CONTRACT CODE

1102 Emergencies

2001-2001 Responsive bidders

3002 Roofing projects

3400 Bids, specifications by brand or trade name not permitted

3410 United States produce and processed foods

6610 Bid visits

12200 Definitions, recycled goods, materials and supplies

20103.8 Award of contracts

BP 3311(b)

20107 Bidder's security

20111-20118.4 Contracting by school districts

20189 Bidder's security, earthquake relief

22002 Definition of public project

22030-22045 Alternative procedures for public projects (UPCCAA)

22050 Alternative emergency procedures

22152 Recycled product procurement

#### COURT DECISIONS

Marshall v. Pasadena USD, (2004) 119 Cal.App.4th 1241

Konica Business Machines v. Regents of the University of California, (1988) 206 Cal.App.3d 449

City of Inglewood-Los Angeles County Civic Center Authority v. Superior Court, (1972) 7 Cal.3d 861

#### ATTORNEY GENERAL OPINIONS

89 Ops.Cal.Atty.Gen. 1 (2006)

#### Management Resources:

##### WEB SITES

CSBA: [http:// www.csba.org](http://www.csba.org)

California Association of School Business Officials:

<http://www.casbo.org>"><http://www.casbo.org>

(6/97 11/00) 7/08

Policy

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: November 16, 2011

King City, California

AR 3311 Business and Noninstructional Operations

Bids

Advertised/Competitive Bids

The district shall seek competitive bids through advertisement for contracts involving an expenditure of \$15,000 or more for a public project. Public project means construction, reconstruction, erection, alteration, renovation, improvement, painting, repainting, demolition, and repair work involving a district owned, leased, or operated facility. (Public Contract Code 20111, 22002)

The district shall also seek competitive bids through advertisement for contracts exceeding the amount specified in law, and as annually adjusted by the Superintendent of Public Instruction, for any of the following: (Government Code 53060; Public Contract Code 20111)

1. The purchase of equipment, materials, or supplies to be furnished, sold, or leased to the district
2. Services, not including construction services or special services and advice in accounting, financial, legal, or administrative matters
3. Repairs, including maintenance that is not a public project

Maintenance means routine, recurring, and usual work for preserving, protecting, and keeping a district facility operating in a safe, efficient, and continually usable condition for the intended purpose for which it was designed, improved, constructed, altered, or repaired. Maintenance includes, but is not limited to, carpentry, electrical, plumbing, glazing, and other craft work designed to preserve the facility, as well as repairs, cleaning, and other operations on machinery and other permanently attached equipment. This definition does not include, among other types of work, janitorial or custodial services and protection provided by security forces, nor does it include painting, repainting, or decorating other than touchup. (Public Contract Code 20115)

Unless otherwise authorized by law, contracts shall be let to the lowest responsible bidder who shall give such security as the Governing Board requires, or else all bids shall be rejected. (Public Contract Code 20111)

When letting a contract for the procurement and/or maintenance of electronic data processing systems and supporting software, the Board may contract with any one of the three lowest responsible bidders. (Public Contract Code 20118.1)

The Board shall secure bids pursuant to Public Contract Code 20111 and 20112 for any transportation service expenditure of more than \$10,000 when contemplating that such a contract may be made with a person or corporation other than a common carrier, municipally owned

transit system, or a parent/guardian of students who are to be transported. The Board may let this contract to other than the lowest bidder. (Education Code 39802)

No work, project, service, or purchase shall be split or separated into smaller work orders or projects for the purpose of evading the legal requirements of Public Contract Code 20111-20118.4 for contracting after competitive bidding. (Public Contract Code 20116)

#### Instructions and Procedures for Advertised Bids

The Superintendent or designee shall call for bids by placing a notice at least once a week for two weeks in a local newspaper of general circulation published in the district, or if no such newspaper exists, then in some newspaper of general circulation circulated in the county. The Superintendent or designee also may post the notice on the district's web site or through an electronic portal. The notice shall state the work to be done or materials or supplies to be furnished and the time and place and web site where bids will be opened. The district may accept a bid that has been submitted electronically or on paper. (Public Contract Code 20112)

The notice shall contain the time, date, and location of any mandatory prebid conference, site visit, or meeting. The notice shall also detail when and where project documents, including final plan and specifications, are available. Any such mandatory visit or meeting shall not occur within a minimum of five calendar days of the publication of the initial notice. (Public Contract Code 6610)

Bid instructions and specifications shall include the following requirements and information:

1. All bidders shall certify the minimum, if not exact, percentage of post-consumer materials in products, materials, goods, or supplies offered or sold. (Public Contract Code 22152)
2. All bids for construction work shall be presented under sealed cover and shall be accompanied by one of the following forms of bidder's security: (Public Contract Code 20107, 20111)
  - a. Cash
  - b. A cashier's check made payable to the district
  - c. A certified check made payable to the district
3. The security of unsuccessful bidders shall be returned in a reasonable period of time, but in no event later than 60 days after the bid is awarded. (Public Contract Code 20111)

- d. A bidder's bond executed by an admitted surety insurer and made payable to the district
3. Bids shall not be accepted after the advertised bid opening time, regardless of whether the bids are actually opened at that time. (Public Contract Code 20112)
4. When two or more identical lowest or highest bids are received, the Board may determine by lot which bid shall be accepted. (Public Contract Code 20117)
5. If the district requires that the bid include prices for items that may be added to or deducted from the scope of work in the contract, the bid solicitation shall specify which one of the following methods will be used to determine the lowest bid. In the absence of such a specification, only the method provided in item #a below shall be used. (Public Contract Code 20103.8)
  - a. The lowest bid shall be the lowest total of the bid prices on the base contract without consideration of the prices on the additive or deductive items.
  - b. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that were specifically identified in the bid solicitation as being used for the purpose of determining the lowest bid price.
  - c. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that, when taken in order from a specifically identified list of those items in the solicitation, and added to or subtracted from the base contract, are less than or equal to a funding amount publicly disclosed by the district before the first bid is opened.

The lowest bid shall be determined in a manner that prevents any information that would identify any of the bidders or proposed subcontractors or suppliers from being revealed to the district before the ranking of all bidders from lowest to highest has been determined. (Public Contract Code 20103.8)

6. Any subsequent change or alteration of a contract shall be governed by the provisions of Public Contract Code 20118.4.
7. After being opened, all submitted bids become public records pursuant to Government Code 6252 and shall be made available for review pursuant to law, Board policy, and administrative regulation.

*(cf. 1340 - Access to District Records)*



Alternative Bid Procedures for Technological Supplies and Equipment

Rather than seek competitive bids, the Board may use competitive negotiation when it makes a finding that district procurement is for computers, software, telecommunications equipment, microwave equipment, and other related electronic equipment and apparatus. Competitive negotiation shall not be used to contracts for construction or for the procurement of any product that is available in substantial quantities to the general public. (Public Contract Code 20118.2)

The competitive negotiation process shall include, but not be limited to, the following requirements: (Public Contract Code 20118.2)

1. The Superintendent or designee shall prepare a request for proposals (RFP) that shall be submitted to an adequate number of qualified sources, as determined by the district, to permit reasonable competition consistent with the nature and requirement of the procurement.
2. Notice of the RFP shall be published at least twice in a newspaper of general circulation, at least 10 days before the date for receipt of the proposals.
3. The Superintendent or designee shall make every effort to generate the maximum feasible number of proposals from qualified sources and shall make a finding to that effect before proceeding to negotiate if only a single response to the RFP is received.
4. The RFP shall identify all significant evaluation factors, including price, and their relative importance.
5. The Superintendent or designee shall provide reasonable procedures for the technical evaluation of the RFPs received, the identification of qualified sources, and the selection for the award of the contract.
6. The Board shall award the contract to the qualified bidder whose proposal meets the evaluation standards and will be most advantageous to the district with price and all other factors considered.
7. If the Board does not award the contract to the bidder whose proposal contains the lowest price, then the Board shall make a finding setting forth the basis for the award.
8. The Board, at its discretion, may reject all proposals and request new RFPs.
9. Provisions in any contract concerning utilization of small business enterprises that are in accordance with the RFP shall not be subject to negotiation with the successful proposer.

Bids Not Required

Without advertising for bids and upon a determination that it is in the best interest of the district, the Board may authorize by contract, lease, requisition, or purchase order, another public corporation or agency to lease data-processing equipment or to purchase materials, supplies, equipment, automotive vehicles, tractors, and other personal property for the district in the manner that the other public corporation or agency is authorized to make the leases or purchases from a vendor ("piggyback"). (Public Contract Code 20118)

*(cf. 3300 - Expenditures and Purchases)*

Alternatively, if there is an existing contract between a public corporation or agency and a vendor for the lease or purchase of personal property, the district may authorize the lease or purchase of personal property directly from the vendor by contract, lease, requisition, or purchase order and make payment to the vendor under the same terms that are available to the public corporation or agency under the contract. (Public Contract Code 20118)

Supplementary textbooks, library books, educational films, audiovisual materials, test materials, workbooks, instructional computer software packages, or periodicals may be purchased in any amount without taking estimates or advertising for bids. (Public Contract Code 20118.3)

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

*(cf. 6161.11 - Supplementary Instructional Materials)*

*(cf. 6163.1 - Library Media Centers)*

Perishable commodities, such as foodstuffs, needed in the operations of cafeterias may be purchased through bid or on the open market. (Education Code 38083)

*(cf. 3551 - Food Service Operations/Cafeteria Fund)*

In an emergency when any repairs, alterations, work, or improvement to any school facility is necessary to permit the continuance of existing school classes or to avoid danger to life or property, the Board may, by unanimous vote and with the approval of the County Superintendent of Schools, contract for labor and materials or supplies without advertising for or inviting bids or may authorize the use of day labor or force account for the emergency purpose. (Public Contract Code 20113)

*(cf. 3517 - Facilities Inspection)*

*(cf. 9323.2 - Actions by the Board)*

Bids shall also not be required for day labor under circumstances specified in Public Contract Code 20114. Day labor shall include the use of maintenance personnel employed on a permanent or temporary basis. (Public Contract Code 20114)

Sole Sourcing

In any contract for the construction, alteration, or repair of school facilities, the Superintendent or designee shall not draft the bid specification in a manner that, *either directly or indirectly, limits bidding to any one specific concern* or calls for a designated material, product, thing, or service by a specific brand or trade name, unless the specification designating the specific material, product, thing, or particular brand name is followed by the words "or equal" so that bidders may furnish any equal material, product, thing, or service. In such cases, the bid specification shall provide a time period, before and/or after the award of the contract, for the contractor to submit data substantiating the request for substituting the designated material, product, thing, or service. If no such time period is specified, the contractor may submit the data within 35 days after the award of the contract. (Public Contract Code 3400)

However, the Superintendent or designee may designate a specific concern, material, product, thing, or service by brand or trade name (sole sourcing), if the Board has made a finding, described in the invitation for bids or RFP, that a particular material, product, thing, or service is designated for any of the following purposes: (Public Contract Code 3400)

1. To conduct a field test or experiment to determine its suitability for future use
2. To match others in use on a particular public improvement that has been completed or is in the course of completion
3. To obtain a necessary item that is only available from one source
4. To respond to the Board's declaration of an emergency, as long as the declaration has been approved by four-fifths of the Board when issuing the invitation for bid or RFP

Prequalification Procedure

For any contract for which bids are legally required, the Board may require that each prospective bidder complete and submit a standardized questionnaire and financial statement. For this purpose, the Superintendent or designee shall supply a form which requires a complete statement of the bidder's financial ability and experience in performing public works. The information shall be verified under oath in the manner in which civil law pleadings are verified. The questionnaires and financial statements shall not be public records and shall not be open to public inspection. (Public Contract Code 20111.5)

Prospective bidders shall submit the questionnaire and financial statement at least five days before the date fixed for public opening of sealed bids. (Public Contract Code 20111.5)

The Superintendent or designee shall establish a uniform system for rating bidders on the basis of completed questionnaires and financial statements in order to determine the size of contracts

on which each bidder is qualified to bid. Bidders must be deemed prequalified by the district at least one day before the fixed bid-opening date. (Public Contract Code 20111.5)

The district may establish a procedure for prequalifying bidders on a quarterly basis and may authorize that prequalification be considered valid for up to one calendar year following the date of the initial prequalification. (Public Contract Code 20111.5)

#### Protests by Bidders

A bidder may protest a bid award if he/she believes that the award is inconsistent with Board policy, the bid's specifications, or is not in compliance with law. A protest must be filed in writing with the Superintendent or designee within five working days after receipt of notification of the contract award. The bidder shall submit all documents supporting or justifying the protest. A bidder's failure to file the protest documents in a timely manner shall constitute a waiver of his/her right to protest the award of the contract.

The Superintendent or designee shall review the documents submitted with the bidder's claims and render a decision in writing within 30 working days. The Superintendent or designee may also convene a meeting with the bidder in order to attempt to resolve the problem.

The bidder may appeal the Superintendent or designee's decision to the Board. The Superintendent or designee shall provide reasonable notice to the bidder of the time for Board consideration of the protest. The Board's decision shall be final.

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Policy SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: November 16, 2011

King City, California

## BP 3513.3 Business and Noninstructional Operations

### Tobacco-Free Schools

The Governing Board recognizes that the health hazards associated with smoking and the use of tobacco products, including the breathing of second-hand smoke, are inconsistent with its goal to provide a healthy environment for students and staff.

(cf. 3514 - Environmental Safety)

*(cf. 4159/4259/4359 - Employee Assistance Programs)*

*(cf. 5030 - Student Wellness)*

*(cf. 5131.62 - Tobacco)*

*(cf. 5141.23 - Asthma Management)*

*(cf. 6142.8 - Comprehensive Health Education)*

*(cf. 6143 - Courses of Study)*

The Board prohibits the use of tobacco products at any time in district-owned or leased buildings, on district property, and in district vehicles. (Health and Safety Code 104420; Labor Code 6404.5; 20 USC 6083)

This prohibition applies to all employees, students, and visitors at any school-sponsored instructional program, activity, or athletic event held on or off district property. Any written joint use agreement governing community use of district facilities or grounds shall include notice of the district's tobacco-free schools policy and consequences for violations of the policy.

*(cf. 1330 - Use of School Facilities)*

*(cf. 1330.1 - Joint Use Agreements)*

Prohibited products include any product containing tobacco or nicotine, including, but not limited to, cigarettes, cigars, miniature cigars, smokeless tobacco, snuff, chew, clove cigarettes, betel, and nicotine delivery devices such as electronic cigarettes. Exceptions may be made for the use or possession of prescription nicotine products.

Smoking or use of any tobacco-related products and disposal of any tobacco-related waste are prohibited within 25 feet of any playground, except on a public sidewalk located within 25 feet of the playground. (Health and Safety Code 104495)

#### Legal Reference:

##### EDUCATION CODE

48900 Grounds for suspension/expulsion

48901 Prohibition against tobacco use by students

##### HEALTH AND SAFETY CODE

39002 Control of air pollution from nonvehicular sources

104350-104495 Tobacco use prevention, especially:

104495 Prohibition of smoking and tobacco waste on playgrounds

119405 Unlawful to sell or furnish electronic cigarettes to minors

LABOR CODE

3300 Employer, definition

6304 Safe and healthful workplace

6404.5 Occupational safety and health; use of tobacco products

UNITED STATES CODE, TITLE 20

6083 Nonsmoking policy for children's services

7100-7117 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

PERB RULINGS

Eureka Teachers Assn. v. Eureka City School District (1992) PERB Order #955 (16 PERC 23168)

CSEA #506 and Associated Teachers of Metropolitan Riverside v. Riverside Unified School District (1989) PERB Order #750 (13 PERC 20147)

Management Resources:

WEB SITES

California Department of Education, Alcohol, Tobacco and Other Drug Prevention:

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

California Department of Education, Tobacco-Free School District Certification:

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

California Department of Public Health, Tobacco Control:

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

Occupational Safety and Health Standards Board:

<http://www.dir.ca.gov/OSHSB/oshsb.html>

U.S. Environmental Protection Agency: <http://www.epa.gov>

(7/02 7/03) 3/11

Policy

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: November 16, 2011

King City, California

## AR 3513.3 Business and Noninstructional Operations

### Tobacco-Free Schools

#### Notifications

Information about the district's tobacco-free schools policy and enforcement procedures shall be communicated clearly to employees, parents/guardians, students, and the community. (Health and Safety Code 104420)

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

The Superintendent or designee may disseminate this information through annual written notifications, district and school web sites, student and parent handbooks, and/or other appropriate methods of communication.

*(cf. 1113 - District and School Web Sites)*

Signs stating "Tobacco use is prohibited" shall be prominently displayed at all entrances to school property. (Health and Safety Code 104420)

#### Enforcement/Discipline

Any employee or student who violates the district's tobacco-free schools policy shall be asked to refrain from smoking and shall be subject to disciplinary action as appropriate.

*(cf. 4118 - Suspension/Disciplinary Action)*

*(cf. 4218 - Dismissal/Suspension/Disciplinary Action)*

*(cf. 5144 - Discipline)*

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

Any other person who violates the district's policy on tobacco-free schools shall be informed of the district's policy and asked to refrain from smoking. If the person fails to comply with this request, the Superintendent or designee may:

1. Direct the person to leave school property
2. Request local law enforcement assistance in removing the person from school premises
3. If the person repeatedly violates the tobacco-free schools policy, prohibit him/her from entering district property for a specified period of time

*(cf. 1250 - Visitors/Outsiders)*

*(cf. 3515.2 - Disruptions)*

The Superintendent or designee shall not be required to physically eject a nonemployee who is smoking or to request that the nonemployee refrain from smoking under circumstances involving a risk of physical harm to the district or any employee. (Labor Code 6404.5)

Regulation

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: November 16, 2011

King City, California



## AR 3513.3 Business and Noninstructional Operations

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*(cf. 3515.2 - Disruptions)*

AR 3513.3 (b)

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Regulation      SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: November 16, 2011

King City, California

## BP 4020 Personnel

### Drug And Alcohol-Free Workplace

The Governing Board believes that the maintenance of a drug- and alcohol-free workplace is essential to staff and student safety and to help ensure a productive and safe work and learning environment.

*(cf. 4112.41/4212.41/4312.41 - Employee Drug Testing)*

*(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)*

An employee shall not unlawfully manufacture, distribute, dispense, possess, or use any controlled substance in the workplace. (Government Code 8355; 41 USC 701)

Employees are prohibited from being under the influence of controlled substances or alcohol while on duty. For purposes of this policy, on duty means while an employee is on duty during both instructional and noninstructional time in the classroom or workplace, at extracurricular or cocurricular activities, or while transporting students or otherwise supervising them. Under the influence means that the employee's capabilities are adversely or negatively affected, impaired, or diminished to an extent that impacts the employee's ability to safely and effectively perform his/her job.

*(cf. 4032 - Reasonable Accommodation)*

The Superintendent or designee shall notify employees of the district's prohibition against drug use and the actions that will be taken for violation of such prohibition. (Government Code 8355; 41 USC 701)

An employee shall abide by the terms of this policy and shall notify the district, within five days, of his/her conviction for violation in the workplace of any criminal drug statute. (Government Code 8355; 41 USC 701)

The Superintendent or designee shall notify the appropriate federal granting or contracting agency within 10 days after receiving notification, from an employee or otherwise, of any conviction for a violation occurring in the workplace. (41 USC 701)

In accordance with law and the district's collective bargaining agreements, the Superintendent or designee shall take appropriate disciplinary action, up to and including termination, against an employee for violating the terms of this policy and/or shall require the employee to satisfactorily participate in and complete a drug assistance or rehabilitation program approved by a federal, state, or local public health or law enforcement agency or other appropriate agency.

*(cf. 4112 - Appointment and Conditions of Employment)*

*(cf. 4117.4 - Dismissal)*  
*(cf. 4118 - Suspension/Disciplinary Action)*  
*(cf. 4212 - Appointment and Conditions of Employment)*  
*(cf. 4218 - Dismissal/Suspension/Disciplinary Action)*

### Drug-Free Awareness Program

The Superintendent or designee shall establish a drug-free awareness program to inform employees about: (Government Code 8355; 41 USC 701)

1. The dangers of drug abuse in the workplace
2. The district's policy of maintaining a drug-free workplace
3. Available drug counseling, rehabilitation, and employee assistance programs

*(cf. 4159/4259/4359 - Employee Assistance Programs)*

4. The penalties that may be imposed on employees for drug abuse violations occurring in the workplace

#### Legal Reference:

##### EDUCATION CODE

44011 Controlled substance offense  
44425 Conviction of controlled substance offenses as grounds for revocation of credential  
44836 Employment of certificated persons convicted of controlled substance offenses  
44940 Compulsory leave of absence for certificated persons  
44940.5 Procedures when employees are placed on compulsory leave of absence  
45123 Employment after conviction of controlled substance offense  
45304 Compulsory leave of absence for classified persons

##### GOVERNMENT CODE

8350-8357 Drug-free workplace  
UNITED STATES CODE, TITLE 20  
7111-7117 Safe and Drug Free Schools and Communities Act

##### UNITED STATES CODE, TITLE 21

812 Schedule of controlled substances

##### UNITED STATES CODE, TITLE 41

701-707 Drug-Free Workplace Act

##### CODE OF FEDERAL REGULATIONS, TITLE 21

1308.01-1308.49 Schedule of controlled substances

##### COURT DECISIONS

Cahoon v. Governing Board of Ventura USD, (2009) 171 Cal.App.4th 381

Ross v. RagingWire Telecommunications, Inc., (2008) 42 Cal.4th 920

#### Management Resources:

##### WEB SITES

BP 4020 (c)

California Department of Alcohol and Drug Programs: <http://www.adp.ca.gov>

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

U.S. Department of Labor: <http://www.dol.gov>

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Policy

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: November 16, 2011

King City, California

AR 4117.11, 4317.11 Personnel

Preretirement Part-Time Employment

On a case-by-case basis, the Superintendent or designee may allow a certificated employee who is a member of the defined benefit program of the California State Teachers' Retirement System (STRS) to reduce his/her workload from full time to part time when doing so does not disrupt the educational program and is in the best interests of the district.

Any such certificated employee who reduces his/her workload to part time may maintain the retirement and health and welfare benefits that he/she would have received if employed on a full-time basis under the following conditions: (Education Code 22713, 44922)

*(cf. 4154/4254/4354 - Health and Welfare Benefits)*

1. The option to reduce the employee's workload shall be exercised at the request of the employee and the agreement to reduce the workload shall be in effect at the beginning of the school year.
2. Prior to the reduction in workload, the employee shall have a minimum of 10 years of credited service, of which the immediately preceding five years were full-time employment.
3. The employee shall not have had a break in service during the five years immediately preceding the reduction in workload. Sabbaticals, other approved leaves of absence, and unpaid absences for personal reasons from full-time employment shall not constitute a break in service. However, the period of time during which an employee is retired shall constitute a break in service and an employee who reinstates from retirement shall be required to be employed to perform creditable service on a full-time basis for at least five school years preceding the workload reduction.

*(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)*

4. The employee shall have reached the age of 55 years prior to the workload reduction.
5. The employee shall not hold a position with a salary above that of a school principal.
6. The reduced workload shall be equal to at least one-half of the time the district requires for full-time employment, in accordance with Education Code 22138.5, pursuant to the employee's contract of employment during his/her last year of full-time employment.

7. The employee shall be paid compensation that is the pro rata share of the creditable compensation he/she would have earned had he/she not reduced his/her workload.
8. The agreement may be revoked only by mutual consent of the employee and the Superintendent or designee.

However, an employee who has entered into a formalized agreement with the district to have his/her contribution into the defined benefit program picked up by the district may not terminate the agreement to reduce his/her workload except by one of the following:

- a. Terminating his/her service
  - b. Retiring from service under the defined benefit program
  - c. Continuing to perform creditable service under a new reduced workload arrangement for at least one-half of the time the district requires for full-time employment in accordance with Education Code 22138.5
  - d. Returning to full-time employment
9. The period of the reduced workload shall not exceed 10 years.

Prior to the reduction of an employee's workload, the Superintendent or designee shall verify the employee's eligibility in conjunction with the administrative staff of STRS and/or the Public Employees' Retirement System. (Education Code 22713)

The Superintendent or designee shall maintain the necessary records to separately identify each employee who participates in the reduced workload program. (Education Code 22713)

Legal Reference:

EDUCATION CODE

22119.5 Creditable service, definition

22138.5 Full-time, definition

22713 Part-time employment; reduction of workload from full-time; credit

22903 Payment of contributions by employer for tax deferred purposes

44922 Regulations; reduction to part-time employment

GOVERNMENT CODE

21110-21120 Reduced workload, partial service retirement under PERS

53201 Health and welfare benefits: election by officers and employees

Management Resources:

WEB SITES

AR 4117.11 (c)  
4317.11

California Public Employees' Retirement System: <http://www.calpers.ca.gov>  
California State Teachers' Retirement System: <http://www.calstrs.com>  
(11/07 11/09) 11/10

Regulation

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: November 16, 2011

King City, California



AR 4117.14 Personnel

Postretirement Employment

The Governing Board may hire retired certificated individuals who possess unique knowledge and experience to perform specialized work of a limited duration.

Any retired certificated individual who is a member of the defined benefit program of the State Teachers' Retirement System (STRS) and who is hired by the district to perform services pursuant to this administrative regulation shall not make contributions to the retirement fund or accrue service credit based on compensation earned from that service. (Education Code 24214)

Any retired individual hired under this administrative regulation shall be paid at a rate commensurate with that of other district employees performing comparable duties. (Education Code 24214)

Beginning July 1, 2010, any certificated individual who is a member of STRS and who retires from service below normal retirement age shall not be hired for service pursuant to this administrative regulation for at least six calendar months after his/her retirement from service. (Education Code 24214.5)

Postretirement Compensation Limitation

Upon retaining the services of a retired individual as a district employee, employee of a third party, or an independent contractor, the Superintendent or designee shall: (Education Code 22461, 24214)

1. Advise the retired individual of the postretirement compensation limitation set forth in Education Code 24116, 24214, and 24215
2. Maintain accurate records of the retired individual's compensation and report it monthly to STRS and the individual regardless of the method of payment or the fund from which the payments are made

When employing a retired individual eligible for any of the exemptions from the postretirement compensation limitation stated below, the Superintendent or designee shall submit to STRS, no later than June 30 of the school year for which the exemption is to apply, all required documentation to substantiate eligibility for the exemption. (Education Code 24216, 24216.5, 24216.6)

Exemption for Providing Specified Instructional Services

Until June 30, 2012, any retired certificated individual employed by the district shall be exempt from the compensation limitation for members of STRS provided that he/she retired from service with an effective date on or before January 1, 2009, and is employed to provide any of the following services: (Education Code 24216.5, 24216.6)

1. Direct classroom instruction to students in grades K-12
2. Support and assessment for new teachers through the Beginning Teacher Support and Assessment program pursuant to Education Code 44279.1-44279.7

*(cf. 4131.1 - Beginning Teacher Support/Induction)*

3. Support to individuals completing student teaching assignments
4. Support to individuals participating in an alternative certification program pursuant to Education Code 44380-44386 or a school paraprofessional teacher training program pursuant to Education Code 44390-44393

*(cf. 4112.21 - Interns)*

*(cf. 4222 - Teacher Aides/Paraprofessionals)*

5. Instruction and student services to students enrolled in special education programs pursuant to Education Code 56000-56885

*(cf. 4112.23 - Special Education Staff)*

6. Instruction to students enrolled in English language learner programs pursuant to Education Code 300-340, 400-410, and 430-446

*(cf. 4112.22 - Staff Teaching Students of Limited English Proficiency)*

7. Direct remedial instruction to students in grades 2-12 for the programs specified in Education Code 37252 and 37252.2

*(cf. 5123 - Promotion/Acceleration/Retention)*

*(cf. 6179 - Supplemental Instruction)*

Retired individuals who are exempt from the limitation on compensation shall be treated as part of a distinct class of temporary employees within the existing bargaining unit whose service may not be included in computing the service required as a prerequisite to attainment of or eligibility for classification as a permanent employee of the district. (Education Code 24216.5, 24216.6)

The compensation for the class of retired individuals shall be agreed to in the collective bargaining agreement between the district and the exclusive representative for the bargaining unit. (Education Code 24216.5, 24216.6)

#### Exemption for Appointment as Trustee/Administrator or for Emergency Situations

Until June 30, 2012, a retired certificated individual shall be exempt from the postretirement compensation limitation for a maximum period of 24 consecutive months if he/she is appointed by the Superintendent of Public Instruction as a trustee or administrator pursuant to Education Code 41320.1, appointed as a trustee by the State Board of Education pursuant to Education Code 52055.57-52055.60 (the Local Educational Agency Intervention program), or assigned to a position by the County Superintendent of Schools pursuant to Education Code 42122-42129. (Education Code 24216)

Until June 30, 2012, a retired individual shall be exempt from the postretirement compensation limitation up to an additional one-half of the full-time position when employed in an emergency situation to fill a vacant administrative position requiring highly specialized skills, provided that all of the following conditions are met: (Education Code 24216)

1. The vacancy occurred due to circumstances beyond the district's control.
2. The recruitment process to fill the vacancy on a permanent basis is expected to extend over several months.
3. The employment is reported in a public meeting of the Board.

*(cf. 9320 - Meetings and Notices)*

4. The retired individual's termination of employment with the district is not the basis for the vacant administrative position.

The above exemptions shall not apply to any individual who has received additional retirement service credit pursuant to Education Code 22715 or 22716. A retiree who has received an additional service credit pursuant to Education Code 22714 or 22714.5 shall be ineligible for the above exemptions for one year from his/her effective date of retirement for service performed in any California district, community college district, or county office of education. (Education Code 24216)

*(cf. 4117.13/4317.13 - Early Retirement Option)*

#### Consultancy Contracts

A retired certificated employee serving as a consultant shall be retained as an employee and his/her service shall be limited in accordance with retirement system rules and regulations. (Education Code 35046)

To be eligible for consideration for a consultancy contract, a retired certificated employee must have served the district or the County Superintendent for at least 10 years and be at least 55 years of age. (Education Code 35046)

Retirement consultancy contracts are renewable annually for up to five years or until the employee reaches age 65, whichever comes first. (Education Code 35046)

Legal Reference:

EDUCATION CODE

300-340 English language education

400-410 English language acquisition program

430-446 English Learner and Immigrant Student Federal Conformity Act

22119.5 Creditable service, definition

22461 Notice of earnings limitation

22714 Encouragement of retirement

22714.5 2+2 service and year credit option under STRS

22715 Additional service credit

22716 Unpaid services

24116 Service at California State University

24214 Creditable service by retiree

24214.5 Postretirement compensation limit; members below normal retirement age

24215 Service at California State University

24216 Payments to retirants in excess of limitation

24216.5 Exemption from earnings limitation

24216.6 Exemption from earnings limitation

35046 Consultancy contracts

37252-37254.1 Supplemental instruction

41320.1 Appointment of trustee

42120-42129 Budget completion

44279.1-44279.7 Beginning Teacher Support and Assessment Program

44380-44386 Alternative certification program

44390-44393 School paraprofessional teacher training program

44830 Employment of certificated employees

44830.3 Employment of district interns

44929 Service credit under STRS; additional two years

44929.1 2+2 service and year credit option under STRS

52055.57-52055.60 Local Educational Agency Intervention program

56000-56885 Special education

Management Resources:

WEB SITES

California State Teachers' Retirement System: <http://www.calstrs.com>

(11/08 11/09) 11/10

BP 4161.9  
4261.9  
4361.9

BP 4161.9, 4261.9, 4361.9 Personnel

#### Catastrophic Leave Program

When a catastrophic illness or injury incapacitates an employee or a member of his/her family for an extended period of time and the employee has exhausted all paid leaves of absence, other employees may donate accrued vacation and/or sick leave credits to that employee under the specific requirements of the district's catastrophic leave program.

Donations made under the catastrophic leave program shall be strictly voluntary.

*(cf. 4161/4261/4361 - Leaves)*

*(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)*

*(cf. 4261.1 - Personal Illness/Injury Leave)*

Legal Reference:

#### EDUCATION CODE

44043.5 Catastrophic leave

(3/92) 10/98

AR 4161.9  
4261.9  
4361.9

AR 4161.9, 4261.9, 4361.9 Personnel

### Catastrophic Leave Program

When an employee or a member of his/her family experiences a catastrophic illness or injury which requires the employee to take time off from work for an extended period of time, and the employee has exhausted all available sick leave and other paid time off, he/she may request donations of accrued vacation or sick leave credits. (Education Code 44043.5)

In making such a request, the employee shall provide verification of the catastrophic injury or illness. (Education Code 44043.5)

Verification shall be made by means of a letter, dated and signed by the sick or injured person's physician, indicating the incapacitating nature and probable duration of the illness or injury.

Upon determination that the employee is unable to work due to his/her own or a family member's catastrophic illness or injury, any other employee, upon written notice to the Governing Board, may donate accrued vacation and/or sick leave credits to the requesting employee. Donations shall be at a minimum of eight hours, and in hour increments thereafter. (Education Code 44043.5)

To ensure that employees retain sufficient accrued sick leave to meet their own needs, donors shall not reduce their accumulated sick leave to fewer than fifteen (15) days.

All transfers of eligible leave credit shall be irrevocable. (Education Code 44043.5)

The Superintendent or designee shall ensure that all donations are confidential.

The employee who is the recipient of the donated leave credits shall use those credits within 12 consecutive months.

An employee who receives paid catastrophic leave shall use any leave credits that he/she continues to accrue on a monthly basis before receiving paid leave pursuant to this program. (Education Code 44043.5)

(3/92) 10/98

Regulation                      SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: November 16, 2011

King City, California

## BP 5030 Students

## Student Wellness

The Governing Board recognizes the link between student health and learning and desires to provide a comprehensive program promoting healthy eating and physical activity for district students. The Superintendent or designee shall build a coordinated school health system that supports and reinforces health literacy through health education, physical education and activity, health services, nutrition services, psychological and counseling services, health promotion for staff, a safe and healthy school environment, and parent/guardian and community involvement.

*(cf. 3513.3 - Tobacco-Free Schools)*  
*(cf. 3514 - Environmental Safety)*  
*(cf. 3555 - Nutrition Program Compliance)*  
*(cf. 5131.6 - Alcohol and Other Drugs)*  
*(cf. 5131.61 - Drug Testing)*  
*(cf. 5131.62 - Tobacco)*  
*(cf. 5131.63 - Steroids)*  
*(cf. 5141 - Health Care and Emergencies)*  
*(cf. 5141.22 - Infectious Diseases)*  
*(cf. 5141.3 - Health Examinations)*  
*(cf. 5141.31 - Immunizations)*  
*(cf. 5141.32 - Health Screening for School Entry)*  
*(cf. 5141.6 - School Health Services)*  
*(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Education)*  
*(cf. 6164.2 - Guidance/Counseling Services)*

To encourage consistent health messages between the home and school environment, the Superintendent or designee may disseminate health information to parents/guardians through district or school newsletters, handouts, parent/guardian meetings, district and school web sites, and other communications. Outreach to parents/guardians shall emphasize the relationship between student health and academic performance.

*(cf. 1100 - Communication with the Public)*  
*(cf. 1112 - Media Relations)*  
*(cf. 1113 - District and School Web Sites)*  
*(cf. 1114 - District-Sponsored Social Media)*  
*(cf. 6020 - Parent Involvement)*

School Health Council/Committee

The Superintendent or designee shall permit parents/guardians, students, food service employees, physical education teachers, school health professionals, Board members, school administrators, and members of the public to participate in the development, implementation, and periodic review and update of the district's student wellness policy. (42 USC 1758b)

To fulfill this requirement, the Superintendent or designee may appoint a school health council or other district committee whose membership shall include representatives of



these groups. He/she also may invite participation of other groups or individuals, such as health educators, curriculum directors, counselors, before- and after-school program staff, health practitioners, and/or others interested in school health issues.

*(cf. 1220 - Citizen Advisory Committees)*  
*(cf. 9140 - Board Representatives)*

The school health council/committee shall advise the district on health-related issues, activities, policies, and programs. At the discretion of the Superintendent or designee, the duties of the council/committee may also include the planning, implementation, and evaluation of activities to promote health within the school or community.

### Nutrition and Physical Activity Goals

The Board shall adopt goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness. (42 USC 1758b)

*(cf. 0000 - Vision)*  
*(cf. 0200 - Goals for the School District)*

The district's nutrition education and physical education programs shall be based on research, consistent with the expectations established in the state's curriculum frameworks and content standards, and designed to build the skills and knowledge that all students need to maintain a healthy lifestyle.

*(cf. 6011 - Academic Standards)*

*(cf. 6143 - Courses of Study)*

Nutrition education shall be provided as part of the health education program and shall be integrated into other academic subjects in the regular educational program.

*(cf. 6142.8 - Comprehensive Health Education)*

The Board prohibits the marketing and advertising of non-nutritious foods and beverages through signage, vending machine fronts, logos, scoreboards, school supplies, advertisements in school publications, coupon or incentive programs, free give-aways, or other means.

*(cf. 1325 - Advertising and Promotion)*

All students shall be provided opportunities to be physically active on a regular basis. Opportunities for moderate to vigorous physical activity shall be provided through physical education and recess and may also be provided through school athletic programs, extracurricular programs, before- and after-school programs, programs encouraging students to walk or bicycle to and from school, in-class physical activity breaks, and other structured and unstructured activities.

*(cf. 5142.2 - Safe Routes to School Program)*  
*(cf. 6142.7 - Physical Education and Activity)*  
*(cf. 6145 - Extracurricular and Cocurricular Activities)*  
*(cf. 6145.2 - Athletic Competition)*

The Board may enter into a joint use agreement to make district facilities or grounds available for recreational or sports activities outside the school day and/or to use community facilities to expand students' access to opportunity for physical activity.

*(cf. 1330.1 - Joint Use Agreements)*

The Superintendent or designee shall encourage staff to serve as positive role models for healthy eating and physical fitness. He/she shall promote work-site wellness and may provide opportunities for regular physical activity among employees. Professional development may include instructional strategies that assess health knowledge and skills and promote healthy behaviors.

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

#### Nutritional Guidelines for Foods Available at School

For all foods available on each campus during the school day, the district shall adopt nutritional guidelines which are consistent with 42 USC 1773 and 1779 and support the objectives of promoting student health and reducing childhood obesity. (42 USC 1758b)

The Board believes that foods and beverages available to students at district schools should support the health curriculum and promote optimal health, taking into consideration the needs of students with special dietary needs. Nutritional standards adopted by the district for all foods and beverages sold to students, including foods and beverages provided through the district's food service program, student stores, vending machines, fundraising, or other venues, shall meet or exceed state and federal nutritional standards.

*(cf. 3312 - Contracts)*  
*(cf. 3550 - Food Service/Child Nutrition Program)*  
*(cf. 3554 - Other Food Sales)*  
*(cf. 5141.27 - Food Allergies/Special Dietary Needs)*

In order to maximize the district's ability to provide nutritious meals and snacks, all district schools shall participate in available federal school nutrition programs, including the National School Lunch and School Breakfast Programs and after-school snack programs, to the extent possible. When approved by the California Department of Education, the district may sponsor a summer meal program.

*(cf. 3552 - Summer Meal Program)*  
*(cf. 3553 - Free and Reduced Price Meals)*

The Superintendent or designee shall encourage school organizations to use healthy food items or non-food items for fundraising purposes. He/she also shall encourage school staff to avoid the use of non-nutritious foods as a reward for students' academic performance, accomplishments, or classroom behavior.

*(cf. 1230 - School-Connected Organizations)*

School staff shall encourage parents/guardians or other volunteers to support the district's nutrition education program by considering nutritional quality when selecting any snacks which they may donate for occasional class parties. Class parties or celebrations shall be held after the lunch period when possible.

#### Program Implementation and Evaluation

The Superintendent shall designate one or more district or school employees, as appropriate, to ensure that each school site complies with this policy. (42 USC 1758b)

*(cf. 0500 - Accountability)*

*(cf. 3555 - Nutrition Program Compliance)*

The Superintendent or designee shall inform and update the public, including parents/guardians, students, and others in the community, about the contents and implementation of this policy. He/she shall periodically measure and make available to the public an assessment of the extent to which district schools are in compliance with this policy, the extent to which this policy compares to model wellness policies available from the U.S. Department of Agriculture, and a description of the progress made in attaining the goals of the wellness policy. (42 USC 1758b)

#### Posting Requirements

Each school shall post the district's policies and regulations on nutrition and physical activity in public view within all school cafeterias or in other central eating areas. (Education Code 49432)

#### Legal Reference:

##### EDUCATION CODE

33350-33354 CDE responsibilities re: physical education

49430-49436 Pupil Nutrition, Health, and Achievement Act of 2001

49490-49494 School breakfast and lunch programs

49500-49505 School meals

49510-49520 Nutrition

49530-49536 Child Nutrition Act

49540-49546 Child care food program

49547-49548.3 Comprehensive nutrition services

49550-49561 Meals for needy students

49565-49565.8 California Fresh Start pilot program

49570 National School Lunch Act

51210 Course of study, grades 1-6

51220 Course of study, grades 7-12  
51222 Physical education  
51223 Physical education, elementary schools  
51795-51796.5 School instructional gardens  
51880-51921 Comprehensive health education  
CODE OF REGULATIONS, TITLE 5  
15500-15501 Food sales by student organizations  
15510 Mandatory meals for needy students  
15530-15535 Nutrition education  
15550-15565 School lunch and breakfast programs  
UNITED STATES CODE, TITLE 42  
1751-1769 National School Lunch Program, especially:  
1758b Local wellness policy  
1771-1791 Child Nutrition Act, including:  
1773 School Breakfast Program  
1779 Rules and regulations, Child Nutrition Act  
CODE OF FEDERAL REGULATIONS, TITLE 7  
210.1-210.31 National School Lunch Program  
220.1-220.21 National School Breakfast Program  
COURT DECISIONS  
Frazer v. Dixon Unified School District, (1993) 18 Cal.App.4th 781

Management Resources:

CSBA PUBLICATIONS

Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009

Safe Routes to School: Program and Policy Strategies for School Districts, Policy Brief, 2009

Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2007

Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, rev. October 2007

Physical Education and California Schools, Policy Brief, rev. October 2007

Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. April 2006

School-Based Marketing of Foods and Beverages: Policy Implications for School Boards, Policy Brief, March 2006

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Physical Education Framework for California Public Schools, Kindergarten Through Grade Twelve, 2009

Healthy Children Ready to Learn: A White Paper on Health, Nutrition, and Physical Education, January 2005

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

CALIFORNIA PROJECT LEAN PUBLICATIONS

Policy in Action: A Guide to Implementing Your Local School Wellness Policy, October 2006

CENTER FOR COLLABORATIVE SOLUTIONS

Changing Lives, Saving Lives: A Step-by-Step Guide to Developing Exemplary Practices in Healthy Eating, Physical Activity and Food Security in Afterschool Programs, March 2010

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

School Health Index for Physical Activity and Healthy Eating: A Self-Assessment and Planning Guide, 2005

NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION PUBLICATIONS

Fit, Healthy and Ready to Learn, 2000

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

Dietary Guidelines for Americans, 2005

Changing the Scene, Improving the School Nutrition Environment: A Guide to Local Action, 2000

WEB SITES

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

Action for Healthy Kids: <http://www.actionforhealthykids.org>

California Department of Education, Nutrition Services Division:  
<http://www.cde.ca.gov/ls/nu>

California Department of Public Health: <http://www.cdph.ca.gov>

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

California Project LEAN (Leaders Encouraging Activity and Nutrition):  
<http://www.californiaprojectlean.org>

California School Nutrition Association: <http://www.calsna.org>

Center for Collaborative Solutions: <http://www.ccscenter.org>

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

Dairy Council of California: <http://www.dairycouncilofca.org>

National Alliance for Nutrition and Activity:

<http://www.cspinet.org/nutritionpolicy/nana.html>

National Association of State Boards of Education: <http://www.nasbe.org>

National School Boards Association: <http://www.nsba.org>

School Nutrition Association: <http://www.schoolnutrition.org>

Society for Nutrition Education: <http://www.sne.org>

U.S. Department of Agriculture, Food Nutrition Service, wellness policy:  
<http://www.fns.usda.gov/tn/Healthy/wellnesspolicy.html>

(11/05 11/07) 7/11

BP 5113.1 Students

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)*  
*(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 district truancy specialist, 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 district wide 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.

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>  
(11/99) 11/10



## AR 5113.1 Students

### Chronic Absence And Truancy

#### Definitions

*Chronic absentee* means a student who is absent for any reason on 10 percent or more of the school days in the school year, when the total number of days the student is absent is divided by the total number of days the student is enrolled and school was actually taught in the regular day schools of the district, exclusive of Saturdays and Sundays.

*Truant* means a student who is absent from school without a valid excuse three full days in one school year, or tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof. (Education Code 48260)

*Habitual truant* means a student who has been reported as a truant three or more times within the same school year, provided the district has made a conscientious effort to hold at least one conference with the student and his/her parent/guardian. (Education Code 48262, 48264.5)

*Chronic truant* means a student who has been absent from school without a valid excuse for 10 percent or more of the school days in one school year, from the date of enrollment to the current date, provided the district has met the requirements of Education Code 48260-48263 and 48291. (Education Code 48263.6)

#### Truancy Specialist

The Superintendent or designee shall appoint a district truancy specialist to monitor the attendance of district students. Such district truancy specialist shall perform duties related to compulsory full-time education, truancy, compulsory continuation education, and any additional duties prescribed by the Superintendent. (Education Code 48240, 48243, 48244)

(cf. 5113 - Absences and Excuses)

(cf. 5113.2 - Work Permits)

#### Addressing Chronic Absence

When a student is identified as a chronic absentee, the district truancy specialist shall communicate with the student and his/her parent/guardian to determine the reason(s) for the excessive absences, ensure the student and parent/guardian are aware of the adverse consequences of poor attendance, and jointly develop a plan for improving the student's school attendance.

(cf. 6020 - Parent Involvement)

The student may be referred to a student success team or the truancy specialist to assist in evaluating the student's needs and identifying strategies and programs that may assist him/her.

*(cf. 5146 - Married/Pregnant/Parenting Students)*  
*(cf. 5147 - Dropout Prevention)*  
*(cf. 5149 - At-Risk Students)*  
*(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)*  
*(cf. 6173.2 - Education of Children of Military Families)*  
*(cf. 6175 - Migrant Education Program)*

A student who is struggling academically may be offered tutoring or other supplemental instruction, extended learning opportunities, and/or alternative educational options as appropriate.

*(cf. 6158 - Independent Study)*  
*(cf. 6176 - Weekend/Saturday Classes)*  
*(cf. 6178.1 - Work Experience Education)*  
*(cf. 6179 - Supplemental Instruction)*  
*(cf. 6181 - Alternative Schools/Programs of Choice)*  
*(cf. 6183 - Home and Hospital Instruction)*  
*(cf. 6184 - Continuation Education)*

Whenever chronic absenteeism is linked to a non-school condition, the district truancy specialist may recommend community resources and/or collaborate with community agencies and organizations to address the needs of the student and his/her family.

*(cf. 1020 - Youth Services)*  
*(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)*  
*(cf. 5145.6 - School Health Services)*

### Addressing Truancy

A district truancy specialist, peace officer, probation officer, or school administrator or designee may arrest or assume temporary custody, during school hours, of any minor student found away from his/her home who is absent from school without a valid excuse. Any person arresting or assuming temporary custody of a minor student shall deliver the student and make reports in accordance with Education Code 48265 and 48266. (Education Code 48264, 48265, 48266)

*(cf. 3515.3 - District Police/Security Department)*

The district truancy specialist shall investigate a complaint from any person that a parent/guardian has violated the state compulsory education laws contained in Education Code 48200-48341. (Education Code 48290)

When a student has been identified as a truant, as defined above, the following steps shall be implemented based on the number of trancies he/she has committed:

1. Initial truancy

a. A student who is initially classified as truant shall be reported to the truancy specialist. (Education Code 48260)

b. The student's parent/guardian shall be notified the most cost-effective method possible, which may include email or a telephone call, that: (Education Code 48260.5)

(1) The student is truant.

(2) The parent/guardian is obligated to compel the student to attend school. If the parent/guardian fails to meet this obligation, he/she may be guilty of an infraction of the law and subject to prosecution pursuant to Education Code 48290-48296.

(3) Alternative educational programs are available in the district.

(4) The parent/guardian has the right to meet with appropriate school personnel to discuss solutions to the student's truancy.

(5) The student may be subject to arrest or held in temporary custody by a probation officer, a peace officer, a school administrator or attendance supervisor or his/her designee under Education Code 48264 if found away from home and absent from school without a valid excuse.

(6) The student may be subject to suspension, restriction, or delay of his/her driving privilege pursuant to Vehicle Code 13202.7.

(7) It is recommended that the parent/guardian accompany the student to school and attend classes with the student for one day.

*(cf. 5145.6 - Parental Notifications)*

c. The student may be required to attend makeup classes on one day of a weekend pursuant to Education Code 37223. (Education Code 48264.5)

d. The student may be given a written warning by a peace officer. A record of this warning may be kept at school for not less than two years or until the student graduates or transfers from the school. If the student transfers, the record may be forwarded to the new school. (Education Code 48264.5)

*(cf. 5125 - Student Records)*

- e. The Superintendent or district truancy specialist may notify the district attorney and/or probation officer of the name of each student who has been classified as a truant and the name and address of the student's parents/guardians. (Education Code 48260.6)

## 2. Second truancy

- a. Any student who has once been reported as a truant shall again be reported to the truancy specialist as a truant if he/she is absent from school without valid excuse one or more days or is tardy on one or more days. (Education Code 48261)
- b. The student may be required to attend makeup classes on one day of a weekend pursuant to Education Code 37223. (Education Code 48264.5)
- c. The student may be assigned to an after-school or weekend study program within the county. If the student fails to successfully complete this study program, he/she shall be subject to item #3 below. (Education Code 48264.5)
- d. An appropriate district staff member shall make a conscientious effort to hold at least one conference with the student and parent/guardian by communicating with the parent/guardian at least once using the most cost-effective method possible, which may include email or a telephone call. (Education Code 48262)
- e. The truancy specialist may notify the district attorney and/or probation officer whether the student continues to be classified as a truant after the parents/guardians have been notified in accordance with item #1b above. (Education Code 48260.6)

## 3. Third truancy (habitual truancy)

- a. A student who is habitually truant, irregular in school attendance, or habitually insubordinate or disorderly during attendance at school may be referred to, and required to attend, a truancy mediation program established by the district attorney or the probation officer, or a comparable program deemed acceptable by the district's truancy specialist. (Education Code 48263, 48264.5)
- b. Upon making a referral to the probation department, the Superintendent or district truancy specialist shall provide the student and parent/guardian, in writing, the name and address of the SARB or probation department and the reason for the referral. This notice shall indicate that the student and parent/guardian shall be required, along with the district staff person making the referral, to meet with a probation officer to consider a proper disposition of the referral. (Education Code 48263)

- c. If the student does not successfully complete the truancy mediation program or other similar program, he/she shall be subject to item #4 below. (Education Code 48264.5)
- d. If the truancy specialist determines that available community services cannot resolve the problem of the truant or insubordinate student or if the student and/or student's parents/guardians have failed to respond to the directives of the district or to services provided, the truancy specialist may so notify the district attorney and/or the probation officer. (Education Code 48263)
- e. Upon his/her fourth truancy within the same school year, the student shall be within the jurisdiction of the juvenile court. (Education Code 48264.5; Welfare and Institutions Code 601)
- f. If a student has been adjudged by the county juvenile court to be a habitual truant, the Superintendent or district truancy specialist shall notify the juvenile court and the student's probation or parole officer whenever the student is truant or tardy on one or more days without a valid excuse in the same or succeeding school year, or is habitually insubordinate or disorderly at school. The juvenile court and probation or parole officer shall be notified within 10 days of the violation. (Education Code 48267)

5. Absence for 10 percent of school days (chronic truancy)

- a. The district truancy specialist shall ensure that the student's parents/guardians are offered language-accessible support services to address the student's truancy.
- b. If a chronically truant student is at least age 6 years and has not reached the age of 18 years, the attendance supervisor shall notify the parents/guardians that failure to reasonably supervise and encourage the student's school attendance may result in the parent/guardian being found guilty of a misdemeanor pursuant to Penal Code 270.1.

Records

The Superintendent or district truancy specialist shall maintain accurate attendance records for students identified as habitual or chronic truants. The Superintendent or designee also shall document all contacts with a student and his/her parent/guardian regarding the student's attendance, including a summary of all conversations and a record of all intervention efforts.

Regulation

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: November 16, 2011

King City, California

## BP 5125.1 Students

### Release Of Directory Information

The Governing Board recognizes the importance of maintaining the confidentiality of directory information and therefore authorizes the release of such information only in accordance with law, Board policy, and administrative regulation.

The Superintendent or designee may release student directory information to representatives of the news media or nonprofit organizations in accordance with Board policy and administrative regulation.

*(cf. 1112 - Media Relations)*

The Superintendent or designee may limit or deny the release of specific categories of directory information to any public or private nonprofit organization based on his/her determination of the best interests of district students. (Education Code 49073)

Colleges and prospective employers, including military recruiters, shall have access to directory information. Military recruiters shall have access to a student's name, address, and telephone number, unless the parent/guardian has specified that the information not be released in accordance with law and administrative regulation. (20 USC 7908; 10 USC 503; Education Code 49603)

*(cf. 6164.2 - Guidance/Counseling Services)*

Under no circumstances shall directory information be disclosed to a private profit-making entity, except for representatives of the news media and prospective employers, in accordance with Board policy. Private schools and colleges may be given the names and addresses of 12th-grade students and students who are no longer enrolled provided that they use this information only for purposes directly related to the institution's academic or professional goals. (Education Code 49073)

*(cf. 1113 - District and School Web Sites)*

#### Legal Reference:

EDUCATION CODE

49061 Definitions

49063 Notification of parents of their rights

49073 Release of directory information

49073.5 Directory information; military representatives; telephone numbers

49603 Public high schools; military recruiting

UNITED STATES CODE, TITLE 10

503 Military recruiter access to directory information

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act  
7908 Armed forces recruiter access to students and student recruiting information  
CODE OF FEDERAL REGULATIONS, TITLE 34  
99.1-99.67 Family Educational Rights and Privacy

Management Resources:

WEB SITES

U.S. Department of Education, Family Policy Compliance Office:

<http://www.ed.gov/policy/gen/guid/fpco/index.html>

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Access to High School Students and Information on Students by Military Recruiters, 2002  
(11/01 7/02) 7/05

Policy

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: November 16, 2011

King City, California

AR 5125.1 Students

Release Of Directory Information

Definition

*Directory information* means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Such student information includes: (34 CFR 99.3; Education Code 49061)

1. Name
2. Address
3. Telephone number
4. Email address
5. Date and place of birth
6. Major field of study
7. Participation record in officially recognized activities and sports
8. Weight and height of athletic team members
9. Dates of attendance
10. Degrees and awards received
11. Most recent previous school attended

Notification to Parents/Guardians

At the beginning of each school year, all parents/guardians shall be notified as to the categories of directory information the school or district plans to release and the recipients of the information. The notification shall also inform parents/guardians of their right to refuse to let the district designate any or all types of information as directory information and the period of time within which a parent/guardian must notify the district in writing that he/she does not want a certain category of information designated as directory information. (34 CFR 99.37; Education Code 49063, 49073)



*(cf. 5125 - Student Records)*

*(cf. 5145.6 - Parental Notifications)*

The Superintendent or designee shall notify parents/guardians that they may request that the district not release the name, address, and telephone number of their child to military recruiters, employers, or institutions of higher education without prior written consent. (20 USC 7908)

#### Parent/Guardian Consent

Directory information shall not be released regarding any student whose parent/guardian notifies the district in writing that such information not be disclosed without the parent/guardian's prior consent. (20 USC 1232g, 7908; Education Code 49073)

For a former student, the district shall continue to honor any valid request to opt out of the disclosure of directory information made while the student was in attendance at the district, unless the opt-out request has been rescinded. (34 CFR 99.37)

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E 5125.1 Students

Release Of Directory Information

PARENT/GUARDIAN NOTICE

RELEASE OF DIRECTORY INFORMATION

The Family Educational Rights and Privacy Act (FERPA), a federal law, requires that South Monterey County Joint Union High School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the district may disclose appropriately designated "directory information" without written consent, unless you have advised the district to the contrary in accordance with district procedures. The primary purpose of directory information is to allow the district to include this type of information from your child's education records in certain school and/or district publications. Examples include:

- \* a playbill, showing your child's role in a drama production;
- \* the annual yearbook;
- \* honor roll or other recognition lists;
- \* graduation programs; and
- \* sports activity sheets, such as for wrestling, showing weight and height of team members

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent/guardian's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks.

In addition, two federal laws require districts receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories - names, addresses and telephone listings - unless parents/guardians have advised the district that they do not want their child's information disclosed without their prior written consent.

If you do not want the district to disclose directory information from your child's education records without your prior written consent, you must notify the district in writing by the opening of school each year. The district has designated the following information as directory information:

1. Name
2. Address
3. Telephone number
4. Electronic mail address
5. Photograph
6. Date and place of birth
7. Major field of study
8. Participation in officially recognized activities and sports
9. Weight and height of athletic team members
10. Dates of attendance
11. Degrees and awards received
12. Most recent previous school attended

Exhibit                      SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: November 16, 2011

King City, California

PARENT REQUEST TO NOT RELEASE INFORMATION  
TO COLLEGE/MILITARY RECRUITERS WITHOUT PRIOR CONSENT

*Schools: Please keep this letter for your records*

Dear Parent/Guardian

Recognizing the challenges faced by military recruiters, the NO Child Left Behind Act requires high schools to provide the military recruiters, upon request, access to names, addresses and phone numbers of high school juniors and seniors. The law also requires high schools to release information to colleges or other institutions on higher education upon request. IF you do not want the South Monterey County Joint Union High School District to disclose this information without your prior written consent, please fill out the form below and return it to your school's School Office Assistant by Friday, <date>.

If the school does not receive this form signed by a parent/guardian by the above date, the school will release student information to military and college recruiters upon their request. If your child is over 18 years of age, he/she must sign the form.

A list of the guidelines on military recruiters' and colleges' access to information can be found at the following website: <http://www.ed.gov/policy/gen/guid/fpco/hottopics/ht-10-09-02a.html>. If you have any questions, please do not hesitate to call your school principal or the Assistant Superintendent of Educational Services at the District Office, 831-385-0606 extension 4315.

PARENT REQUEST TO NOT RELEASE INFORMATION TO COLLEGES/MILITARY  
RECRUITERS *WITHOUT PRIOR CONSENT*

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

Student's Name \_\_\_\_\_ Grade: \_\_\_\_\_

Student ID#: \_\_\_\_\_

Do not disclose my child's name, address or telephone number to the following without my prior written consent (check one or both)

- ☐ Colleges and other higher education institution recruiters
- ☐ United States military recruiters

Parent/Guardian's signature:

\_\_\_\_\_  
Student's signature (if 18 years of age or older)

\_\_\_\_\_  
Please return to your school's School Services Coordinator by Friday, <date>

## BP 5131.62 Students

### 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)*

*(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 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:

### 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>

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AR 5131.62 Students

Tobacco

Tobacco-Use Prevention Education Program

The district's tobacco-use prevention program shall provide students in grades 9-12 instruction which addresses the following topics: (Health and Safety Code 104420)

1. Immediate and long-term undesirable physiologic, cosmetic, and social consequences of tobacco use
2. Reasons that adolescents say they smoke or use tobacco
3. Peer norms and social influences that promote tobacco use
4. Refusal skills for resisting social influences that promote tobacco use

*(cf. 5131.6 - Alcohol and Other Drugs)*

*(cf. 6142.8 - Comprehensive Health Education)*

*(cf. 6143 - Courses of Study)*

As appropriate, the district shall provide or refer students in grades 7-12 to tobacco-use intervention and cessation activities. (Health and Safety Code 104420)

*(cf. 1020 - Youth Services)*

*(cf. 5141.6 - School Health Services)*

*(cf. 6164.2 - Guidance/Counseling Services)*

These services shall be directed toward current users and shall be voluntary for students who desire assistance in ceasing the use of tobacco.

In addition to targeting students who currently use tobacco, the district's program shall target students most at risk for beginning to use tobacco as identified through a local needs assessment.

The district shall provide or refer every pregnant and parenting minor enrolled in the district to tobacco-use prevention services. Such services may be integrated with existing programs for pregnant and parenting minors and shall include: (Health and Safety Code 104460)

1. Referral to perinatal and related support services
2. Outreach services and assessment of smoking status

3. Individualized counseling and advocacy services
4. Motivational messages
5. Cessation services, if appropriate
6. Incentives to maintain a healthy lifestyle
7. Follow-up assessment
8. Maintenance and relapse prevention services

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

## BP 5131.7 Students

### 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)*

Unless he/she has obtained prior written permission as specified below, 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)

### Advance Permission for Possession of a Weapon for Educational Use

A student who desires to possess a firearm, imitation firearm, or other prohibited weapon on school grounds for an educational purpose shall request prior permission from the principal at least five school days in advance of the planned possession. The student's parent/guardian shall provide written permission explaining the planned use of the weapon and the duration. The student shall also submit a written explanation from the staff person responsible for the school-sponsored activity or class.

On a case-by-case basis, the principal shall determine whether to grant permission for such possession when necessary for a school-sponsored activity or class or as part of the educational program. Factors that shall be considered include, but are not limited to, the planned use of the weapon, the duration and location of the planned use, whether an audience is expected, and any perceived adverse effects to the safety and well-being of students or staff. If the principal grants such permission, he/she shall provide the student and staff person with a written explanation regarding any limitations and the permissible duration of the student's possession.

When the principal or designee grants permission, he/she shall take all necessary precautions to ensure the safety of all persons on school grounds, including, but not limited to, inspecting a firearm to verify that no live ammunition is present. Any weapon allowed shall be stored in a locked vehicle or in an appropriate, locked container before and after its authorized use.

A student granted permission to possess a weapon may be suspended and/or expelled if he/she possesses or uses the weapon inappropriately.

### Possession of Pepper Spray

The Board recognizes that students age 16 or older may legally possess tear gas or tear gas weapons such as pepper spray for the purpose of self-defense. However, 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:

##### 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/lss/>

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>  
(7/04 3/08) 3/10

Policy

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: November 16, 2011

King City, California

AR 5131.7 Students

Weapons And Dangerous Instruments

Prohibited weapons and dangerous instruments include, but are not limited to:

1. Firearms: pistols, revolvers, shotguns, rifles, "zip guns," "stun guns," tasers, and any other device capable of propelling a projectile by the force of an explosion or other form of combustion
2. Knives, razor blades, and box cutters: any dirks, daggers, ice picks, or other weapons with a fixed, sharpened blade fitted primarily for stabbing, weapons with a blade fitted primarily for stabbing, weapons with a blade longer than 2-1/2 inches, folding knives with a blade that locks into place, and razors with an unguarded blade (Education Code 48915; Penal Code 626.10)
3. Explosive and/or incendiary devices: pipe bombs, time bombs, cap guns, containers of inflammable fluids, and other hazardous devices
4. Any instrument that expels a metallic projectile, such as a BB or a pellet, through the force of air pressure, carbon dioxide pressure, or spring action, or any spot marker gun (Penal Code 626.10)
5. Any other dangerous device, instrument, or weapon, including those defined in Penal Code 12020, including a blackjack, slingshot, billy, nunchaku, sandclub, sandbag, metal knuckles, or any metal plate with three or more radiating points with one or more sharp edges designed for use as a weapon
6. Any imitation firearm, defined as a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm (Education Code 48900; Penal Code 12550)

Any employee may take any weapon or dangerous instrument from the personal possession of a student while the student is on school premises or under the authority of the district. (Education Code 49331, 49332)

*(cf. 5145.12 - Search and Seizure)*

In determining whether to take possession of the weapon or dangerous instrument, the employee shall use his/her own judgment as to the dangerousness of the situation and, based upon this analysis, shall do one of the following:

1. Confiscate the object and deliver it to the principal immediately

2. Immediately notify the principal, who shall take appropriate action
3. Immediately notify the local law enforcement agency and the principal

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 3515.3 - District/Police Security Department)*

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

When informing the principal about the possession or seizure of a weapon or dangerous instrument, the employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of the possession.

The principal shall report any possession of a weapon or dangerous instrument, including imitation firearms, to the student's parents/guardians by telephone or in person, and shall follow this notification with a letter.

The employee shall retain possession of the instrument until the risk of its use as a weapon has dissipated or, upon the request of the student's parent/guardian, until the parent/guardian appears and personally takes possession. (Education Code 49331, 49332)

(2/96 7/01) 3/10

Regulation                      SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: November 16, 2011

King City, California



## BP 5141.31 Students

### 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. 5141.26 - Tuberculosis Testing)*

*(cf. 6142.8 - Comprehensive Health Education)*

Each student enrolling for the first time in a secondary school, 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. 1400 - Relations Between Other Governmental Agencies and the Schools)*

*(cf. 5141.22 - Infectious Diseases)*

*(cf. 5112.1 - Exemptions from Attendance)*

*(cf. 5112.2 - Exclusions from Attendance)*

Each transfer student shall be requested to present his/her immunization record upon registration at a district school.

However, when necessary, a transfer student may be conditionally admitted for up to 30 school days while his/her immunization records are being transferred from the previous school. If these records do not arrive within 30 school days, the student shall present written documentation by an authorized health care provider showing that the required immunizations were received. If such documentation is not presented, the student shall be excluded from school until the required immunizations have been administered. (17 CCR 6070)

*(cf. 6173 - Education for Homeless Children)*

*(cf. 6173.1 - Education for Foster Youth)*

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

The Superintendent or designee may arrange for an authorized health care provider to administer immunizations at school to any student whose parent/guardian has consented in writing. At the beginning of the school year, parents/guardians shall be notified of their right to provide consent for the administration of an immunization to their child at school. (Education Code 49403)

*(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>

Policy

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: November 16, 2011

King City, California

## AR 5141.31 Students

### Immunizations

#### Required Immunizations

The Superintendent or designee shall provide parents/guardians, upon school registration, a written notice summarizing the state's immunization requirements.

The Superintendent or designee shall not unconditionally admit any student to a district secondary school, unless that student has presented documentation of full immunization, in accordance with the age/grade and dose required by the California Department of Public Health (CDPH), against the following diseases: (Health and Safety Code 120335; 17 CCR 6020)

1. Measles, mumps and rubella (MMR)
2. Diphtheria, tetanus and pertussis (whooping cough) (DTP, DTaP, or Tdap)
3. Poliomyelitis (polio)
4. Hepatitis B
5. Varicella (chickenpox)
6. Haemophilus influenza type b (Hib meningitis)
7. Any other disease designated by the CDPH

*(cf. 5141.22 - Infectious Diseases)*

The student's immunization record shall be provided by the student's health care provider or from the student's previous school immunization record. The record must show the date that each dose was administered.

### Exemptions

Exemption from immunization requirements is allowed when: (Health and Safety Code 120365, 120370; 17 CCR 6051)

1. The student's parent/guardian states in writing that immunization is contrary to his/her beliefs.

However, if there is good cause to believe that the student has been exposed to one of the communicable diseases listed above, the student may be temporarily excluded from school until the local public health officer is satisfied that the student is no longer at risk of developing the disease.

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

2. The student's parent/guardian provides a written statement by a licensed physician that the physical condition or medical circumstances of the student are such that immunization is unsafe or is permanently not indicated, in which case the student shall be exempted to the extent indicated by the physician's statement.

### Exclusions Due to Lack of Immunizations

Any student without the required evidence of immunization may be excluded from school until the immunization is obtained or the student presents a letter or affidavit of exemption from his/her parent/guardian or physician to the Superintendent or designee.

*(cf. 5112.2 - Exclusions from Attendance)*

*(cf. 6183 - Home and Hospital Instruction)*

Before an already admitted student is excluded from school attendance because of lack of immunization, the Superintendent or designee shall notify the parent/guardian that he/she has 10 school days to supply evidence of proper immunization or an appropriate letter of exemption. (Education Code 48216; 17 CCR 6040)

This notice shall refer the parent/guardian to the student's usual source of medical care or, if the student has no usual source of medical care, then to the county health department or school immunization program, if any. (Education Code 48216)

The Superintendent or designee shall exclude from further attendance any already admitted student who fails to obtain the required immunization within 10 school days following the parent/guardian's receipt of the notice specified above, unless the student is exempt from immunization for medical reasons or personal beliefs. The student shall remain excluded from school until he/she has received another dose of each required vaccine due at that time. The student shall also be reported to the attendance supervisor or principal. (17 CCR 6055)

### Conditional Enrollment

The Superintendent or designee may conditionally admit a student with documentation from an authorized health care provider that: (Health and Safety Code 120340; 17 CCR 6000, 6035)

1. He/she has received some but not all required immunizations and is not due for any vaccine dose at the time of admission
2. He/she has a temporary exemption from immunization for medical reasons

The Superintendent or designee shall notify the student's parents/guardians of the date by which the student must complete all the remaining doses when they become due as specified in 17 CCR 6035.

The Superintendent or designee shall review the immunization record of each student admitted conditionally every 30 days until that student has received all the required immunizations. If the student does not receive the required immunizations within the specified time limits, he/she shall be excluded from further attendance until the immunizations are received. (Health and Safety Code 120375; 17 CCR 6070)

#### Records

The Superintendent or designee shall record each new entrant's immunizations in the California School Immunization Record and retain it as part of the student's mandatory permanent student record. District staff shall maintain the confidentiality of immunization records and may disclose such information to state and local health departments only in accordance with law. (Health and Safety Code 120375, 120440; 17 CCR 6070)

*(cf. 5125 - Student Records)*

## BP 5145.2 Students

### Freedom Of Speech/Expression

The Governing Board believes that free inquiry and exchange of ideas are essential parts of a democratic education. The Board respects students' rights to express ideas and opinions, take stands on issues, and support causes, even when such speech is controversial or unpopular.

*(cf. 6142.3 - Civic Education)*

*(cf. 6144 - Controversial Issues)*

### On-Campus Expression

Students shall have the right to exercise freedom of speech and of the press including, but not limited to, the use of bulletin boards; the distribution of printed materials or petitions; the wearing of buttons, badges, and other insignia; and the right of expression in official publications. (Education Code 48907)

Student expression on district or school Internet web sites and online media shall generally be afforded the same protections as in print media.

*(cf. 1113 - District and School Web Sites)*

*(cf. 6163.4 - Student Use of Technology)*

Students' freedom of expression shall be limited only as allowed by Education Code 48907, 48950, and other applicable state and federal laws.

Students are prohibited from making any expressions or distributing or posting any materials that are obscene, libelous, or slanderous. Students also are prohibited from making any expressions that so incites students as to create a clear and present danger of the commission of unlawful acts on school premises, the violation of school rules, or substantial disruption of the school's orderly operation. (Education Code 48907)

*(cf. 5145.7 - Sexual Harassment)*

*(cf. 5145.9 - Hate-Motivated Behavior)*

The use of "fighting words" or epithets is prohibited in those instances where the speech is abusive and insulting, rather than a communication of ideas, and the speech is used in an abusive manner in a situation that presents an actual danger that it will cause a breach of the peace.

School officials shall not engage in prior restraint of material prepared for official school publications except insofar as the content of the material violates the law. (Education Code 48907)

The Superintendent or designee shall not discipline any high school student solely on the basis of speech or other communication that would be constitutionally protected when engaged in outside of school, but may impose discipline for harassment, threats, or intimidation unless constitutionally protected. (Education Code 48950)

*(cf. 5137 - Positive School Climate)*

*(cf. 5144 - Discipline)*

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

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

### Off-Campus Expression

A student shall be subject to discipline for off-campus expression, including expression on off-campus Internet web sites, when such expression poses a threat to the safety of other students, staff, or school property, or substantially disrupts the educational program. The Superintendent or designee shall document the impact the expression had or could be expected to have on the school program.

*(cf. 5131 - Conduct)*

#### Legal Reference:

##### EDUCATION CODE

48907 Exercise of free expression; rules and regulations

48950 Speech and other communication

51520 Prohibited solicitations on school premises

##### UNITED STATES CODE, TITLE 20

4071-4074 Equal Access Act

##### CALIFORNIA CONSTITUTION

Article 1, Section 2 Freedom of speech and expression

##### U.S. CONSTITUTION

Amendment 1 Freedom of speech and expression

##### COURT DECISIONS

Smith v. Novato Unified School District, (2007) 150 Cal.App.4th 1439

Lavine v. Blaine School District, (2001) 257 F.3d 981

Emmett v. Kirkland School District No. 415, (2000) 92 F.Supp. 2d 1088

J.S. v. Bethlehem Area School District, (2000) 757 A.2d 412 (Pa. Commw. 2000)

Beussink v. Woodland R-IV School District, (1998) 30 F.Supp. 2d 1175

Muller v. Jefferson Lighthouse School, (1996) 98 F.3d 1530

Lovell v. Poway Unified School District, (1996) 90 F.3d 367

Hazelwood School District v. Kuhlmeier, (1988) 108 S. Ct. 562

Leeb v. DeLong, (1988) 198 Cal.App.3d 47

Bethel School District No. 403 v. Fraser, (1986) 478 U.S. 675

Bright v. Los Angeles Unified School District, (1976) 18 Cal. 3d 350

Tinker v. Des Moines Independent Community School District, (1969) 393 U.S. 503

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

Limitations on Student Expression in School-Sponsored Publications, March 4, 1988

WEB SITES

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

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

(3/93 11/01) 11/07



AR 5145.2 Students

Freedom Of Speech/Expression

School-Sponsored Publications

Students shall have the right to exercise freedom of speech and of the press in official school publications, except for expression that is obscene, libelous, slanderous, or so incites students as to create a clear and present danger of the commission of unlawful acts on school premises, the violation of lawful school regulations, or the substantial disruption of the orderly operation of the school. (Education Code 48907)

Official school publications includes material produced by students in journalism, newspaper, yearbook, or writing classes and distributed to the student body either for a fee or free. (Education Code 48907)

Each principal shall develop a school publications code outlining the responsibility of student journalists, editors, and publication advisors.

All student submissions shall be held to professional standards of English and journalism. (Education Code 48907)

If the principal considers material submitted for publication to violate Education Code 48907, he/she shall notify the student, without undue delay, and give specific reasons why the submitted material may not be published. Absent extraordinary circumstances, such notice should be given in sufficient time to allow the student time to either modify the material or to seek review of the principal's determination from the Superintendent or designee. Prior to any restriction of student speech, school officials shall consider any feasible alternative options to restricting the speech.

To the extent that the principal or designee believes that the school and district should be disassociated from a particular idea or opinion, the principal may require student articles to include disclaimers.

Distribution of Printed Materials and Petitions by Students

The principal or designee may provide bulletin boards on which students and student organizations may post materials of general interest. Students also may post or distribute handbills, leaflets, and other printed material, whether produced within or outside of the school. Students may collect signatures on petitions concerning school or nonschool issues.

*(cf. 1325 - Advertising and Promotion)*

*(cf. 6145.5 - Student Organizations and Equal Access)*

Printed materials or petitions may be distributed only:

1. Before or after school or during lunch time
2. In locations that do not obstruct the normal flow of traffic within the school or at entrances

No student shall use coercion to induce any other student or person to accept printed matter or to sign a petition. No funds shall be collected for any material distributed.

*(cf. 5131 - Conduct)*

#### Clothing, Buttons, and Badges

Buttons, badges, armbands, and clothing bearing slogans or sayings may be worn unless their message falls into the categories prohibited by law and Board policy. No employee shall interfere with this practice on the grounds that the message may be controversial or unpopular with students or faculty.

*(cf. 5131.4 - Student Disturbances)*

*(cf. 5132 - Dress and Grooming)*

*(cf. 5136 - Gangs)*

*(cf. 5144 - Discipline)*

(11/01 7/06) 11/07

Regulation                      SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: November 16, 2011

King City, California

BP 6111 Instruction

School Calendar

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

*(cf. 0200 - Goals for the School District)*  
*(cf. 4143/4243 - Negotiations/Consultation)*  
*(cf. 6162.51 - Standardized Testing and Reporting Program)*  
*(cf. 6162.52 - High School Exit Examination)*

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

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

The district shall offer one hundred eighty (180) days or more of instruction per school year, except for any school year in which the district and employee organization(s) agree to have fewer days of instruction pursuant to the authorization in Education Code 46201.2.

*(cf. 1431 - Waivers)*

Staff development days shall not be counted as instructional days.

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

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

*(cf. 5145.6 - Parental Notifications)*

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

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

*(cf. 5113 - Absences and Excuses)*

Legal Reference:

EDUCATION CODE

37200-37202 School calendar

37220-37223 Holidays

37252-37254.1 Summer school

37300-37307 Year-Round School Demonstration Project

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

37618 School calendar

37700-37711 Four-day week

41422 Schools not maintained for 175 days

41530-41532 Professional Development Block Grant

46200-46206 Incentives for longer instructional day and year

46300 Method of computing ADA

48980 Notice at beginning of term

REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS

44579-44579.6 Instructional Time and Staff Development Reform Program

ELECTIONS CODE

12283 School closures, election days

COURT DECISIONS

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

PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS

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

Management Resources:

WEB SITES

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

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

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

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

(7/05 11/09) 7/11

Policy

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: November 16, 2011

King City, California

## BP 6143 Instruction

### Courses Of Study

The Governing Board recognizes that a well-articulated sequence of courses fosters academic progress and provides for the best possible use of instructional time. The district's course of study shall provide students with opportunities to attain the skills, knowledge, and abilities they need to be successful in school, college, and/or the workplace.

*(cf. 6141 - Curriculum Development and Evaluation)*

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

The Superintendent or designee shall establish processes for ensuring the articulation of courses across grade levels within the district and, as necessary, shall work with representatives of appropriate area districts to ensure articulation of courses between elementary and secondary schools.

### Secondary Grades

The district shall offer all otherwise qualified students in secondary grades a course of study that, upon graduation from high school, prepares them to meet the requirements and prerequisites for admission to California public colleges and universities and/or attain entry-level employment skills in business or industry. (Education Code 51228)

The Superintendent or designee shall ensure that all otherwise qualified students have a timely opportunity, within the four years before graduation, to enroll in each course necessary to fulfill the requirements and prerequisites for admission to California public colleges and universities prior to graduation from high school. (Education Code 51228)

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

*(cf. 6141.5 - Advanced Placement)*

*(cf. 6146.1 - High School Graduation Requirements)*

*(cf. 6162.52 - High School Exit Examination)*

*(cf. 6178 - Vocational Education)*

In addition, the course of study for high school students shall include instruction in skills and knowledge for adult life and career technical training. (Education Code 51224)

The Superintendent or designee shall develop a process by which courses are submitted to the University of California (UC) for review and certification in order to meet university admission criteria. He/she shall maintain an accurate list of all current district high school courses that have been so certified and shall ensure that the list is provided annually to each student in grades 9-12 and that updated lists are made readily available. (Education Code 66204)

At the beginning of each school year, the Superintendent or designee shall provide written notice to parents/guardians of students in grades 9-12 that, to the extent possible, shall not exceed one page in length and that includes all of the following: (Education Code 51229)

1. A brief explanation of the college admission requirements
2. A list of the current UC and California State University (CSU) web sites that help students and their families learn about college admission requirements and that list high school courses that have been certified by UC as satisfying the requirements for admission to UC and CSU
3. A brief description of what career technical education is, as defined by the California Department of Education (CDE)
4. The Internet address for the portion of the web site of the CDE where students can learn more about career technical education
5. Information about how students may meet with school counselors to help them choose courses that will meet college admission requirements and/or enroll in career technical education courses

*(cf. 5145.6 - Parental Notifications)*

*(cf. 6164.2 - Guidance/Counseling Services)*

Legal Reference:

EDUCATION CODE

33319.3 Driver education; CDE materials on road rage

33540 Government and civics instruction in interaction with government agencies

48980 Parental notifications

51202 Instruction in personal and public health and safety

51203 Instruction on alcohol, narcotics and restricted dangerous drugs

51204 Course of study designed for student's needs

51204.5 History of California; contributions of men, women and ethnic groups

51210-51212 Areas of study for grades 1-6

51220-51229 Course of study for grades 7-12

51241 Exemption from physical education

51911-51921 Comprehensive health educational plans

51930-51939 California Comprehensive Sexual Health and HIV/AIDS Prevention Act

51940 Curriculum for brain and spinal cord injury prevention

53278-53280 Supplemental School Counseling Program

66204 Certification of high school courses as meeting university admission criteria

HEALTH AND SAFETY CODE

11032 Definition of dangerous drugs

CODE OF REGULATIONS, TITLE 5

10020-10049 Automobile driver education and training

10060 Physical education program

UNITED STATES CODE, TITLE 20

6101-6251 School-to-Work Opportunities Act of 1994

Management Resources:

WEB SITES

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

California Career Resource Network: <http://www.californiacareers.info>

California Colleges.edu: <http://www.californiacolleges.edu>

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

University of California, Certified Course Lists: <http://doorways.ucop.edu/list>

University of California, College Prep Online Courses and Services: <http://www.uccp.org>

(3/01 3/03) 11/07

## INSTRUCTION

### Courses Of Study

#### Grades 9-12

Courses of study for grades 9 through 12 shall include the following:

*(cf. 6146.1 - High School Graduation Requirements)*

*(cf. 6162.52 - High School Exit Examination)*

1. English: knowledge and appreciation of literature, language and composition, and the skills of reading, listening, and speaking (Education Code 51220)

*(cf. 6142.91 - Reading/Language Arts Instruction)*

2. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology and sociology, with instruction in: (Education Code 51220)

- a. The history, resources, development, and government of California and the United States, including:

- (1) Early California history, and the role and contributions of both men and women, black Americans, American Indians, Mexicans, Asians, Pacific Island people and other ethnic groups to the economic, political and social development of California and the nation, with particular emphasis on the role of these groups in contemporary society (Education Code 51204.5)

- (2) World War II and the American role in that war and the Vietnam War, including the "Secret War" in Laos and role of Southeast Asians in that war

- b. The American legal system, the operation of the juvenile and adult criminal justice systems, and the rights and duties of citizens under the criminal and civil law and the state and federal constitutions
- c. The development of the American economic system, including the role of the entrepreneur and labor
- d. The relations of persons to their human and natural environments, including the wise use of natural resources (Education Code 51221)

*(cf. 6142.5 - Environmental Education)*

- e. Eastern and western cultures and civilizations



f. Human rights issues, with particular attention to the study of the inhumanity of genocide, slavery, and the Holocaust

g. Contemporary issues

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

*(cf. 6141.6 - Multicultural Education)*

3. Foreign language(s): understanding, speaking, reading, and writing, beginning not later than grade 9 (Education Code 51220)

4. Physical education: with emphasis on physical activities conducive to health and vigor of body and mind, as required by Education Code 51222 (Education Code 51220)

*(cf. 6142.7 - Physical Education)*

5. Science: physical and biological aspects; emphasis on basic concepts, theories, and processes of scientific investigation and on the place of humans in ecological systems; and with appropriate applications of the interrelation and interdependence of the sciences (Education Code 51220)

*(cf. 6142.93 - Science Instruction)*

6. Mathematics: mathematical understandings, operational skills and problem-solving procedures; algebra (Education Code 51220, 51224.5)

*(cf. 6142.92 - Mathematics Instruction)*

7. Visual and performing arts: dance, music, theatre, and visual arts, with emphasis upon development of aesthetic appreciation and creative expression (Education Code 51220)

*(cf. 6142.6 - Visual and Performing Arts Education)*

8. Applied arts: consumer and homemaking education, industrial arts, general business education, or general agriculture (Education Code 51220)

9. Career technical/vocational-technical education in the occupations and in the numbers appropriate to the personnel needs of the state and community served and relevant to the career desires and needs of students (Education Code 51220)

*(cf. 6178 - Career Technical Education)*

10. HIV/AIDS prevention (Education Code 51934)

*(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)*

11. Personal and public safety, accident prevention and health, including instruction in: (Education Code 51202, 51203)

- a. Emergency first aid, hemorrhage control, treatment for poisoning, resuscitation techniques, and cardiopulmonary resuscitation when appropriate equipment is available
- b. Fire prevention
- c. The protection and conservation of resources, including the necessity for the protection of our environment
- d. Venereal disease
- e. The effects of alcohol, narcotics, drugs, and tobacco upon the human body and upon prenatal development

*(cf. 5131.6 - Alcohol and Other Drugs)*

- f. Prenatal care
- g. Violence as a public health issue

High schools may offer automobile driver education that includes instruction in:

- 1. Vehicle Code provisions and other relevant state laws (Education Code 51220)
- 2. Proper acceptance of personal responsibility in traffic (Education Code 51220)
- 3. Appreciation of the causes, seriousness and consequences of traffic accidents (Education Code 51220)
- 4. Knowledge and attitudes necessary for the safe operation of motor vehicles (Education Code 51220)
- 5. The safe operation of motorcycles (Education Code 51220)
- 6. The dangers involved in consuming alcohol or drugs in connection with the operation of a motor vehicle (Education Code 51220.1)
- 7. The rights and duties of a motorist pertaining to pedestrians and the rights and duties of pedestrians pertaining to traffic laws and traffic safety (Education Code 51220.4)

(3/02 11/03) 11/04

Regulation

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: November 16, 2011

King City, California

## BP 6146.1 Instruction

### High School Graduation Requirements

The Governing Board desires to prepare all students to obtain a high school diploma to enable them to take advantage of opportunities for postsecondary education and/or employment.

*(cf. 5127 - Graduation Ceremonies and Activities)*

*(cf. 5147 - Dropout Prevention)*

*(cf. 5149 - At-Risk Students)*

*(cf. 6143 - Courses of Study)*

*(cf. 6146.3 - Reciprocity of Academic Credit)*

### Course Requirements

To obtain a high school diploma, students shall complete at least the following courses in grades 9-12, with each course being one year unless otherwise specified:

1. Four courses in English (Education Code 51225.3)

*(cf. 6142.91 - Reading/Language Arts Instruction)*

2. Two courses in mathematics (Education Code 51225.3)

At least one mathematics course, or a combination of the two mathematics courses required for completion in grades 9-12, shall meet or exceed state academic content standards for Algebra I. (Education Code 51224.5)

Completion, prior to grade 9, of algebra coursework that meets or exceeds state academic content standards shall satisfy the algebra coursework requirement, but shall not exempt a student from the requirement to complete two mathematics courses in grades 9-12. (Education Code 51224.5)

*(cf. 6011 - Academic Standards)*

*(cf. 6142.92 - Mathematics Instruction)*

3. Two courses in science, including life and physical sciences (Education Code 51225.3)

*(cf. 6142.93 - Science Instruction)*

4. Three courses in social studies, including United States history and geography; world history, culture, and geography; a one-semester course in American government and civics; and a one-semester course in economics (Education Code 51225.3)

*(cf. 6142.3 - Civic Education)*

*(cf. 6142.93 - History-Social Science Instruction)*

5. One course in visual or performing arts, world language, or American Sign Language (Education Code 51225.3)

*(cf. 6142.2 - World/Foreign Language Instruction)*

*(cf. 6142.6 - Visual and Performing Arts Education)*

6. Two courses in physical education, unless the student has been otherwise exempted pursuant to other sections of the Education Code (Education Code 51225.3)

*(cf. 6142.7 - Physical Education)*

Because the prescribed course of study may not accommodate the needs of some students, the Board shall provide alternative means for the completion of prescribed courses in accordance with law.

*(cf. 6146.11 - Alternative Credits Toward Graduation)*

*(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)*

Additional requirements for graduation include:

1. 90 units of approved electives
2. 10 units in Computer Applications 1A or Computer Literacy
3. 20 hours of Community Service in the 11<sup>th</sup> or 12<sup>th</sup> grades

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

The Superintendent or designee shall exempt or waive specific course requirements for foster youth or children of military families in accordance with Education Code 51225.3 and 49701.

*(cf. 6173.1 - Education for Foster Youth)*

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

### High School Exit Examination

As a condition of high school graduation, each student completing grade 12 shall have successfully passed the state exit examination in language arts and mathematics unless he/she receives a waiver or exemption. (Education Code 60851, 60859)

*(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)*

*(cf. 6159 - Individualized Education Program)*

*(cf. 6162.52 - High School Exit Examination)*

Supplemental instruction shall be offered to any student in grade 7-12 who does not demonstrate "sufficient progress," as defined in BP 6179 - Supplemental Instruction, toward passing the exit exam. (Education Code 37252, 60851)

*(cf. 5148.2 - Before/After School Programs)*  
*(cf. 6176 - Weekend/Saturday Classes)*  
*(cf. 6177 - Summer School)*  
*(cf. 6179 - Supplemental Instruction)*

Students who have not passed one or both parts of the exit exam by the end of grade 12 shall have the opportunity to receive intensive instruction and services for up to two consecutive academic years after completion of grade 12 or until they have passed both parts of the exam, whichever comes first. (Education Code 37254)

*(cf. 1312.4 - Williams Uniform Complaint Procedures)*  
*(cf. 5145.6 - Parental Notifications)*  
*(cf. 6164.2 - Guidance/Counseling Services)*

In addition to intensive remedial instruction, the district shall offer students who have passed all state and local graduation requirements except one or both parts of the exit exam the following options for two years beyond their regular senior year or until they pass the exam, whichever occurs first:

- a) Enrollment in CAHSEE-prep class at a comprehensive high school
- b) Enrollment in Cyber High test preparation on-line class
- c) Enrollment in South Monterey County Charter Independent Study Program
- d) Enrollment in Portola-Butler Continuation High School

*(cf. 0420.4 - Charter Schools)*  
*(cf. 6158 - Independent Study)*  
*(cf. 6184 - Continuation Education)*

The Superintendent or designee shall regularly report to the Board regarding the number of students who have fulfilled all local and state graduation requirements except for the passage of the exit exam and the resources that have been offered to such students.

### Certificates of Completion

Students who have passed all the district's course requirements by the end of their senior year but are unable to pass the high school exit exam shall receive a certificate of completion.

The Superintendent or designee shall regularly report to the Board regarding the number of students receiving a certificate of completion and the resources that have been offered to such students.

Retroactive Diplomas

The district may retroactively grant a high school diploma to a former student who was interned by order of the federal government during World War II or who is an honorably discharged veteran of World War II, the Korean War, or the Vietnam War, provided that he/she was enrolled in a district school immediately preceding the internment or military service and he/she did not receive a diploma because his/her education was interrupted due to the internment or military service. (Education Code 51430)

The district also may retroactively grant a diploma to a deceased former student who satisfies the above conditions. The diploma shall be received by the deceased student's next of kin. (Education Code 51430)

In addition, the district may grant a diploma to a veteran who entered the military service of the United States while he/she was a district student in grade 12 and who had completed the first half of the work required for grade 12. (Education Code 51440)

## Legal Reference:

## EDUCATION CODE

- 35186 Williams Uniform Complaint Procedures
- 37252 Supplemental instructional programs
- 37254 Supplemental instruction based on failure to pass exit exam by end of grade 12
- 37254.1 Required student participation in supplemental instruction
- 47612 Enrollment in charter school
- 48200 Compulsory attendance
- 48412 Certificate of proficiency
- 48430 Continuation education schools and classes
- 48645.5 Acceptance of coursework
- 49701 Interstate Compact on Educational Opportunity for Military Children
- 51224 Skills and knowledge required for adult life
- 51224.5 Algebra instruction
- 51225.3 Requirements for graduation
- 51225.5 Honorary diplomas; foreign exchange students
- 51228 Graduation requirements
- 51240-51246 Exemptions from requirements
- 51250-51251 Assistance to military dependents
- 51410-51412 Diplomas
- 51420-51427 High school equivalency certificates
- 51450-51455 Golden State Seal Merit Diploma
- 51745 Independent study restrictions
- 52378 Supplemental school counseling program
- 56390-56392 Recognition for educational achievement, special education
- 60850-60859 High school exit examination
- 66204 Certification of high school courses as meeting university admissions criteria

CODE OF REGULATIONS, TITLE 5

1600-1651 Graduation of students from grade 12 and credit toward graduation

COURT DECISIONS

O'Connell v. Superior Court (Valenzuela), (2006) 141 Cal.App.4th 1452

Management Resources:

WEB SITES

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

California Department of Education, California High School Exit Examination:

<http://www.cde.ca.gov/ta/tg/hs>

(3/07 11/07) 11/09

Policy

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: November 16, 2011

King City, California

AR 6146.1 Instruction

High School Graduation Requirements

Requirements for graduation and specified alternative means for completing the prescribed course of study shall be made available to students, parents/guardians, and the public. (Education Code 51225.3)

*(cf. 5126 - Awards for Achievement)*

*(cf. 6146.11 - Alternative Credits Toward Graduation)*

*(cf. 6145.6 - International Exchange)*

*(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)*

Students shall not be required to have resided within the district for any minimum length of time as a condition of high school graduation. (Education Code 51411)

If a student successfully completes the district's graduation requirements while attending a juvenile court school or nonpublic, nonsectarian school or agency, the district shall issue the student a diploma from the school the student last attended. (Education Code 48645.5)

(11/03 11/04) 11/07

Regulation

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: November 16, 2011

King City, California



## SMCJUHS D, CA State and UC-CSU Graduation Requirements

<i><b>Subjects</b></i>	<i><b>SMCJUHS D Graduation Requirements</b></i>	<i><b>CA State Requirements (Ed. Code 51225.3)</b></i>	<i><b>UC &amp; CSU Requirements</b></i>
English	<u>40 units:</u> <ul style="list-style-type: none"> <li>• 40 units of approved courses</li> <li>• 10 units of ELD per year may be counted for English credit</li> </ul>	3 years of English	4 years of approved courses
Mathematics	<u>20 units:</u> <ul style="list-style-type: none"> <li>• 10 units Algebra I</li> <li>• 10 units other approved math course</li> </ul>	2 years: <ul style="list-style-type: none"> <li>• Including 1 year of Algebra I</li> </ul>	3 years: (4 years recommended): <ul style="list-style-type: none"> <li>• Algebra I, Geometry, and Intermediate Algebra</li> </ul>
Social Studies	<u>30 units</u> <ul style="list-style-type: none"> <li>• 10 units World History</li> <li>• 10 units U.S. History</li> <li>• 5 units Civics</li> <li>• 5 units Economics</li> </ul>	3 years <ul style="list-style-type: none"> <li>• 1 year U.S. History &amp; Geography</li> <li>• 1 year World History, Culture &amp; Geography</li> <li>• 1 semester American Government or Civics</li> <li>• 1 semester Economics</li> </ul>	2 years <ul style="list-style-type: none"> <li>• 1 year U.S. History</li> <li>• 1 year of another approved Social Studies course</li> </ul>
Science	<u>20 units:</u> <ul style="list-style-type: none"> <li>• 10 units Physical Science</li> <li>• 10 units Life Science</li> </ul>	2 years <ul style="list-style-type: none"> <li>• Including biological and physical sciences</li> </ul>	2 years approved lab science courses (3 years recommended) <ul style="list-style-type: none"> <li>• Biology</li> <li>• Chemistry</li> <li>• Physics</li> </ul>
World Language	<u>10 units</u> OR 10 units of Visual and Performing Arts	1 year OR 1 year of Visual Performing Arts	2 years in the same language (3 years recommended)
Visual & Performing Arts <ul style="list-style-type: none"> <li>• Art</li> <li>• Dance</li> <li>• Drama</li> <li>• Music</li> </ul>	10 units or 10 units of World Language (including ASL)	1 year OR 1 year of World Language (including ASL)	1 year from among dance, drama/theater, music, or visual art
Physical Education	<u>20 units</u> <ul style="list-style-type: none"> <li>• 10 units in 9<sup>th</sup> grade</li> <li>• 10 additional units in 10<sup>th</sup> - 12<sup>th</sup> grades</li> </ul>	2 years <ul style="list-style-type: none"> <li>• Unless the student has been exempted pursuant to EC. 51241</li> </ul>	No Requirement
Electives	<u>90 units</u>	Other coursework as the Governing Board of the School District may, by rule, specify	1 year from among: History, English, Advanced Mathematics, Lab Science, World Language, Social Science , or Fine Arts
Other	<ul style="list-style-type: none"> <li>• <u>10 units</u> Computer Applications 1A OR Computer Literacy</li> <li>• Pass CAHSEE</li> <li>• <u>20 hours</u> Community Service in 11<sup>th</sup> or 12<sup>th</sup> grades</li> </ul>	<ul style="list-style-type: none"> <li>• Pass CAHSEE</li> <li>• Other coursework as the Governing Board of the School District may, by rule, specify</li> </ul>	<ul style="list-style-type: none"> <li>• Admission Test Required: SAT or ACT</li> <li>• Subject Test for UC (subject areas)</li> <li>• Completion of required courses with "C" grade or better</li> </ul>

**Total required unit:** 240  
**Board approved:** 2/24/10  
**Effective date:** 7/1/10

## BP 6146.11 Instruction

## Alternative Credits Toward Graduation

The Superintendent or designee shall establish regulations under which the district may grant credits toward graduation for college courses and private instruction attended by district students. Credit towards graduation also may be granted pursuant to law for training received in the armed forces and for correspondence instruction from an accredited institution.

In order to meet individual student needs and encourage all students to complete their high school education, the Governing Board desires to provide flexibility in the completion of prescribed courses in accordance with law.

*(cf. 6143 - Courses of Study)*  
*(cf. 6146.1 - High School Graduation Requirements)*  
*(cf. 6146.3 - Reciprocity of Academic Credit)*  
*(cf. 6162.52 - High School Exit Examination)*  
*(cf. 6200 - Adult Education)*

With the active involvement of parents/guardians, administrators, teachers, and students, the Board shall adopt alternative means for students to complete the prescribed course of study required for high school graduation. These alternative means shall be made available to students, parents/guardians, and the public. (Education Code 51225.3)

*(cf. 1220 - Citizen Advisory Committees)*  
*(cf. 6020 - Parent Involvement)*

Students may fulfill any course requirement for graduation through the following:

1. Practical demonstration of skills and competencies (Education Code 51225.3)

Opportunities to demonstrate skills and competencies shall include, but not be limited to, challenging a course through successful completion of a district-developed examination which covers course objectives. The district shall not use results from the General Educational Development test or other state or national tests for this purpose.

*(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)*  
*(cf. 6155 - Challenging Courses by Examinations)*

2. Supervised work experience or other outside school experience in accordance with Education Code 51760.3 and 5 CCR 1635 (Education Code 51225.3)

*(cf. 6178.1 - Work Experience Education)*

3. Career technical education classes offered in high school (Education Code 51225.3)

*(cf. 6178 - Career Technical Education)*

4. Courses offered by regional occupational centers or programs (Education Code 51225.3)

(cf. 6178.2 - Regional Occupational Center/Program)

5. Interdisciplinary study (Education Code 51225.3)

6. Independent study (Education Code 51225.3)

(cf. 6158 - Independent Study)

7. Credit earned at a postsecondary institution (Education Code 48800, 51225.3)

The district shall give credit toward high school graduation for course work successfully completed at a junior college or state college provided that:

- a. The student applies in writing for the credit (5 CCR 1630)
- b. The course subject is included in the high school course of study (5 CCR 1630)
- c. At the student's request, the course is not being applied for credit toward college graduation (5CCR 1630)
- d. Two high school credits are given for each credit hour earned in college (5CCR 1630)

The student will receive high school credit for courses successfully completed at accredited post-secondary institution(s). However the grade(s) the student received for the course(s) will have no impact on the student's GPA.

(cf. 6172.1 - Concurrent Enrollment in College Classes)

8. Private instruction in accordance with 5 CCR 1631
9. Correspondence instruction from a California university or college accredited for teacher training in accordance with 5 CCR 1633 (Education Code 51740-51741)
10. Military service and training in accordance with 5 CCR 1634 (Education Code 51440)
11. For credit toward the district's physical education requirement, participation in district interscholastic athletic programs carried on wholly or partially after regular school hours (Education Code 51242)

A student shall be eligible to satisfy graduation requirements in this manner only if the interscholastic program entails a comparable amount of time and physical activity.

(cf. 6142.7 - Physical Education)

(cf. 6145.2 - Athletic Competition)

12. For credit toward the district's foreign language requirement, foreign language studies successfully completed in a private school in accordance with 5 CCR 1632 (Education Code 51243)

Upon receiving advance, written application by the student or his/her parent/guardian, the Superintendent or designee shall determine whether completion of the proposed alternative means would satisfy course requirements for graduation and what documentation shall be required, if any, to verify the student's successful completion. The Superintendent or designee shall make the final determination as to whether the student's completion of an alternative means is sufficient to satisfy the district's graduation requirements.

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

Legal Reference:

EDUCATION CODE

35160 Authority of governing boards

35160.1 Broad authority of school districts

48412 Certificate of proficiency

48645.5 Course credit, juvenile court schools

48800-48802 Attendance at community college; advanced education

51220 Areas of study; grades 7-12

51225.3 Requirements for graduation

51240-51246 Exemptions from requirements

51420-51427 General Educational Development test

51440 Veterans' education, evaluation and credit toward high school graduation

51740-51741 Authority to provide instruction by correspondence

51745-51749.3 Independent study

51760-51769.5 Work experience education

52300-52499.66 Career technical education

VEHICLE CODE

12814.6 Teen driver's act

CODE OF REGULATIONS, TITLE 5

1600-1635 Alternative credit

10070-10075 Work experience education

11500-11508 Regional occupational centers and programs

11520-11523 Proficiency examination and certificate

11700-11703 Independent study

UNITED STATES CODE, TITLE 20

2301-2414 Carl D. Perkins Career and Technical Education Act of 2006

Management Resources:

WEB SITES

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

Policy

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: November 16, 2011

King City, California

## AR 6146.11 Instruction

### Alternative Credits Toward Graduation

#### Definitions

A semester period is one period of 40 to 60 minutes of instructional time per week throughout one semester of at least 17 weeks, or a minimum of 12 clock hours of instructional time provided during the academic year or in summer school. While the content to be covered is planned within these time frames, a student may be granted one semester period of credit even though the student spends less than the aforementioned amount of time in completing the necessary work. (5 CCR 1600)

#### Private Instruction

A student who is regularly enrolled and in attendance at a high school shall receive credit toward high school graduation for private instruction under the following conditions: (5 CCR 1631)

1. The instruction entails fields and subjects included in the high school's courses of study and curricula.
2. The student demonstrates his/her capabilities at the beginning and at the end of the period of private instruction by examination(s) given under the school's supervision, thereby showing that he/she has made progress in learning satisfactory to the school.

#### Correspondence Instruction

Prior to registering for a correspondence course, the student or his/her parent/guardian shall obtain verification from the Superintendent or designee that the course is essentially equivalent to the high school curriculum and meets district graduation requirements. The number of semester credits assigned to the course shall be determined before the student begins coursework.

The district shall grant credit toward graduation for correspondence instruction if all of the following conditions are met: (Education Code 51740, 51741; 5 CCR 1633)

1. The correspondence instruction is provided by the University of California, or other university or college in California accredited for teacher training, in subjects included within or related to the student's course of study.
2. The student is, for good reason, unable to take the course of study offered in the school.

3. The Superintendent or designee determines the number of semester periods to be credited for successful completion of a particular correspondence course.
4. No more than 40 total semester periods of correspondence instruction are credited to a student towards graduation.

#### Military Service and Training

Credit toward graduation shall be granted for military service and training received while in the military service of the United States, within the maximum limits established in 5 CCR 1634. A person is eligible for this credit if he/she is either: (Education Code 51440; 5 CCR 1634)

1. A former member of the Armed Forces who is a California resident and who has received an honorable discharge
2. A member of the Armed Forces who is a California resident and was a California resident on the date he/she entered the Armed Forces

The Superintendent or designee shall keep a permanent record of the credit allowed for military service or training. (5 CCR 1634)

*(cf. 5125 - Student Records)*

#### Private Foreign Language Instruction

The district shall grant credit for foreign language studies successfully completed in a private school and shall apply the credit toward meeting any foreign language requirement prescribed for grades 9-12, provided that all of the following conditions are met: (Education Code 51243-51245; 5 CCR 1632)

1. The courses are in languages designated in Education Code 51244.
2. The student is regularly enrolled or applying to the district in grades 9-12.
3. The student or his/her parent/guardian applies in writing for the credit, specifies the private school attended and the amount and level of credit requested, and submits a transcript or other documents from the private school showing that the student successfully completed the course.
4. The amount of credit sought equals at least one semester's work.
5. The principal or designee determines that the student's achievement is equivalent to that expected of a student of comparable ability taking the same or similar instruction in district schools. This determination shall be based upon the private school's report

of a test developed by the private school in cooperation with the district or, if the private school is located outside the district, the principal or designee may use a test given by a public school or other evidence which he/she deems appropriate.

Regulation            SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: November 16, 2011

King City, California

BP 6159.2 Instruction

Nonpublic, Nonsectarian School And Agency Services For Special Education

The Governing Board may contract with state-certified nonpublic, nonsectarian schools or agencies to provide special education services or facilities when an appropriate public education program is not available.

*(cf. 0430 - Comprehensive Local Plan for Special Education)*  
*(cf. 1312.3 - Uniform Complaint Procedures)*  
*(cf. 3541.2 - Transportation for Students with Disabilities)*  
*(cf. 4112.23 - Special Education Staff)*  
*(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)*  
*(cf. 6159 - Individualized Education Program)*  
*(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)*  
*(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)*

When entering into agreements with nonpublic, nonsectarian schools or agencies, the Board shall consider the needs of the individual student and the recommendations of the individualized education program (IEP) team. The IEP team shall remain accountable for monitoring the progress of students placed in nonpublic, nonsectarian programs towards the goals identified in each student's IEP.

Legal References:

EDUCATION CODE

56034-56035 Definitions of nonpublic, nonsectarian school and agency  
56042 Placement not to be recommended by attorney with conflict of interest  
56101 Waivers  
56163 Certification  
56168 Responsibility for education of student in hospital or health facility school  
56195.8 Adoption of policies  
56360-56369 Implementation of special education  
56711 Computation of state aid  
56740-56743 Apportionments and reports  
56760 Annual budget plan; service proportions  
56775.5 Reimbursement of assessment and identification costs

GOVERNMENT CODE

7570-7588 Interagency responsibilities for providing services to children with disabilities, especially:

7572.55 Seriously emotionally disturbed child; out-of-state placement

FAMILY CODE

7911-7912 Interstate compact on placement of children

WELFARE AND INSTITUTIONS CODE

362.2 Out-of-home placement for IEP

727.1 Out-of-state placement of wards of court

CODE OF REGULATIONS, TITLE 5



3001 Definitions  
3061-3069 Nonpublic, nonsectarian school and agency services  
UNITED STATES CODE, TITLE 20  
1400-1482 Individuals with Disabilities Education Act  
CODE OF FEDERAL REGULATIONS, TITLE 34  
300.129-300.148 Children with disabilities in private schools  
COURT DECISIONS  
Agostini v. Felton, (1997) 521 U.S. 203, 117 S.Ct. 1997

Management Resources:

CDE LEGAL ADVISORIES  
0317.99 Nonpublic School/Agency Waivers and Reimbursement to Parents  
FEDERAL REGISTER  
Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845  
WEB SITES  
CDE: <http://www.cde.ca.gov>  
US Department of Education, Office of Special Education and Rehabilitative Services:  
<http://www.ed.gov/offices/OSERS>  
(6/94 6/95) 6/99

Policy SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: November 16, 2011

King City, California

AR 6159.2 Instruction

Nonpublic, Nonsectarian School And Agency Services For Special Education

Placement and Services

Procedures specified in law shall govern the selection of appropriate nonpublic school or agency services.

Contracts with a nonpublic school or agency shall be made on forms provided by the California Department of Education and shall include an individual services agreement negotiated for each student. Individual services agreements shall be for the length of time for which nonpublic, nonsectarian school services are specified in the student's individualized education program (IEP), not to exceed one year. Changes in educational instruction, services or placement shall be made only on the basis of revisions to the student's IEP. (Education Code 56366)

*(cf. 6159 - Individualized Education Program)*

The master contract shall specify the general administrative and financial agreements between the nonpublic, nonsectarian school or agency and the district to provide the special education and designated instruction and services, as well as transportation specified in the student's IEP. The administrative provisions of the contract shall also include procedures for recordkeeping and documentation, and the maintenance of school records by the contracting district to ensure that appropriate high school graduation credit is received by the student. The contract may allow for partial or full-time attendance at the nonpublic, nonsectarian school. (Education Code 56366)

*(cf. 3541.2 - Transportation for Students with Disabilities)*

The master contract shall include a description of the process being utilized by the district to oversee and evaluate placements in nonpublic, nonsectarian schools. This description shall include a method for evaluating whether the student is making appropriate educational progress. (Education Code 56366)

The district IEP team shall annually review the IEP of a student placed in a nonpublic, nonsectarian school or agency. The student's IEP and contract shall specify the review schedules. (5 CCR 3068)

Out-of-State Placements

Before contracting with a nonpublic, nonsectarian school or agency outside California, the Superintendent or designee shall document the district's efforts to find an appropriate program offered by a nonpublic, nonsectarian school or agency within California. (Education Code 56365)

Within 15 days of any decision for an out-of-state placement, the student's IEP team shall submit to the Superintendent of Public Instruction a report with information about the services provided by the out-of-state program, the related costs, and the district's efforts to locate an appropriate public school or nonpublic, nonsectarian school or agency within California. (Education Code 56365)

If the district decides to place a student with a nonpublic, nonsectarian school or agency outside the state, the district shall indicate the anticipated date of the student's return to a placement within California and shall document efforts during the previous year to return the student to California. (Education Code 56365)

(6/94 6/95) 6/99

Regulation                      SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: November 16, 2011

King City, California

BP 6159.3 Instruction

Appointment Of Surrogate Parent For Special Education Students

In order to protect the rights of students with disabilities, the Superintendent or designee shall appoint a surrogate parent to represent a student with disabilities as necessary in accordance with law. He/she shall develop procedures for recruiting, training and assigning adults to serve as surrogate parents.

*(cf. 0430 - Comprehensive Local Plan for Special Education)*  
*(cf. 1312.3 - Uniform Complaint Procedures)*  
*(cf. 3515.6 - Criminal Background Checks for Contractors)*  
*(cf. 3541.2 - Transportation for Students with Disabilities)*  
*(cf. 4112.23 - Special Education Staff)*  
*(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*  
*(cf. 6146.4 - Differential Graduation and Competency Standards for Individuals with Exceptional Needs)*  
*(cf. 6159 - Individualized Education Program)*  
*(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)*  
*(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)*  
*(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)*  
*(cf. 6173 - Education for Homeless Children)*  
*(cf. 6173.1 - Education for Foster Youth)*

Legal Reference:

EDUCATION CODE

56028 Parent

56050 Surrogate parents

56055 Rights of foster parents

GOVERNMENT CODE

7570-7588 Interagency responsibilities for providing services to disabled children, especially:

7579.5 Surrogate parent; appointment; qualifications; liability

WELFARE AND INSTITUTIONS CODE

300 Children subject to jurisdiction

361 Limitations on parental control

601 Minors habitually disobedient or truant

602 Minors violating laws

726 Limitations on parental control

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act, especially:

1415 Procedural safeguards

UNITED STATES CODE, TITLE 42

11434a Definitions

CODE OF FEDERAL REGULATIONS, TITLE 34

300.30 Definition parent

300.519 Surrogate parents

Management Resources:

FEDERAL REGISTER

Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845

WEB SITES

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

U.S. Department of Education, Office of Special Education and Rehabilitative Services:  
<http://www.ed.gov/about/offices/list/osers/index.html>

Policy

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: November 16, 2011

King City, California

AR 6159.3 Instruction

Appointment Of Surrogate Parent For Special Education Students

Conditions Necessitating a Surrogate

The Superintendent or designee shall appoint a surrogate parent to represent a student with disabilities under one or more of the following circumstances: (Government Code 7579.5; 20 USC 1415(b)(2); 34 CFR 300.519)

1. No parent/guardian for the student can be identified.
2. The district, after reasonable efforts, cannot discover the location of a parent or legal guardian of the student.
3. The student is adjudicated a dependent or ward of the court pursuant to Welfare and Institutions Code 300, 601 or 602 and all of the following conditions are satisfied:
  - a. The court has referred the student for special education and related services or the student has a valid individualized education program (IEP)
  - b. The court has specifically limited the right of the parent/guardian to make educational decisions for his/her child
  - c. The student has no responsible adult to represent him or her pursuant to Welfare and Institutions Code 361 or 726 or Education Code 56055

*(cf. 6159 - Individualized Education Program)*

4. The student is an unaccompanied homeless youth not in the custody of a parent/guardian, as defined in 42 USC 11434a

*(cf. 6173 - Education for Homeless Children)*

5. The student has reached the age of majority but has been declared incompetent by a court of law

Appointment of Surrogate Parents

Upon a determination that a student needs a surrogate parent, the Superintendent or designee shall make reasonable efforts to ensure that the surrogate is appointed within 30 days. (20 USC 1412(b)(2)(B))

When appointing a surrogate parent, the Superintendent or designee shall give first preference to a relative caretaker, foster parent or court-appointed special advocate, provided any of these individuals exists and is willing and able to serve. If none of these individuals is willing or able to act as a surrogate parent, the Superintendent or designee shall select the surrogate parent of his/her choice. If the student is moved from the home of the relative caretaker or foster parent who was appointed as the student's surrogate parent, the Superintendent or designee shall appoint another surrogate parent if a new appointment is necessary to ensure adequate representation of the student. (Government Code 7579.5)

*(cf. 6173.1 - Education for Foster Youth)*

The Superintendent or designee shall ensure that individuals to be appointed as surrogate parents have passed a criminal background check and have demonstrated interest and skill in working with students with disabilities.

Surrogate parents shall have no interests that conflict with the student's educational interests and shall have knowledge and skills that ensure adequate representation of the student. If a conflict of interest arises after the appointment of a surrogate parent, the Superintendent or designee shall terminate the appointment and appoint another surrogate parent. (34 CFR 300.519; Government Code 7579.5)

#### Duties of Surrogate Parent

The surrogate parent shall have all the rights relative to the student's education that a parent has under the Individuals with Disabilities Education Act pursuant to 20 USC 1400-1482 and 34 CFR 300.1-300.818. The surrogate parent may represent the student in all matters relating to identification, assessment, instructional planning and development, educational placement, review and revision of the IEP, and in other matters relating to the provision of a free and appropriate public education. (Education Code 56050; Government Code 7579.5)

*(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)*

In addition, the representation of the surrogate parent shall include the provision of written consent to the IEP including nonemergency medical services, mental health treatment services, and occupational or physical therapy services pursuant to Government Code 7570-7588. (Education Code 56050)

*(cf. 5141 - Health Care and Emergencies)*

Surrogate parents shall volunteer their services to the district and serve without compensation. The district may reimburse them for mileage and other incidental expenses directly associated with their duties as surrogate parents.

*(cf. 3350 - Travel Expenses)*

Surrogate parents shall have access to the student's school records as necessary to fulfill their responsibilities as surrogate parents and in accordance with Board policy and administrative regulation.

*(cf. 5125 - Student Records)*

#### Termination of Appointment

The Superintendent or designee shall terminate the appointment of a surrogate parent under the following conditions:

1. When the student is no longer in need of special education (Government Code 7579.5)
2. When the student reaches 18 years of age, unless he/she chooses not to make education decisions for himself/herself or is deemed by a court to be incompetent (Government Code 7579.5)
3. Another responsible adult is appointed to make educational decisions for the student (Government Code 7579.5)
4. The right of the parent/guardian to make educational decisions for the student is fully restored (Government Code 7579.5)
5. When the surrogate parent no longer satisfies the requirements for appointment as a surrogate parent, as specified above

Regulation

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: November 16, 2011

King City, California



## BP 6163.2 Instruction

## 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:

## 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>

(10/96 7/08) 3/11

Policy

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: November 16, 2011

King City, California

AR 6163.2 Instruction

Animals At School

Use of Animals for Instructional Purposes

Before any student or employee brings an animal to school for an instructional purpose, he/she shall receive written permission from the principal or designee. The principal or designee shall give such permission only after he/she has provided written notification to all parents/guardians of students in the affected class, asking them to verify whether their child has any known allergies, asthma, or other health condition that may be aggravated by the animal's presence. When a parent/guardian has provided notification that his/her child has an allergy, asthma, or other health condition that may be aggravated by the animal, the principal shall take appropriate measures to protect the student from exposure to the animal.

*(cf. 3514 - Environmental Safety)*

*(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)*

*(cf. 5141.23 - Asthma Management)*

All animals brought to school must be in good physical condition and must be appropriately immunized. The teacher shall ensure that the species of animal is appropriate for the instructional purpose and age and maturity of the students.

All animals brought to school shall be adequately fed, effectively controlled, humanely treated, and properly housed in cages or containers suitable for the species. The teacher shall ensure that cages and containers are cleaned regularly and that waste materials are removed and disposed of in an appropriate manner.

*(cf. 5141 - Health Care and Emergencies)*

*(cf. 5142 - Safety)*

The teacher shall ensure that students receive instructions regarding the proper handling of and personal hygiene around animals.

*(cf. 5141.22 - Infectious Diseases)*

Except for service animals, as defined below, all animals are prohibited on school transportation services. (Education Code 39839; 13 CCR 1216)

*(cf. 3541.2 - Transportation for Students with Disabilities)*

*(cf. 5131.1 - Bus Conduct)*

Use of Service Animals by Individuals with Disabilities

For an individual with a disability, service animal means any dog that is individually trained to do work or perform tasks related to the individual's disability and for his/her benefit. For example, for an individual who is blind or has low vision, a service animal would mean a dog that helps him/her with vision, navigation, and other tasks; for an individual who is deaf or hard of hearing, a service animal would mean a dog that alerts him/her to the presence of people or sounds; and for an individual with psychiatric or neurological disabilities, a service animal would mean a dog that assists him/her by preventing or interrupting impulsive or destructive behaviors. (28 CFR 35.104)

Individuals with disabilities may be accompanied on school premises and on school transportation by service animals, including specially trained guide dogs, signal dogs, or service dogs. (Education Code 39839; Civil Code 54.2; 28 CFR 35.136)

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

*(cf. 3541.2 - Transportation for Students with Disabilities)*

*(cf. 6159 - Individualized Education Program)*

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

The Superintendent or designee may permit the use of a miniature horse as a service animal when the horse has been individually trained to do work or perform tasks for the benefit of an individual with a disability, provided that: (28 CFR 35.136)

1. The district's facility can accommodate the type, size, and weight of the horse.
2. The individual has sufficient control of the horse.
3. The horse is housebroken.
4. The horse's presence in the specific facility does not compromise legitimate safety requirements of the facility.

The Superintendent or designee may ask any individual with a disability to remove his/her service animal from school premises or transportation if the animal is out of control and the individual does not take effective action to control it or the animal is not housebroken. When an individual's service animal is excluded, he/she shall be given an opportunity to participate in the service, program, or activity without having the service animal present. (Education Code 39839; Civil Code 54.2; 28 CFR 35.136)

Regulation            SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: November 16, 2011

King City, California

## BP 6173 Instruction

### Education For Homeless Children

The Governing Board desires to ensure that homeless students have access to the same free and appropriate public education provided to other students within the district. The district shall provide homeless students with access to education and other services necessary for these students to meet the same challenging academic standards as other students.

Homeless students shall not be segregated into a separate school or program based on their status as homeless and shall not be stigmatized in any way.

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

The Superintendent or designee shall ensure that placement decisions for homeless students are based on the student's best interest as defined in law and administrative regulation.

*(cf. 5111.13 - Residency for Homeless Children)*

### Transportation

The district shall provide transportation for a homeless student to and from his/her school of origin when the student is residing within the district and the parent/guardian requests that such transportation be provided. If the student moves outside of district boundaries, but continues to attend his/her school of origin within this district, the Superintendent or designee shall consult with the superintendent of the district in which the student is now residing to agree upon a method to apportion the responsibility and costs of the transportation. (42 USC 11432)

*(cf. 3250 - Transportation Fees)*

*(cf. 3541 - Transportation Routes and Services)*

### Legal Reference:

#### EDUCATION CODE

1980-1986 County community schools

2558.2 Use of revenue limits to determine average daily attendance of homeless children

39807.5 Payment of transportation costs by parents

#### UNITED STATES CODE, TITLE 42

11431-11435 McKinney-Vento Homeless Assistance Act

### Management Resources:

#### U.S. DEPARTMENT OF EDUCATION GUIDANCE

Education for Homeless Children and Youth Program, Non-Regulatory Guidance, July 2004

#### WEB SITES

California Department of Education, Homeless Children and Youth Education:

<http://www.cde.ca.gov/sp/hs/cy>

National Center for Homeless Education at SERVE: <http://www.serve.org/nche>  
National Law Center on Homelessness and Poverty: <http://www.nlchp.org>  
U.S. Department of Education: <http://www.ed.gov/programs/homeless/index.html>  
(7/02) 7/05

## AR 6173 Instruction

### Education For Homeless Children

#### Definitions

*Homeless* means students who lack a fixed, regular, and adequate nighttime residence and includes: (42 USC 11434a)

1. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement

(cf. 6173.1 - Education for Foster Youth)

2. Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings
3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings
4. Migratory children who qualify as homeless because the children are living in conditions described in (1)-(3) above

*School of origin* means the school that the student attended when permanently housed or the school in which the student was last enrolled. (42 USC 11432)

*Best interest* means, to the extent feasible, continuing a student's enrollment in the school of origin for the duration of his/her homelessness, except when doing so is contrary to the wishes of his/her parent/guardian. (42 USC 11432)

*Unaccompanied youth* means a youth not in the physical custody of a parent or guardian. (42 USC 11434(a))

#### District Liaison

The Superintendent designates the following staff person as the district liaison for homeless students: (42 USC 11432)

Assistant Superintendent of Educational Services and Human Resources  
800 Broadway Street, King City, CA 93930  
831-385-0606

The district's liaison for homeless students shall ensure that: (42 USC 11432)

1. Homeless students are identified by school personnel and through coordinated activities with other entities and agencies

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

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

*(cf. 5141.6 - School Health Services)*

2. Homeless students enroll in, and have a full and equal opportunity to succeed in, district schools
3. Homeless families and students receive educational services for which they are eligible
4. Parents/guardians are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children
5. Notice of the educational rights of homeless children is disseminated at places where children receive services, such as schools, shelters, and soup kitchens
6. Enrollment disputes are mediated in accordance with law, Board policy, and administrative regulation
7. Parents/guardians are fully informed of all transportation services

*(cf. 3250 - Transportation Fees)*

*(cf. 3541 - Transportation Routes and Services)*

## Enrollment

Placement decisions for homeless students shall be based on the student's best interest. In determining a student's best interest, a homeless student shall, to the extent feasible, be placed in his/her school of origin, unless his/her parent/guardian requests otherwise. (42 USC 11432)

When making a placement decision, the Superintendent or designee may consider the age of the student, the distance of the commute and the impact it may have on the student's education, personal safety issues, the student's need for special instruction, the length of anticipated stay in the temporary shelter or other temporary location, likely area of future housing, school placement of siblings, and the time remaining in the school year.



The student may continue attending his/her school of origin for the duration of the homelessness and until the end of any academic year in which he/she moves into permanent housing. (42 USC 11432)

In the case of an unaccompanied youth, the district's homeless liaison shall assist in placement or enrollment decisions, consider the views of the student, and provide notice to the student of his/her appeal rights. (42 USC 11432)

If the student is placed at a school other than his/her school of origin or the school requested by his/her parent/guardian, the Superintendent or designee shall provide the parent/guardian with a written explanation of the decision along with a statement regarding the parent/guardian's right to appeal the placement decision. (42 USC 11432)

Once a placement decision has been made, the principal or designee shall immediately enroll the student in the school of choice, even if the parent/guardian is unable to provide the school with the records normally required for enrollment. (42 USC 11432)

*(cf. 5111.13 - Residency for Homeless Children)*

*(cf. 5125 - Student Records)*

*(cf. 5141.31 - Immunizations)*

The principal or designee shall immediately contact the school last attended by the student to obtain the relevant records. If the student needs to obtain immunizations or does not possess immunization or other medical records, the principal or designee shall refer the parent/guardian to the district's liaison for homeless students. The liaison shall assist the parent/guardian in obtaining the necessary immunizations or records for the student. (42 USC 11432)

#### Enrollment Dispute Resolution Process

If a dispute arises over school selection or enrollment in a particular school, the student shall be immediately admitted to the school in which enrollment is sought pending resolution of the dispute. (42 USC 11432)

The parent/guardian shall be provided with a written explanation of the placement decision, including an explanation of the parent/guardian's right to appeal the decision. He/she shall also be referred to the district liaison. (42 USC 11432)

The written explanation shall be complete, as brief as possible, simply stated and provided in language that the parent/guardian or student can understand. The explanation may include contact information for the district liaison, a description of the district's decision, notice of the right to enroll in the school of choice pending resolution of the dispute, notice that enrollment includes full participation in all school activities, and notice of the right to appeal the decision to the county office of education and, if the dispute remains unresolved, to the California Department of Education.

The district liaison shall carry out the dispute resolution process as expeditiously as possible after receiving notice of the dispute. (42 USC 11432)

The liaison shall provide the parent/guardian a copy of the district's decision, dispute form, and a copy of the outcome of the dispute.

If a parent/guardian disagrees with the liaison's enrollment decision, he/she may appeal the decision to the Superintendent. The Superintendent shall make a determination within five working days.

If the parent/guardian wishes to appeal the district's placement decision, the district liaison shall forward all written documentation and related paperwork to the homeless liaison at the county office of education.

Regulation

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: November 16, 2011

King City, California

## BP 6179 Instruction

### Supplemental Instruction

The Governing Board recognizes that high-quality supplemental instructional programs can motivate and support students to attain grade-level academic standards, overcome academic deficiencies, and/or acquire critical skills.

*(cf. 5113.1 - Truancy)*

*(cf. 5147 - Dropout Prevention)*

*(cf. 5148.2 - Before/After School Programs)*

*(cf. 5149 - At-Risk Students)*

*(cf. 6011 - Academic Standards)*

*(cf. 6146.1 - High School Graduation Requirements)*

*(cf. 6164.5 - Student Success Teams)*

### Required Supplemental Programs

The district shall offer direct, systematic, and intensive supplemental instruction for:

1. Students in grades 9-12 who do not demonstrate "sufficient progress" toward passing the state exit examination required for high school graduation in order to help them pass the exam (Education Code 37252, 60851)

*(cf. 6162.52 - High School Exit Examination)*

"Sufficient progress" shall be determined based on a student's results on the state Standardized Testing and Reporting assessments and the minimum levels of proficiency recommended by the State Board of Education.

*(cf. 6162.51 - Standardized Testing and Reporting Program)*

In addition, students who do not possess sufficient English language skills to be assessed shall be considered students who do not demonstrate sufficient progress towards passing the exit exam and shall receive supplemental instruction designed to help them succeed on the exit exam. (Education Code 37252)

2. Students who have not passed one or both parts of the exit exam by the end of grade 12, for up to two consecutive school years after the completion of grade 12 or until they have passed both parts of the exit exam, whichever comes first (Education Code 37254)

*(cf. 1312.4 - Williams Uniform Complaint Procedures)*

3. Eligible students from low-income families whenever the district or a district school receiving federal Title I funds has been identified by the California Department of Education for program improvement for two or more years (20 USC 6316)

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

*(cf. 0520.3 - Title I Program Improvement Districts)*

### Optional Supplemental Programs

As funding, facilities, and staffing permit, supplemental instruction may be offered to students in grades 9-12 who seek enrichment in mathematics, science, or other core academic areas designated by the Superintendent of Public Instruction (Education Code 37253)

*(cf. 6143 - Courses of Study)*

### Required Student Participation

The Superintendent or designee may require participation in a supplemental instructional program for: (Education Code 37252.2, 37254.1)

1. Students in grades 9-12 who demonstrate insufficient progress toward the exit exam required for high school graduation pursuant to Education Code 37252
2. Students in grades 9-12 participating in enrichment programs in core academic subjects pursuant to Education Code 37253

The Superintendent or designee shall obtain written parent/guardian consent for a student's participation in the supplemental enrichment instructional program.

### Legal Reference:

#### EDUCATION CODE

1240 County Superintendent duties

35186 Williams Uniform Complaint Procedures

37200-37202 School calendar

37223 Weekend classes

37252-37254.1 Supplemental instruction

41505-41508 Pupil Retention Block Grant

42239 Supplemental instruction, apportionments

44259 Comprehensive reading program

46100 Length of school day

48070-48070.5 Promotion and retention

48200 Education

48985 Translation of notices

51210 Courses of study, elementary schools

51220 Courses of study, secondary schools

52378-52380 Supplemental School Counseling Program  
60603 Definitions, core curriculum areas  
60640-60648 Standardized Testing and Reporting Program  
60850-60859 High school exit examination  
REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS  
52012 Establishment of school site council  
52014-52015 School plans  
53025-53031 Intensive reading instruction  
53091-53094 Intensive algebra instruction  
CODE OF REGULATIONS, TITLE 5  
11470-11472 Summer school  
UNITED STATES CODE, TITLE 20  
6316 Program improvement schools and districts

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION CORRESPONDENCE

Implementation of Assembly Bill (AB) 347: requiring instruction and services for students who have not passed the exit exam but have met all other graduation requirements, October 26, 2007

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Supplemental Educational Services, June 13, 2005

Creating Strong Supplemental Educational Services Programs, May 2004

WEB SITES

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

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

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

(11/05 3/07) 11/07

## AR 6179 Instruction

## Supplemental Instruction

Supplemental instructional programs shall be offered outside the regular school day. Such programs may be offered during the summer, before school, after school, on Saturday, and/or during intersessions. (Education Code 37252, 37252.2, 37252.8, 37253)

*(cf. 5148.2 - Before/After School Programs)*

*(cf. 6111 - School Calendar)*

*(cf. 6112 - School Day)*

*(cf. 6176 - Weekend/Saturday Classes)*

*(cf. 6177 - Summer School).*

Priority for enrollment in supplemental instruction offered at a time other than Saturday shall be given to any student whose parent/guardian has informed the Superintendent or designee that the student is unable to attend a Saturday school program for religious reasons. (Education Code 37252, 37252.2, 37252.8, 37253)

## Supplemental Instruction Based on Progress Toward Passing Exit Examination

Students in grades 9-12 who do not demonstrate "sufficient progress," as defined in Board policy, toward passing the state exit exam required for high school graduation shall be eligible for supplemental instruction under the following circumstances: (Education Code 37252)

1. For purposes of this program, a student shall be considered to be enrolled in a grade immediately upon completion of the preceding grade.
2. Students who were enrolled in grade 12 during the prior school year may be eligible for supplemental instructional programs.

*(cf. 6146.1 - High School Graduation Requirements)*

*(cf. 6162.52 - High School Exit Examination)*

The curriculum of the supplemental instruction program shall reflect state academic content standards to the extent that the district curriculum is aligned with those state standards, and shall be designed to assist students to succeed on the exit exam. (Education Code 60851)

*(cf. 6011 - Academic Standards)*

Intensive instruction and services designed to help students pass the high school exit exam after they have failed to pass one or both parts of the exam by the end of grade 12 shall be provided as follows: (Education Code 37254)

1. Each eligible student shall receive an appropriate diagnostic assessment to identify his/her areas of need.
2. Each student shall receive intensive instruction and services based on the results of the diagnostic assessment and his/her prior results on the exit exam.
3. The intensive instruction and services shall be based on strategies that are most likely to result in the student passing the part(s) of the exit exam that he/she has not yet passed and may include, but not be limited to:
  - a. Individual or small group instruction
  - b. The hiring of additional teachers
  - c. Purchasing, scoring, and reviewing diagnostic assessments
  - d. Counseling
  - e. Designing instruction to meet specific needs of eligible students
  - f. Appropriate teacher training to meet the needs of eligible students

*(cf. 4131 - Staff Development)*

- g. Instruction in English language arts and/or mathematics that eligible students need in order to pass those parts of the exit exam not yet passed, including employing different intensive instruction and services aligned to the needs and circumstances of students who have not passed one or both parts of the exit exam by the end of grade 12 compared to other district students in grade 12 with similar needs
    - h. Instruction and services by a public or nonpublic entity as determined by the Superintendent or designee

4. English language learners shall have the opportunity to receive intensive instruction and services as described in item #2 above that also shall include services to improve English proficiency as needed to pass one or both parts of the exit exam not passed by the end of grade 12.

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

The intensive instruction and services may be provided during the regular school day provided that they do not supplant the student's instruction in the core curriculum areas defined in Education Code 60603 or physical education. Eligible students may receive intensive instruction and services on Saturdays, evenings, or at a time and location deemed

appropriate by the Superintendent or designee in order to meet the needs of these students.  
(Education Code 37254)

The Superintendent or designee shall notify, in writing, all students who have not passed one or both parts of the exit exam by the end of grade 12, or the parents/guardians of such students if under age 18, of the availability of intensive instruction and services each term for the next two consecutive school years. Eligible students also shall be notified of their right to file a complaint regarding the intensive instruction and services in accordance with Education Code 35186 (Williams Uniform Complaint Procedures).

*(cf. 1312.4 - Williams Uniform Complaint Procedures)*

*(cf. 5145.6 - Parental Notifications)*

*(cf. 6164.2 - Guidance/Counseling Services)*

The notice shall include the name and phone number of a contact person designated by the Superintendent or designee who can assist students who have questions, concerns, or complaints regarding the availability of the additional instruction.

The notification shall be sent to the last known address before the end of each school term in sufficient time for eligible students to register for or avail themselves of those services. The notice shall also be posted in the school office, district office, and on the district's Internet web site, if any. (Education Code 37254)

*(cf. 1113 - District and School Web Sites)*

Regulation                      SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: November 16, 2011

King City, California





# **GREENFIELD HIGH SCHOOL**

James Goddard, Principal

Monthly School Statistics

October 2011

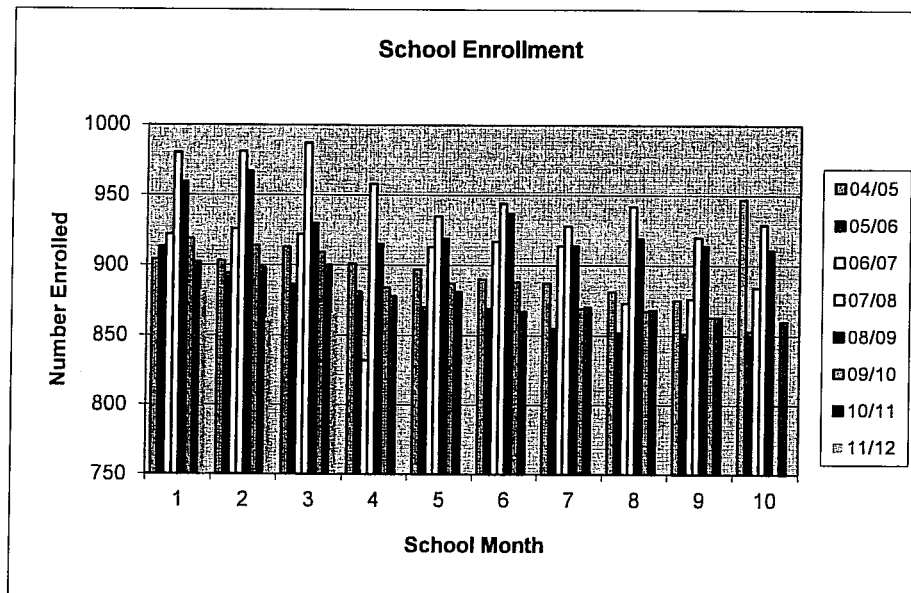
## **School Enrollment**

School Month

	04/05	05/06	06/07	07/08	08/09	09/10	10/11	11/12
1	904	913	922	980	959	919	902	882
2	903	894	926	981	967	914	898	862
3	913	886	922	987	930	909	900	866
4	901	881	832	958	915	884	878	
5	897	870	913	935	919	887	881	
6	890	869	917	944	937	888	867	
7	887	855	914	928	914	869	870	
8	881	852	873	942	919	867	868	
9	875	851	876	920	914	863	863	
10	947	853	884	929	911		860	

**Average**

899.8	872.4	897.9	950.4	928.5	888.889	878.7	870
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# **GREENFIELD HIGH SCHOOL**

James Goddard, Principal

Monthly School Statistics

October 2011

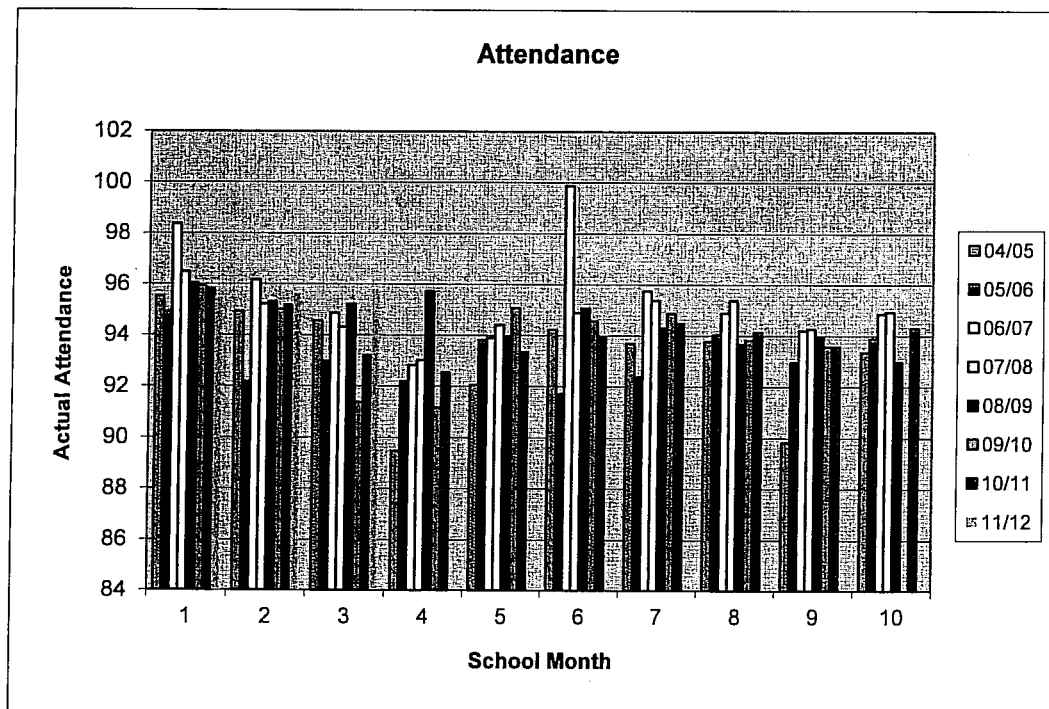
## **School Attendance Percentages**

School Month

	04/05	05/06	06/07	07/08	08/09	09/10	10/11	11/12
1	95.52	94.91	98.36	96.49	96.03	95.92	95.82	95.51
2	94.92	92.17	96.17	95.21	95.31	95	95.16	95.70
3	94.55	92.98	94.86	94.31	95.21	91.37	93.21	95.85
4	89.47	92.18	92.83	93.02	95.72	91.17	92.55	
5	92.06	93.8	93.89	94.40	93.95	95.06	93.34	
6	94.23	91.71	99.87	94.89	95.06	94.55	93.95	
7	93.69	92.39	95.75	95.38	94.28	94.86	94.47	
8	93.77	94.04	94.88	95.38	93.67	93.82	94.13	
9	89.82	92.95	94.20	94.26	93.95	93.56	93.57	
10	93.35	93.88	94.85	94.92	92.97		94.3	

**Average**

93.14	93.10	95.57	94.83	94.62	93.92	94.05	95.69
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# GREENFIELD HIGH SCHOOL

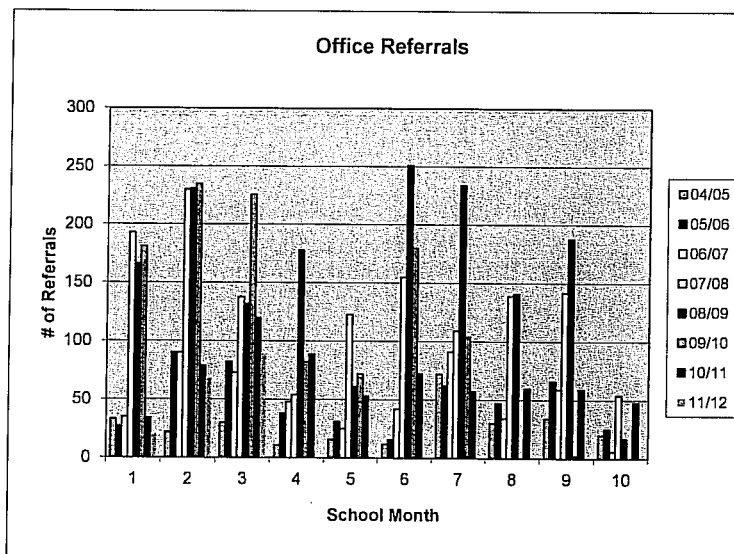
James Goddard, Principal

Monthly School Statistics

October 2011

## Office Referrals

School Month	04/05	05/06	06/07	07/08	08/09	09/10	10/11	11/12
1	33	27	35	193	166	181	34	21
2	22	90	90	230	231	235	79	69
3	30	82	73	138	132	226	120	90
4	11	38	48	54	178	82	89	
5	16	31	25	123	61	72	53	
6	12	16	42	155	251	180	72	
7	72	62	91	109	234	104	57	
8	30	47	34	139	141	0	60	
9	34	66	59	142	188	2	59	
10	20	25	6	54	17		48	
Average	28	48.4	50.3	133.7	159.9	120.222	67.1	60





# **GREENFIELD HIGH SCHOOL**

James Goddard, Principal

Monthly School Statistics

October 2011

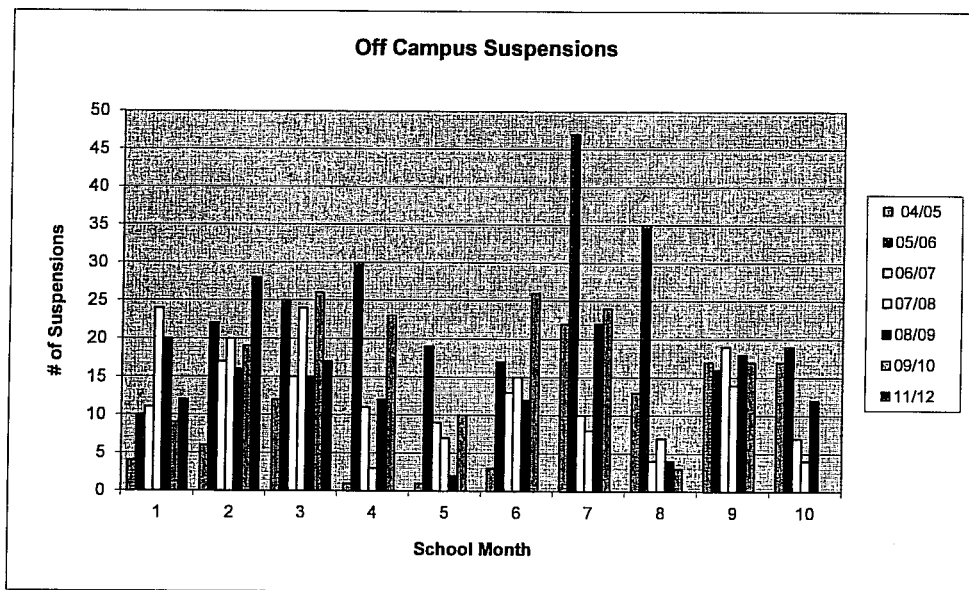
## Off Campus Suspensions

School Month

	04/05	05/06	06/07	07/08	08/09	09/10	10/11	11/12
1	4	10	11	24	20	9	8	12
2	6	22	17	20	16	19	10	28
3	12	25	15	24	15	26	35	17
4	1	30	11	3	12	23	28	
5	1	19	9	7	2	10	27	
6	3	17	13	15	12	26	36	
7	22	47	10	8	22	24	37	
8	13	35	4	7	4	3	25	
9	17	16	19	14	18	17	27	
10	17	19	7	4	12		24	

Average

9.6	24	11.6	12.6	13.3	17.4444	25.7	19
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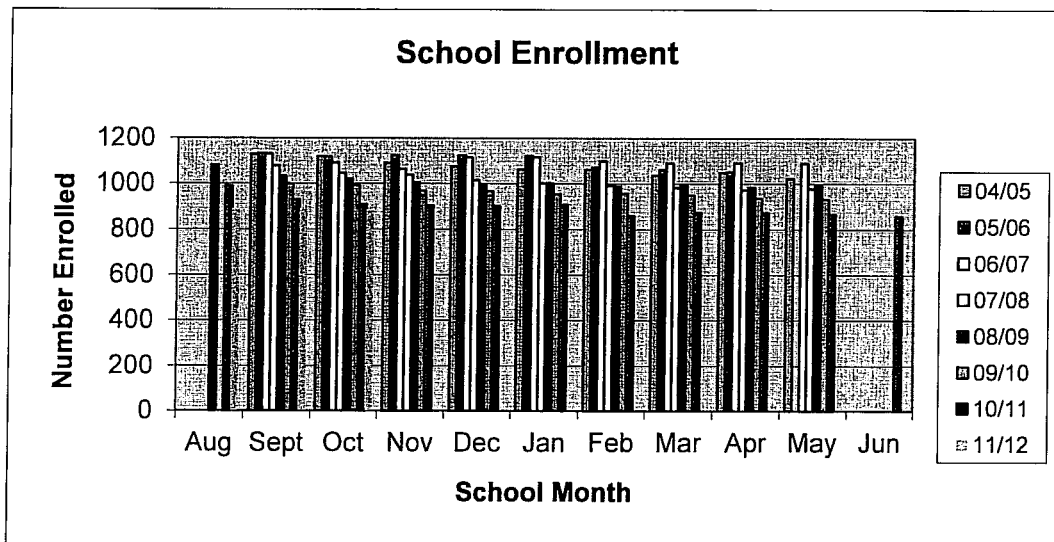


# KING CITY HIGH SCHOOL

Bruce Corbett  
Monthly School Statistics  
October 2011

## SCHOOL ENROLLMENT

School Month	04/05	05/06	06/07	07/08	08/09	09/10	10/11	11/12
<b>Aug</b>					1080		988	891
<b>Sept</b>	1127	1132	1130	1077	1033	997	928	891
<b>Oct</b>	1118	1117	1090	1044	1019	991	907	887
<b>Nov</b>	1089	1123	1063	1038	1004	967	903	
<b>Dec</b>	1075	1123	1114	1014	998	966	901	
<b>Jan</b>	1062	1121	1116	1002	1002	953	908	
<b>Feb</b>	1062	1070	1099	992	988	956	861	
<b>Mar</b>	1036	1060	1090	982	992	949	873	
<b>Apr</b>	1048	1051	1091	972	985	936	873	
<b>May</b>	1022		1089	977	992	932	867	
<b>Jun</b>							858	
<b>Year Average</b>	<b>1071</b>	<b>1100</b>	<b>1098</b>	<b>1011</b>	<b>1009</b>	<b>961</b>	<b>897</b>	<b>890</b>



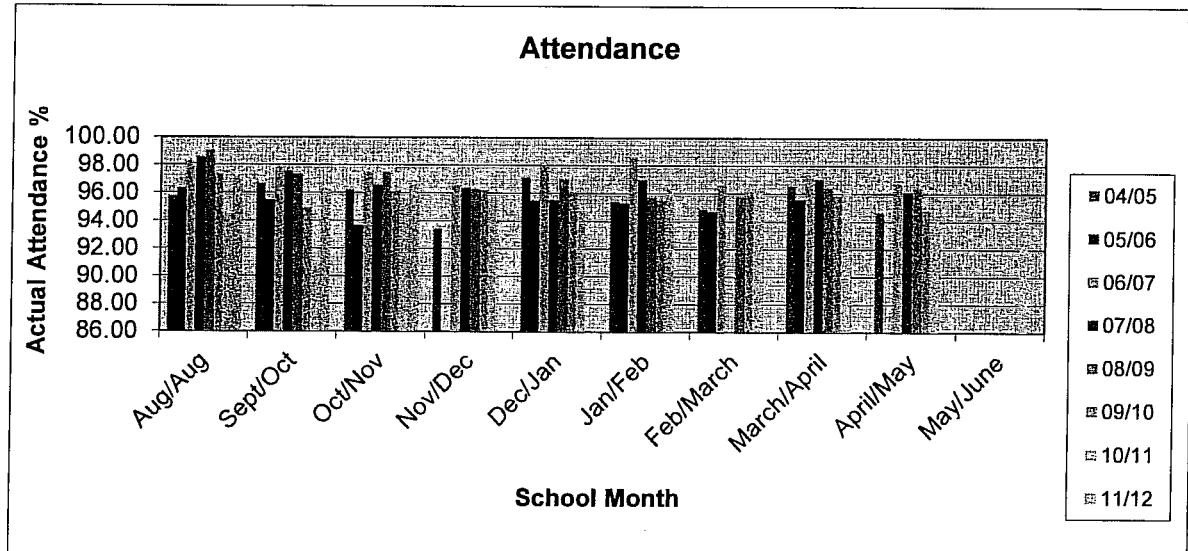
# KING CITY HIGH SCHOOL

Bruce Corbett  
Monthly School Statistics  
9/28/2011-10/21/2011

## SCHOOL ATTENDANCE PERCENTAGES

School Month                      04/05   05/06   06/07   07/08   08/09   09/10   10/11   11/12

Year Average									
	Aug/Aug	95.80	96.40	98.30	98.60	99.08	97.40	94.49	97.07
	Sept/Oct	96.70	95.55	97.89	97.60	97.37	95.00	90.90	96.40
	Oct/Nov	96.27	93.71	97.52	96.62	97.53	96.20	95.35	96.73
	Nov/Dec	93.47		96.63	96.41	96.31	96.30	95.65	
	Dec/Jan	97.15	95.51	98.20	95.53	97.06	96.10	94.72	
	Jan/Feb	95.43	95.37	98.65	97.03	95.76	95.60	96.65	
	Feb/March	94.93	94.76	96.70		95.80	96.20	96.54	
	March/April	96.60	95.66	97.36	97.08	96.47	95.90	96.23	
	April/May	94.70		96.81	96.19	96.44	94.90	94.32	
	May/June							95.59	
	95.67	95.28	97.56	96.88	96.87	95.96	95.04	96.73	

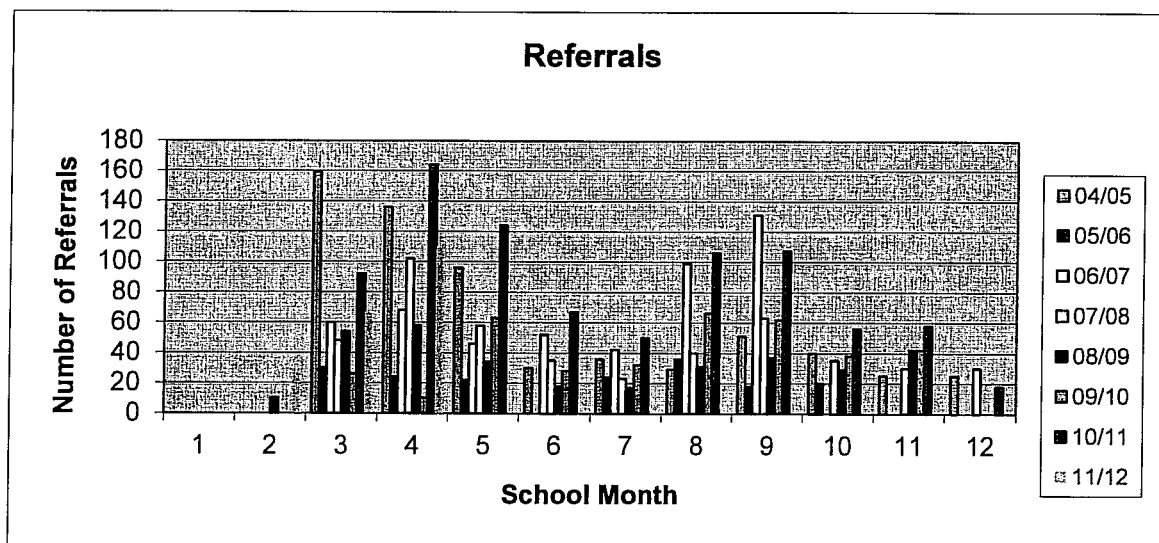


# KING CITY HIGH SCHOOL

Bruce Corbett  
Monthly School Statistics  
October 2011

## REFERRALS

School Month	04/05	05/06	06/07	07/08	08/09	09/10	10/11	11/12
Aug					10			27
Sept	159	30	60	48	54	26	92	67
Oct	136	24	68	102	58	10	164	110
Nov	96	22	46	58	34	63	124	
Dec	30		52	35	18	28	67	
Jan	36	24	42	23	17	32	50	
Feb	29	36	99	40	31	66	106	
Mar	51	18	131	63	37	62	107	
Apr	40	20		35	29	38	56	
May	25			30	42	42	58	
Jun	25			30			18	
Year Average	63	25	71	46	33	41	84	68



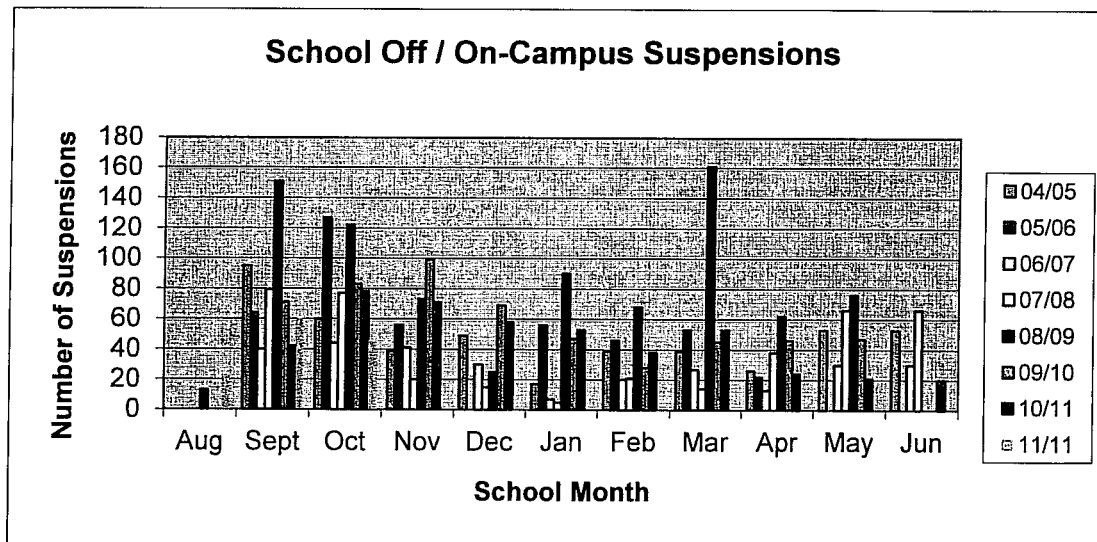
# KING CITY HIGH SCHOOL

Bruce Corbett  
Monthly School Statistics  
October 2011

## SCHOOL OFF / ON-CAMPUS SUSPENSIONS

School Month      04/05   05/06   06/07   07/08   08/09   09/10   10/11   11/11

Aug					13			22
Sept	95	64	40	79	151	71	42	61
Oct	60	127	44	77	122	83	78	46
Nov	39	56	41	20	73	99	71	
Dec	49		30	15	25	69	58	
Jan	17	56	7	5	90	47	53	
Feb	39	46	20	21	68	28	38	
Mar	39	53	27	14	161	45	53	
Apr	26	22	13	38	62	46	24	
May	53		30	66	76	47	21	
Jun	53		30	66			20	
Year Average	47	61	28	40	84	59	46	43





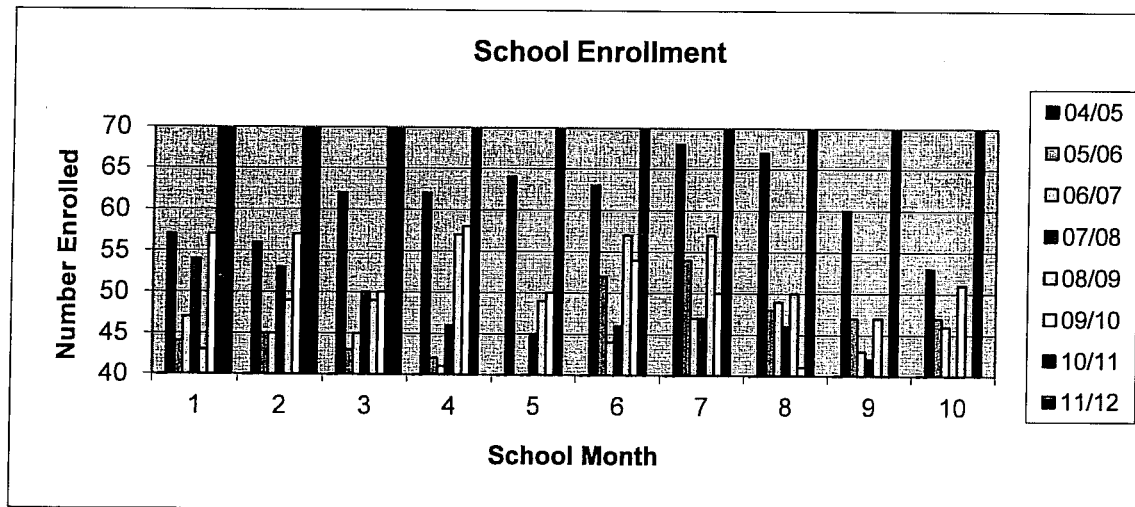
# PORTOLA-BUTLER CONTINUATION HIGH SCHOOL

Carolyn McCombs, Principal  
Monthly School Attendance Report  
School Year 2011-12  
Month #3

## SCHOOL ENROLLMENT

School Month	04/05	05/06	06/07	07/08	08/09	09/10	10/11	11/12	12/13
1	57	44	47	54	43	57	81	102	
2	56	45	45	53	49	57	91	91	
3	62	43	45	50	49	50	99	123	
4	62	42	41	46	57	58	99		
5	64	40	38	45	49	50	89		
6	63	52	44	46	57	54	122		
7	68	54	47	47	57	50	118		
8	67	48	49	46	50	41	113		
9	60	47	43	42	47	38	112		
10	53	47	46	38	51		106		
Average	61	46	45	47	51	51	81	105	

\*\* 04/05 - 09/10 Stats are from CBHS



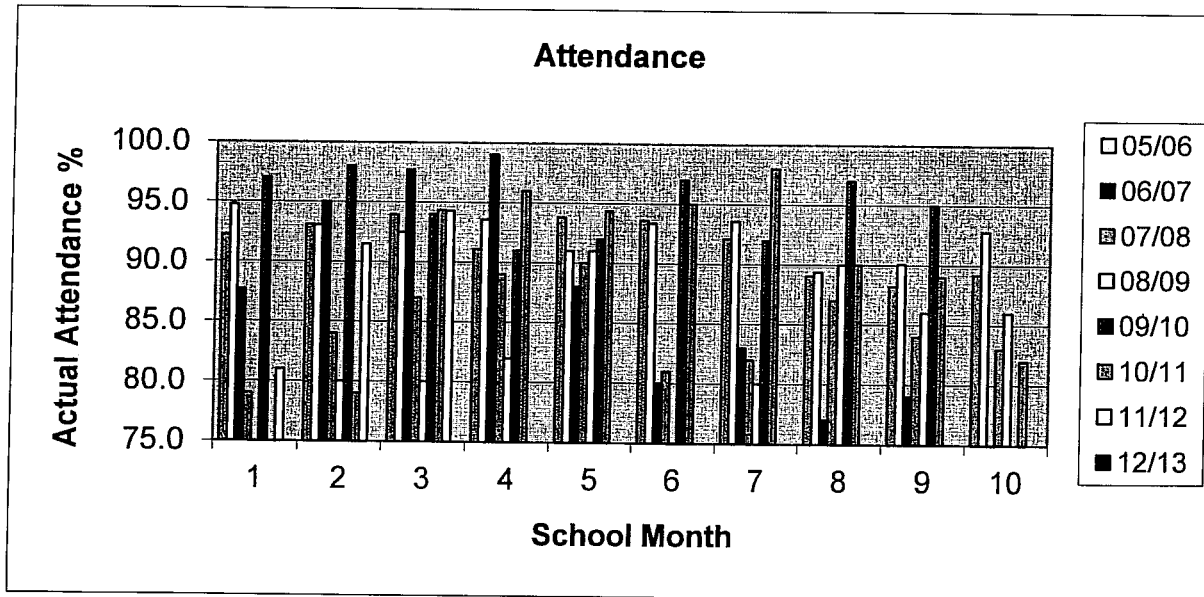
# PORTOLA-BUTLER CONTINUATION HIGH SCHOOL

Carolyn McCombs, Principal  
Monthly School Attendance Report  
School Year 2011-12  
Month #3

## SCHOOL ATTENDANCE PERCENTAGES

School Month	04/05	05/06	06/07	07/08	08/09	09/10	10/11	11/12	12/13
1	92.2	94.8	87.7	79.0	71.0	97.0	72.3	81.0	
2	93.1	93.1	95.0	84.0	80.0	98.0	79.0	91.5	
3	94.0	92.5	97.7	87.0	80.0	94.0	94.4	94.3	
4	91.1	93.6	99.0	89.0	82.0	91.0	96.0		
5	93.8	91.0	88.0	90.0	91.0	92.0	94.4		
6	93.6	93.4	80.0	81.0	72.0	97.0	95.0		
7	92.1	93.6	83.0	82.0	80.0	92.0	98.0		
8	89.0	89.4	77.0	87.0	90.0	97.0	90.0		
9	88.2	90.1	79.0	84.0	86.0	95.0	89.0		
10	89.2	92.8	69.0	83.0	86.0		82.0		
Average	91.64	92.42	85.54	84.60	81.80	94.78	72.30	88.93	

\*\* 04/05 - 09/10 Stats are from CBHS



# PORTOLA-BUTLER CONTINUATION HIGH SCHOOL

Carolyn McCombs, Principal  
Monthly School Attendance Report  
School Year 2011-12  
Month #3

## OFFICE REFERRALS

School Month	04/05	05/06	06/07	07/08	08/09	09/10	10/11	11/12	12/13
1	1	0	4	5	2	1	0	0	
2	1	2	8	2	6	0	7	15	
3	0	2	8	1	2	1	33	6	
4	1	8	2	3	2	0	17		
5	0	0	7	1	0	1	11		
6	0	4	8	6	5	14	19		
7	2	5	9	5	1	3	26		
8	2	5	7	7	1	2	11		
9	0	7	14	15	1	0	11		
10	2	5	5		0		7		
Average	1	4	7	5	2	2	14	7	

\*\* 04/05 - 09/10 Stats are from CBHS

