

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

South Monterey County Joint Union High School District Office  
800 Broadway  
King City, CA 93930

BOARD OF EDUCATION

Mike Foster – President  
Debra McAlahney-Dodson - Member  
Raul Rodriguez – Member  
Rita Tavernetti – 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 asi 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*

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 completer 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 <sup>Secretaria</sup> 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 específico 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: September 12, September 14, and September 26, 2011 (Pages 1-10)
2. Approval of Personnel Report Dated October 12, 2011 (**Daniel Moirao, Ed.D., Assistant Superintendent Human Resources and Educational Services**)
3. Approval of Agreement Between SMCJUHSD and Lincoln Hatch (**John Bernard, Ed.D., State Administrator**) (Pages 11-13)
4. Approval of Agreement Between SMCJUHSD and FCMAT (**John Bernard, Ed.D., State Administrator**) (Pages 14-19)
5. Approval of First Quarter Williams Quarterly Report (**Daniel Moirao, Assistant Superintendent Human Resources and Educational Services**) (Pages 20-21)
6. Approval of MOU Between SMCJUHSD and David W. Foord Consulting & Inspection Services (**Linda Grundhoffer, CBO**) (Pages 22-25)
7. Approval of Agreement Between SMCJUHSD and San Antonio Elementary School District (**Linda Grundhoffer, CBO**) (Pages 26-27)
8. Approval of 2011-2-12 Agreement Between SMCJUHSD and MCOE for Special Ed Transportation (**Linda Grundhoffer, CBO**) (Pages 28-29)
9. Approval to Surplus KCHS Textbooks (**Bruce Corbett, Principal**) (Pages 30-31)
10. Approval of Special Education Waiver Request (**Daniel Moirao, Assistant Superintendent Human Resources and Educational Services**) (Page 32)

K. CONSENT ITEMS REMOVED FOR COMMENT/QUESTIONS

L. INFORMATION ITEMS

1. Cash Flow Report from July 2011 through September 30, 2011 (**Linda Grundhoffer, CBO**) (Pages 33-35)
2. Revenue and Expenditure Report from July 2011 through September 30, 2011 (**Linda Grundhoffer**) (Pages 36-60)
3. Board Policies (First Reading) (**John Bernard, Ed.D., State Administrator**) (Pages 61-191)
  - 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
  - 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  
BP/AR 5141.31 – Immunizations  
BP/AR 5145.2 – Freedom of Speech/Expression  
BP 6111 – School Calendar  
BP/AR 6143 – Courses of Study  
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

M. ACTION ITEMS

1. Approval of 2011-2012 LEAP Addendum (*Daniel Moirao, Assistant Superintendent Human Resources and Educational Services*) (Pages 192-206)
2. Approval of Variable Term Waiver for Vikky Mullin and Michael Mahr (*Daniel Moirao, Ed.D., Asst. Supt. Human Resources and Educational Services*) (Pages 207-208)
3. Board Policy (Second Reading) (*John Bernard, Ed., State Administrator*) (Pages 209-285)
  - 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

N. SCHOOL REPORTS/UPDATES (Pages 286-296)

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

O. FUTURE AGENDA ITEMS/MEETING DATES

October 12, 2011 – Regular Board Meeting at the District Office  
October 26, 2011 – Board Study Session at the District Office  
November 16, 2011 – Regular Board Meeting at Greenfield High School Library

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  
SPECIAL BOARD MEETING

Monday, September 12, 2011

Minutes

BOARD OF EDUCATION

Mike Foster – Present  
Brent Green – Present  
Debra McAlahney-Dodson – Present  
Raul Rodriguez – Present  
Rita Tavernetti – Absence

STATE ADMINISTRATOR

John C. Bernard, Ed.D.

OPEN SESSION:

Call to Order

The meeting was called 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.

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There were not any comments from the public.

**INFORMATION ITEMS**

Brent Green submitted a letter resigning his position as a member of the Board of Education of the SMCJUHSD.

Board Study Session

Dr. Bernard and Board discussed and reviewed initiating a District Communications Plan.

Adjournment

The meeting was adjourned at 7:50 P.M.

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

\_\_\_\_\_  
Date

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

Wednesday, September 14, 2011

Minutes

BOARD OF EDUCATION

Mike Foster – President - Present  
Debra McAlahney- Dodson – Excused Absence  
Raul Rodriguez – Member - Present  
Rita Tavernetti – Member - Present

STUDENT BOARD MEMBERS

Hillary Hughes, King City HS  
Arturo Siguenza, Greenfield HS

STATE ADMINISTRATOR

John C. Bernard, Ed.D.

OPEN SESSION:

CALL TO ORDER:

Mike Foster called the meeting to order at 5:35 PM. There were not any comments from the public. The board recessed to closed session.

PUBLIC COMMENT

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CLOSED SESSION: 5:30 PM

- 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 ACTION:

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

APPROVAL OF AGENDA

Dr. Bernard approved the agenda.

**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*

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Sharlene Michelle Soltero, ASB Vice President, addressed the Board about the cafeteria issuing milk which was out dated as well as juice which had expired "Use by" date.

#### REPORT FROM STATE ADMINISTRATOR

Dr. Bernard said the FCMAT team visited the district 2 weeks ago. The areas they reviewed were Facilities, Personnel, and Finances. We are anticipating a significant growth in the scoring when the report is available next spring. The team who made their visit a few weeks ago interviewed principals, administration, staff, students, parents, and visited classrooms.

There will be another FCMAT review in October which will cover Community Relations/Governance and Pupil Achievement.

Staff from the State Controllers office will also conduct an audit in October during part of the time the FCMAT team will be in the district.

Dr. Bernard said there are two items he would like to share with the Board and request their perspective. The first one is the number of units a student must pass to graduate. The current requirement is 240 units. With this requirement it does not leave any room for students to fail a class. There are a few options students have to make up credits. Those options are enrolling in the credit recovery program at Portola-Butler Continuation High School, enroll in the district independent study program, and the last one is participating in the cyber program plan which is being developed. A recommendation is being considered to reduce the mandatory units for a student to graduate to 230. The lower graduation units required was implemented in many high school districts in San Diego County. This assisted in the graduation rate with more students graduating. The core subjects would not be affected, only the electives. Students would still be required to pass the CAHSEE, pass 2 years of PE, as well as the other mandatory requirements. Dr. Bernard said he would like to hear any comments the Board may have. Our current Board Policy can be revised.

The second area for discussion is timing of graduation. The last day of school is Friday, June 1. Graduation will be on Saturday, June 2. The suggestion is being made to have graduation 2 hours apart. Another suggestion was to have graduation at the same time and the Board members would divide up to be in attendance at both ceremonies. Portola-Butler will be graduating on Thursday, May 31. Dr. Bernard asked the Board for their preference.

#### STUDENT BOARD MEMBER REPORT

Arturo Siguenza suggested having graduation in the evening. He also had a concern about reducing the number of credits to graduate and reducing the number of elective units.

Mr. Siguenza also mentioned the expiration date on some food items served in the cafeteria at GHS.

## PRESENTATION

### Presentation from the KCHS FFA Students

The students informed the Board there are currently 280 students involved in FFA, this number constitutes 1/3 of the schools' enrollment.

The following students gave a presentation: Nicole Hardoy, President; Sydney Torres, 1<sup>st</sup> Vice President; Jeremy Burden, Secretary; Tahnee Bray, Sentinel, Alyssa Ibarra, Chaplain, Brooke Taylor, Corresponding Secretary; Whitney Connor, Historian; Brittany Connor, Historian; Milly Desai, Reporter, and Devon Rusconi, Reporter.

Peace, love, and FFA is the theme for the school year. The students distributed their program of work for the 2011-2012 school year to the Board. They are striving for a higher rate of success. Our district has the highest number of students participating and they are also the most active in the area. Katelyn Beach will be competing at the nationals at Indianapolis in October.

There will be 9 students attending the nationals in Indianapolis. One of their goals is to increase awareness of their activities to the general public. They also want to achieve the goal of a chapter newsletter. Board approval is being requested for their calendar of activities for the current school year. Members will be participating at the San Benito County Fair which will be held at the end of September in Hollister.

They will continue to support KCHS and thanked the Board for being given the opportunity to give their presentation and appreciated their support.

Mike Foster said he appreciated the FFA student's involvement, leadership and hard work. He wished the students good luck at the nationals.

Dr. Bernard acknowledged Jessica Souza, Debbie Benson, and introduced Daniel Villasenor as the newest teacher to join the FFA team at Greenfield High School.

### Migrant Program Update

Constantino Silva, Coordinator/Administrator, Migrant Education Program, XVI said he would review some of the activities which took place over the summer.

There were 13 students who participated in various summer programs. A number of the students attended California State University, Fresno to help students in their English language development. Another group of students also attend Fresno, attending a program to help the students make up classes based on credits they were lacking.

Cindy Martinez attend Skidmore College Pre-College Program in Liberal and Studio Arts in Saratoga Springs, New York for 5 weeks. Kenia Alatorre attended the Close Up Program at Washington DC. This program is designed to give students an inside look at their democracy in action.

Raul Rodriguez asked Consuelo Jimenez, the student who was present, what she experienced during her visit to Fresno State. The response was, Fresno was a large campus; she was able to talk to students and get their perspective of the program and college.

Dr. Bernard asked if the funding will continue. Mr. Silva said it looks doubtful. Mr. Silva added they hope the Fresno State program will continue. The MOU's for the other colleges will stay in place in the event there is funding.

Dr. Bernard suggested Mr. Silva contact the Greenfield and King City Rotary to see if they would be able to fund a student.

#### BOARD MEMBER COMMENTS

Raul Rodriguez said he attend GHS open house and thought it was a good turnout. He commented Mr. Goddard did a good job mentioning the increase in test scores and indicating their scores were higher than Soledad or Gonzales. The chemistry teacher gave a good 10 minute presentation and indicated it was time for a change in the chemistry program. Mr. Rodriguez said he was glad to see a teacher recognizes a change is needed and willing to move forward.

Raul Rodriguez said with the consideration of lowering the units required for graduation it means students cannot fail. Some parents are not aware of the requirements. There are some positive reasons for keeping the current number of credits.

Mr. Rodriguez commented when his son receives his progress report and if he has a concern he requests an appointment to meet with the teacher. His suggestion was for the school to inform the parent if the student is not performing and to do it early enough in the year so corrections can be made if necessary. He felt notification in the spring is too late. He encouraged teachers to call parents.

Mike Foster asked when the written FCMAT report is expected. Dr. Bernard said he expected a draft would be available to him by January 2012.

Mr. Rodriguez asked Dr. Bernard which district in San Diego was involved in the pilot program which was mentioned earlier regarding the number of graduation credits. Dr. Bernard responded there were multiple districts.

Mike Foster said he will give some thought about graduation.

#### EMPLOYEE ORGANIZATIONS

There were not any comments from the employee organizations.

#### CONSENT AGENDA

1. Approval of Minutes: August 10, 2011 and August 24, 2011
2. Approval of Personnel Report Dated September 14, 2011
3. Approval of KCHS FFA 2011-12 Calendar of Events
4. Approval of GHS FFA 2011-12 Calendar of Events
5. Approval of the GHS French Club Educational Trip to France from April 5-13, 2012
6. Approval of 2010-11 Unaudited Actuals
7. Approval of Resolution 5:11/12 GANN Limits
8. Approval of SSC Contract
9. Approval of CPRS Contract
10. Approval of Notice of Completion
11. Approval of ASB Software Contract
12. Approval of Regional Services Contract with Soledad Unified School District
13. Approval for 9 FFA Students Attending the National FFA Convention in Indianapolis, Indiana from October 18-22, 2011
14. Approval of Migrant Ed Services Agreement
15. Approval of Contract with Preferred Meals

Dr. Bernard approved the items on the consent agenda.

CONSENT ITEMS REMOVED FOR COMMENT/QUESTIONS  
None.

PUBLIC HEARING

Sufficiency of Instructional Materials for Use Starting with School Year 2011/12.

Mike Foster opened the public hearing at 7:01 PM, there were not any comments, the public hearing closed at 7:01 PM.

INFORMATION ITEMS

1. Board Policies (First 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
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  - BB 9130 – Board Committees
  - BB 9230 – Orientation
  - BB 9260 – Legal Protection
  - E 9270 – Conflict of Interest
  - BB 9324 – Minutes and Recordings

Dr. Bernard said these 19 policies will be coming back in October as a second reading.

ACTION ITEMS

Approval of Resolution 04:11/12 on Textbooks Sufficiency

Linda Grundhoffer said this resolution is done on an annual basis. The librarians updated the textbook listing.

Dr. Bernard approved Resolution 04:11/12.

Approval of Resolution 06:11/12 Approval of Conflict of Interest

Dr. Bernard said this resolution is presented to the Board on an annual basis.

Dr. Bernard approved Resolution 06:11/12.

Board Policy (Second Reading)

- BP 1020 – Youth Services
- E 1312.3 – Uniform Complaint Procedures
- BP 3470 – Fund Balance Policy
- BP/AR 3540 – Transportation
- AR/E 3541.1 – Transportation for School-Related Trips

BP/AR 3551 – Food Service Operations/Cafeteria Fund  
BP/AR 4161/4261/4361 – Leaves  
AR 4161.1/4361.1 – Personal Illness/Injury Leave  
AR 4161.11/4361.11 – Industrial Accident/Illness Leave  
BP/AR 4200 - Classified Personnel  
AR 4261.1 – Personal Illness/Injury Leave  
AR 4261.11 – Industrial Accident/Illness Leave  
BP 4315 - Evaluation/Supervision  
BP/AR 5113.2 – Work Permits  
BP/AR 5121 – Grades/Evaluation of Student Achievement  
BP 5131 – Conduct  
AR 5141.26 – Tuberculosis Testing  
BP 5145.3 – Nondiscrimination/Harassment  
AR 5145.8 – Refusal to Harm or Destroy Animals  
BP/AR 6142.7 – Physical Education and Activity  
BP 6162.5 – Student Assessment  
BP 6163.1 – Library Media Centers  
BP 7214 – General Obligation Bonds  
BB 9123 – Clerk  
BB 9220 – Governing Board Elections  
BB 9224 – Oath or Affirmation

Dr. Bernard approved the second reading of the policies.

#### SCHOOL REPORTS/UPDATES

##### Greenfield High School

Jim Goddard said he appreciated attending the special board study session regarding the communication plan.

The lighting at GHS needs some attention. He has submitted a work order for repairs.

There will be an earthquake drill next month. This afternoon FCMAT conducted ASB training to make sure we are in compliance. There were students, club representatives, and administrators in attendance at the meeting as well.

Students are adjusting to the new dress code.

The API scores were well received by the community. This year's open house had the largest amount of parents in attendance. It was publicized as well as the Alert Now system was used to remind parents.

Mr. Goddard commented, if a night graduation is being considered, to please keep in mind the wind.

There were 5 students who have not received their Tdap vaccination and the parents signed a waiver. They are waiting for only 2 students to have their vaccination.

Sports are well underway. The football team will be playing King City Friday night.

Mr. Goddard said he had met with ASB regarding the expiration date on some food items. His question is, if the juice has a best used by date, has it really expired. He will discuss with Debi Lesly. Dr. Bernard requested feedback.

South Monterey County Charter Independent Study Program

Carolyn McCombs said the Alternative Ed Programs have been growing immensely. James Mathis has recently been hired to work with their student. There is a GHS teacher who will be spending 2 periods a day to work with students in the cyber recovery program. It is recognized standardized curriculum is needed.

King City High School,

Bruce Corbett distributed, to the Board, a listing of schools he has polled in the county and ranked the API scores. He said he was very pleased KCHS tied for second place. There has been an increase in the KCHS score of 59 points over the last 2 years. There is a USA Test Prep Program students can use to practice so they are better prepared when they take tests. The students will practice testing during the course of the year. Hopefully this will put the students at ease when they take the real test.

Eric Olsen has sent out 1,000 star cards. These are incentive for the students. To qualify students must score proficient or advanced in math, science, Social Science, and English to receive the card with 4 stars. The student received a card on each subject they score at proficient or higher. There are various rewards listed on the card which students can choose from.

Mr. Corbett complimented Adriana Veysey on her leadership. The students in leadership did a very nice 9/11 tribute last Friday.

Mr. Corbett said he sent representatives from the 17 clubs at KCHS to the ASB training.

James Schierer and Jennifer Beach attended a Math Conference in Monterey to ensure the school has current information.

During collaboration today, they developed best practices and what works best. He acknowledged Genevieve Phillips for coordinating the program.

James Schierer is hosting an inservice for GHS and KCHS math teachers using scientific calculators and interaction with the smart board.

Mr. Corbett said he will be meeting with the commander at Hunter Liggett to try to be more responsive to their needs. They contribute to the high schools' after school programs. The current sporting events taking place are football and volleyball.

Sam Hales and Edgar Bonilla competed in a cross county event at Toro Park in Salinas in which they broke several KCHS school records.

Raul Rodriguez asked how many students are on the military base. Mr. Corbett responded in the low teens or high 20's.

Dr. Bernard said the commander changed the gate where students were to be picked up for bussing. This new location is approximately 1 mile further on the base. With our limited time to transport students it has created an issue. Dr. Bernard said he and Mr. Corbett will be meeting with the commander tomorrow to review the situation.

The comment was made Hunter Liggett has sent volunteers and coaches to assist in athletics.

Portola-Butler Continuation High School,

Carolyn McCombs said there is a waiting list for students who want to attend the morning session. As a result of the waiting list, a new teacher has been hired. This new teacher is very comfortable in the cyber program, she also has a special ed credential, therefore will be able to assist our current Independent Study special ed teacher.

Pearson Novell will be able to support their credit recovery program. The cyber academy will be recommended for those students who are only 4 or 5 units behind or students who may need precalculus, which is not offered at Portola-Butler.

Paula Balekian has started an after school guitar class. There are 10 to 12 students attending.

The guest speaker last Friday was from Hartnell.

FUTURE AGENDA ITEMS/MEETING DATES

September 26, 2011 – Special Board Study Session at the District Office. This is continuation from 9/12

October 12, 2011 – Regular Board Meeting at the District Office

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

SIGNING OF PAPERS

Dr. Bernard signed appropriate papers.

ADJOURNMENT

The meeting adjourned at 7:25 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

Monday, September 26, 2011

Minutes

BOARD OF EDUCATION

Mike Foster – Present  
Debra McAlahney-Dodson – Present  
Raul Rodriguez – Present  
Rita Tavernetti – Absence

STATE ADMINISTRATOR

John C. Bernard, Ed.D.

OPEN SESSION: 6:00 PM

Call to Order:

The meeting was called to order at 6:01 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 Secretaria 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 continued discussion and the initiation of a District Communications Plan with the Board.

Adjournment

The meeting was adjourned at 7:30 P.M.

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John Bernard, Ed.D., State Administrator

---

Date

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

**SUBJECT:** Approval of 2011-12 MOU Between SMCJUHSD  
and Lincoln Hatch

**MEETING:** October 12, 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:

Mr. Hatch provides direct support to the protection, upkeep and operation of the sound, audio-visual, and lighting equipment, and its use, owned by the South Monterey County Center for the Performing Arts at the Robert Stanton Theatre (auditorium) located at King City High School.

The Consultant, when providing support and technical services to an organization that is using the Stanton Theatre, may receive compensation from the organization for the services provided. Additional services will include auditorium management, presence at performance rehearsals and events, and working with Southern Monterey County Center for the Performing Arts in sponsoring up to two (2) workdays at the auditorium for minor repairs and maintenance-related tasks.

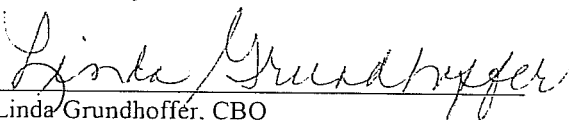
Recommendation:

The recommendation is to approve the agreement to furnish consultant services between the SMCJUHSD and Lincoln Hatch.

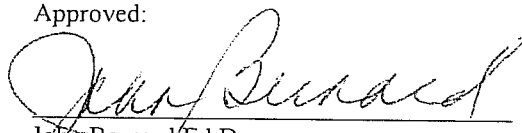
Fiscal Impact:

\$3,500

Submitted By:

  
Linda Grundhoffer, CBO

Approved:

  
John Bernard Ed.D.  
State Administrator

**SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT  
800 BROADWAY  
KING CITY, CA 93930**

**AGREEMENT TO FURNISH CONSULTANT SERVICES**

Pursuant to California Education Code 10400, South Monterey County Joint Union High School District, hereinafter called "District," has need of the specialized services of *Lincoln Hatch*, an independent contractor, hereinafter called "Consultant," for the period specified in Article I. "TERM."

Consultant shall be, for the purposes of this agreement, an independent contractor and shall not be deemed an employee of the District for any purpose.

District may provide such supplies and equipment as shown herein for the convenience of CONSULTANT and such accommodation shall not operate as an indication of employment.

**I. TERM:**

The effective date of the agreement is June 1, 2011 and it terminates June 30, 2012 unless sooner terminate as provided herein.

**II. PAYMENT LIMIT**

- Consultant shall be compensated at the annual rate of \$3,500
- Payment shall be made upon presentation of invoice properly completed by Consultant.
- Total payment(s) to Consultant, under this contract shall not exceed \$3,500.00

**III. DISTRICT OBLIGATION:**

Inconsideration of Consultant's provision of service(s) as described in the Consultants Services Description and subject to the payment limit expressed herein, the District shall pay the Consultant, upon documented evidence of completion of service(s), payment according to the fee schedule listed within thirty (30) days of billing.

**IV. CONSULTANT'S OBLIGATION**

- The consultant shall provide service(s) as described in the Consultant Service Description.
- Because the Consultant may work with students in a school-sponsored student activity program, the Consultant shall obtain both a Department of Justice and Federal Bureau of Investigation criminal background check through the district. (Education Code 49024). If the Consultant possesses a current Activity Supervisor Clearance Certificate from the Commission on Teacher Credentialing, issued prior to July 9, 2010, the Consultant shall have satisfied district requirements for the criminal background check. (Education Code 49024)

**V. CONSULTANT SERVICE DESCRIPTION**

In support of the goals of maintaining safe and secure facilities, improving the school climate, and improving community relations, the Consultant will provide direct support to the protection, upkeep and operation of the sound, audio-visual, and lighting equipment, and its use, owned by the Southern Monterey County Center for the Performing Arts at the Robert Stanton Theater (auditorium) located at King City High School. The Consultant, when providing support and technical services to an organization that is using the Stanton Theater, may receive compensation from the organization for the

services provided. Addition services will include auditorium management, presence at performance rehearsals and events, and working with Southern Monterey County Center for the Performing Arts in sponsoring up to two (2) workdays at the auditorium for minor repairs and maintenance-related tasks.

#### VI. ASSIGNMENT

This agreement is for personal services to be performed by Consultant.

#### VII. TERMINATION OF AGREEMENT

This agreement shall terminate on the last day as written in Article I except:

- a. District may terminate agreement at any time if Consultant does not perform, or refuses to perform according to this Agreement.
- b. District and Consultant may terminate agreement at any time with mutual written consent.
- c. In the event of early termination, Consultant shall be paid for all work or services performed to the date of termination together with an amount for approved expenses due and owing.

#### VIII. DISTRICT'S RIGHT OF RETENTION

Upon request, the District shall have copies of any records.

#### IX. EXTENSION OF TERM

By mutual consent of the parties hereto the term of service described herein in Article I may be extended by reformation of this Agreement and the attachment hereto of an addendum mutually executed setting forth the extended term.

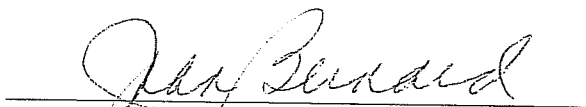
#### X. SIGNATURES

These signatures attest the parties' agreement hereto:

  
CONSULTANT / TITLE

9/28/2011  
Date

032 34 9447  
Social Security Number of Consultant \*

  
CONTRACT OFFICER OF THE  
South Monterey County Joint Union High School District  
9/28/11  
Date

\* Whenever organizational names are used, the Employer IRS Identification Number must be used instead of a Social Security Number.

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

**SUBJECT:** Approval of 2011-12 Agreement Between  
SMCJUHSD and FCMAT

**MEETING:** October 12, 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:

This contract covers the annual review of Financial Management, Pupil Achievement, Personnel Management, Facilities Management and Community Relations as prescribed by SB130 dated July 22, 2009.

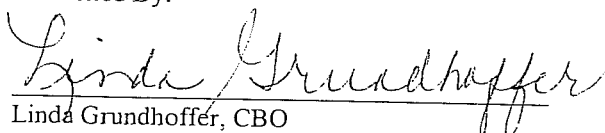
Recommendation:

Approve the contract with FCMAT for the Comprehensive Review.

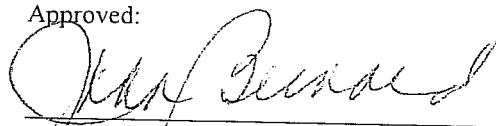
Fiscal Impact:

\$96,300

Submitted By:

  
Linda Grundhoffer, CBO

Approved:

  
John Bernard Ed.D.  
State Administrator

# FCMAT

FISCAL CRISIS & MANAGEMENT  
ASSISTANCE TEAM

CSIS California School Information Services

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## FISCAL CRISIS & MANAGEMENT ASSISTANCE TEAM STUDY AGREEMENT 2011-12 July 19, 2011

The FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM (FCMAT), hereinafter referred to as the Team, and the South Monterey County High School District, hereinafter referred to as the District, mutually agree as follows:

### 1. BASIS OF AGREEMENT

The Team provides a variety of services to school districts and county offices of education upon request. The District has requested that the Team provide for the assignment of professionals to study specific aspects of the District. These professionals may include staff of the Team, County Offices of Education, the California State Department of Education, school districts, or private contractors. All work shall be performed in accordance with the terms and conditions of this Agreement.

In keeping with the provisions of AB1200, the County Superintendent will be notified of this agreement between the District and FCMAT and will receive a copy of the final report. The final report will be published on the FCMAT website.

### 2. SCOPE OF THE WORK

#### A. Scope and Objectives of the Study

The scope and objectives of this study are to:

- 1.) On July 22, 2009 Senate Bill 130 was signed into law. SB130 provides a state emergency loan of up to \$13 million to the district and authorizes the Superintendent of Public Instruction to appoint a State Administrator as his designee to the district. Of the \$13 million, \$5 million from the state's general fund will be used to meet the district's immediate financial needs. An additional \$8 million will be drawn from the California Infrastructure and Economic Development Bank that may be used by the district as needed in the 2009-10 fiscal year. The district must repay the loan within 20 years. The legislation also requires the Fiscal Crisis and Management Assistance Team to complete comprehensive assessments

and develop improvement plans in the following five areas of district operations:

- Financial Management
- Pupil Achievement
- Personnel Management
- Facilities Management
- Community Relations

- 2.) FCMA T will conduct field work during the fall semester and issue a progress report each fiscal year. The progress reviews will continue until the criteria established in SB130 have been achieved and local governance has been granted by the State Superintendent of Public Instruction to the District governing board. The Third Comprehensive review is projected to be issued in February 2012.

B. Services and Products to be Provided

- 1) Orientation Meeting – The Team will conduct an orientation session at the School District to brief the State Administrator, cabinet, and supervisory personnel on the procedures of the Team and on the purpose and schedule of the study.
- 2) On-site Review – The Team will conduct an on-site review at the District office and at school sites.
- 3) Progress Report – The Team will hold an exit meeting at the conclusion of the on-site review to inform the District of significant findings and recommendations to that point.
- 4) Draft Reports – Sufficient copies of a preliminary draft report will be delivered to the State Administrator for review and comment.
- 5) Final Report –February 2012: Sufficient copies of the final study report will be delivered to the State Administrator following completion of the review.
- 6) Follow-Up Support: Six months after the completion of the study, FCMA T will return to the District, if requested, to confirm the District's progress in implementing the recommendations included in the report, at no cost. Status of the recommendations will be documented to the District in a FCMA T Management Letter.

3. **PROJECT PERSONNEL**

The study team will be supervised by Mary C. Barlow, Deputy Administrative Officer, Fiscal Crisis and Management Assistance Team, Kern County Superintendent of Schools Office. The study team may also include:

<i>A. William Gillaspie</i>	<i>FCMAT Chief Management Analyst</i>
<i>B. Diane Branham</i>	<i>FCMAT Fiscal Intervention Specialist</i>
<i>C. Deborah Deal, CFE</i>	<i>FCMAT Fiscal Intervention Specialist</i>
<i>D. John F. Von Flue</i>	<i>FCMAT Fiscal Intervention Specialist</i>
<i>E. Julie Auvil</i>	<i>FCMAT Fiscal Intervention Specialist</i>
<i>F. John Lotze</i>	<i>FCMAT Public Information Specialist</i>
<i>G. Nancy Sullivan</i>	<i>CSIS Deputy Operations Officer</i>
<i>H. Roberta Mayor</i>	<i>Phillips Mayor LLC</i>
<i>I. Dean Bubar</i>	<i>FCMAT Consultant</i>
<i>J. Greig Welch</i>	<i>FCMAT Consultant</i>
<i>K. Robert Rice</i>	<i>FCMAT Consultant</i>
<i>L. Pat Alexander</i>	<i>FCMAT Consultant</i>
<i>M. Suzanne Speck</i>	<i>School Services of California</i>

Other equally qualified consultants will be substituted in the event one of the above noted individuals is unable to participate in the study.

4. **PROJECT COSTS**

The cost for studies requested pursuant to E.C. 42127.8(d)(1) shall be:

- A. \$800.00 per day for each Team Member while on site, conducting fieldwork and analysis at other locations, preparing and presenting reports, or participating in meetings. Cost per day for outside consultants will be billed at the actual daily rate.
- B. All out-of-pocket expenses, including travel, meals, lodging, etc. The District will be invoiced at actual costs, with 50% of the estimated cost due following the completion of the on-site review and the remaining amount due upon acceptance of the final report by the District.

**Based on the elements noted in section 2 A, the total cost of the study is not to exceed \$96,300.**

- C. Any change to the scope will affect the estimate of total cost.

Payments for FCMAT services are payable to Kern County Superintendent of Schools - Administrative Agent.

5. **RESPONSIBILITIES OF THE DISTRICT**

- A. The District will provide office and conference room space while on-site reviews are in progress.
- B. The District will provide the following (if requested):
  - 1. A map of the local area
  - 2. Existing policies, regulations and prior reports addressing the study request
  - 3. Current or proposed organizational charts
  - 4. Current and two (2) prior years' audit reports
  - 5. Any documents requested on a supplemental listing
  - 6. Any documents requested on the supplemental listing should be provided to FCMAT in electronic format when possible.
  - 7. Documents that are only available in hard copy should be scanned by the district and sent to FCMAT in an electronic format.
  - 8. All documents should be provided in advance of field work and any delay in the receipt of the requested documentation may affect the start date of the project.
- C. The District Administration will review a preliminary draft copy of the study. Any comments regarding the accuracy of the data presented in the report or the practicability of the recommendations will be reviewed with the Team prior to completion of the final report.

Pursuant to EC 45125.1(c), representatives of FCMAT will have limited contact with pupils. The District shall take appropriate steps to comply with EC 45125.1(c).

6. **PROJECT SCHEDULE**

The following schedule outlines the planned completion dates for key study milestones:

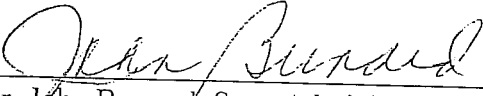
Orientation:	August 31, 2011
Exit Interviews	To be determined
Preliminary Report Submitted:	To be determined
Final Report Submitted:	To be determined
Board Presentation:	To be determined
Follow-Up Support:	If requested


7. CONTACT PERSON

Name of contact person: Dr. John Bernard. State Administrator

Telephone: (831) 385-5461 FAX: (831) 385-0695

E-Mail: JBernard@kingcity.k12.ca.us

 9/21/11  
Dr. John Bernard, State Administrator Date  
South Monterey High School District

 July 19, 2011  
Mary Barlow, Deputy Administrative Officer Date  
Fiscal Crisis and Management Assistance Team

# SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

**SUBJECT:** First Quarterly Williams Report

**MEETING:** October 12, 2011

**AGENDA SECTION:**

☐ ACTION

☐ INFORMATION

**X ACTION/CONSENT**

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## GOVERNING BOARD

Board Goals:

- X Improve/Sustain Student Achievement through STAR Test and Other Assessment Measures
- X 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:

By law, the South Monterey County Joint Union High School District must report quarterly during every academic year to the board its compliance with the Williams-Venezuela law suit. Attached is the first report for this school year.

Recommendation:

Approve the Williams-Venezuela report as required by Education code.


Fiscal Impact:

No cost to the district.

Submitted By:

Approved:

Daniel Moirao, Ed.D.  
Asst. Supt. Human Resources/Educational Services

  
John Bernard Ed.D.  
State Administrator

Year 2011-2012  
**Quarterly Report on Williams Uniform Complaints**  
 [Education Code § 35186]

District: South Monterey County Joint Union High School District  
 Person completing this form: Daniel R. Moirao Title: Assistant Superintendent Ed. Services/Human Resources

Quarterly Report Submission Date: (Please check one)  
☒ October 2011  
☐ January 2012  
☐ April 2012  
☐ July 2012

Date for information to be reported publicly at governing board meeting: October 12, 2011  
 Please check the box that applies:

- ☒ No complaints were filed with any school in the district during the quarter indicated above.
- ☐ Complaints were filed with schools in the district during the quarter indicated above. The following chart summarizes the nature and resolution of these complaints.

General Subject Area	Total # of Complaints	# Resolved	# Unresolved
Textbooks and Instructional Materials	0	0	0
Teacher Vacancy or Misassignment	0	0	0
Facilities Conditions	0	0	0
<b>TOTALS</b>	0	0	0

John Bernard, Ed.D  
 Print Name of District Superintendent

\_\_\_\_\_  
 Signature of District Superintendent

October 5, 2011  
 Date

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

**SUBJECT:** Approval of 2011-12 MOU Between  
SMCJUHS and David W. Foord Consulting & Inspection  
Services

**MEETING:** October 12, 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 district is responsible for hiring an Inspector of Record for any construction project. Mr. Foord is the Inspector of Record for the roofing project at King City High School.

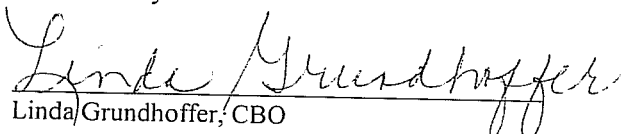
Recommendation:

Approve the contract with David W. Foord Consulting and Inspection Services.


Fiscal Impact:

\$7,000 – County School Facilities Fund

Submitted By:

  
Linda Grundhoffer, CBO

Approved:

  
John Bernard, Ed.D.  
State Administrator

# **DAVID W. FOORD CONSULTING & INSPECTION SERVICES**

D.S.A./O.R.S Inspector of Record  
228 San Bernabe Drive  
Monterey, CA 93940

E-mail dwfinspection@gmail.com  
Cell: (831) 277-4994

September 22, 2011

## **INSPECTION SERVICES CONTRACT KING CITY HIGH SCHOOL RE ROOF PROJECT**

### **I. PARTIES TO THIS AGREEMENT**

This agreement is made between the South Monterey County Joint Union High School District and David W. Foord Consulting and Inspection Services for the services and inspection of the following project:

#### **A. KING CITY HIGH SCHOOL RE ROOF PROJECT**

### **II. TERMS AND CONDITIONS**

I agree to provide the following services commencing upon the notice to proceed and through the approximate dates as indicated in the contracts documents

- A. Inspect work performed by the contractors, agent, employees, subcontractors, and suppliers to review conformity of all work and materials with the contract documents.
- B. Carry out the instructions of the Project Architect and the Division of State Architect.
- C. Review phases of the project for confirmation of the applicable laws, regulations, and codes.
- D. Prepare all necessary reports, and related correspondence, including, inspectors requests for clarifications, inspectors requests for inspections, additional notifications to the Division of the State Architect at various phases of the project, semi-monthly reports, and final verified reports to the Division of the State Architect.
- E. Conduct on site inspections of work in progress.
- F. Perform progress photos to indicate construction conditions.
- G. Review all current codes and standards governing the project.

- H. Conduct on site inspections of work in progress
- I. Observe that the testing laboratory performs all tests and inspections required.
- J. Continually update contract documents including, inserting Addenda's, RFI's, IRFC's, and Change Orders as necessary to insure the proper execution of project.
- K. Assist the efforts of all parties concerned to expedite the completion and ensure the quality of the project.

### III. INDEPENDENT CONTRACTOR

- A. In the performance of services imposed by this Agreement, the Inspector is at all times acting as an independent contractor and not an employee of the King City Joint Union School District. The Inspector shall not have any claim under this agreement for vacation, sick leave, retirement benefits or any other benefits usually provided to employees. Inspector understands and agrees that no taxes or deductions will be paid by the King City Joint Union School District on the Inspectors behalf to any governmental taxing body.
- B. Should inspector contract with, or employ any persons to assist him on this project, it is agreed that such persons are not employees of the King City Joint Union School District, subject to DSA manpower workload approval.
- C. Inspector further agrees to make no claim against the King City Joint Union School District for any unemployment benefits; workers compensation benefits and expressly agrees the inspector is not entitled to any such benefits.

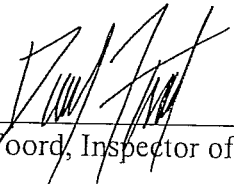
### V. COMPENSATION

- A. I agree to provide the described services for a fee of \$7,000.00 (seven thousand, dollars) through the completion of the re roof project.
- B. Working hours shall generally consist of onsite inspections of work in progress, logs, preparing all necessary reports and related correspondence, required notifications to the Division of the State Architect, semi-monthly written reports to owner, architect and Division of the State Architect twice monthly.
- C. DSA form five estimated manpower approval intended.

## VI. SIGNATURES

The following signify by their signature that they agree to the general and specific terms set forth in this agreement:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Dr. John Bernard, Official South Monterey County JUHSD

Signature:  \_\_\_\_\_ Date: 9/23/11 \_\_\_\_\_  
David W. Foord, Inspector of Record

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

**SUBJECT:** Approval of 2011-12 MOU Between SMCJUHSD  
and San Antonio ESD (SAUESD)

**MEETING:** October 12, 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:**

As SMCJUHSD leaves one bus at the San Antonio Union Elementary School District, SAUESD would like to be able to use that bus in case of emergency or non-operation of their buses. In turn SMCJUHSD would be able to use the SAUESD buses in the event we had that need.

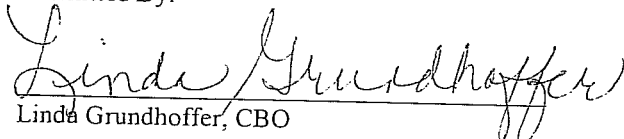
**Recommendation:**

Approve the contract with the San Antonio Union Elementary School District.

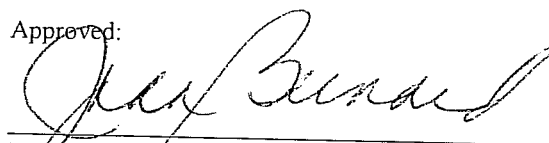
**Fiscal Impact:**

None

Submitted By:

  
Linda Grundhoffer, CBO

Approved:

  
John Bernard Ed.D.  
State Administrator

**MEMORANDUM OF UNDERSTANDING BY AND BETWEEN  
SAN ANTONIO UNION ELEMENTARY SCHOOL DISTRICT  
AND  
SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**

The San Antonio Union Elementary School District ("SAUESD") and South Monterey County Joint Union High School District ("SMCJUHS") hereby enter into this Memorandum of Understanding concerning the sharing of buses and housing of buses for the 2011-2012 school year, under the following terms:

1. SAUESD is currently housing a bus owned by SMCJUHS. SMCJUHS shall indemnify and hold harmless SAUESD for any injury, accident, vandalism, theft, or malicious mischief caused by SMCJUHS's failure to lock or maintain its buses in safe working order.
2. In the event of an emergency or non-operation of either district's school bus during a route mutual to each district, children from either district may ride the others' bus pending authorization of the driver. Students from each district will be covered under their district's insurance.
3. SAUESD requests authorization to borrow a bus from SMCJUHS to transport students K-8 in the event that more than two SAUESD buses are inoperable and cannot be repaired by the next day. Use of SMCJUHS buses will be until such time as repairs can be made in a timely manner not to exceed two weeks.
4. SAUESD will authorization the borrowing of one of the District's buses by SMCJUHS in the event of non-operation of their current bus housed with SAUESD until such time as repairs can be made in a timely manner not to exceed two weeks.
5. The exchange of services described in paragraphs one, two, three and four above shall be deemed appropriate consideration to form a contractual agreement between the parties. However, should either SAUESD or SMCJUHS form a good-faith belief that it is providing greater services than it is receiving from the other District, the dissatisfied District shall notify the other in writing, and the Districts shall negotiate an alternative compensation agreement.
6. This Memorandum of Understanding shall expire on June 30, 2012, unless terminated earlier by: (a) a substantial breach of contract by either SAUESD or SMCJUHS causing immediate termination of this agreement, or (2) written notification by either District that it desires to terminate the agreement no sooner than 30 calendar days of the date the written notification is personally delivered or placed in U.S. Mail to the office of the Superintendent of the receiving District.
7. This agreement shall take effect upon ratification by the Governing Boards of SAUESD and SMCJUHS.

**SAN ANTONIO UNION ELEMENTARY  
SCHOOL DISTRICT**

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

\_\_\_\_\_  
Superintendent                      Date

\_\_\_\_\_  
Superintendent                      Date

Date of Ratification: \_\_\_\_\_

Date of Ratification: \_\_\_\_\_

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

**SUBJECT:** Contract for Special Ed Transportation

**MEETING:** 10-12-11

**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:

With the reorganization of the our Transportation department, we have requested that the Monterey County Office of Education take over transporting our Special Education students.

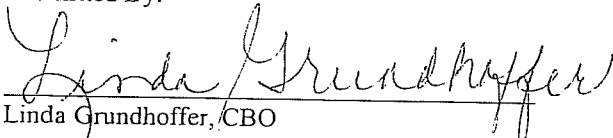
Recommendation:

To approve the contract with the Monterey County Office of Education

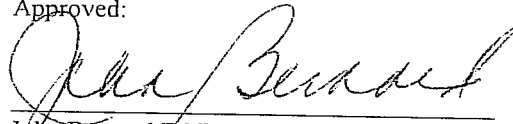
Fiscal Impact:

\$88,457 – 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 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 High School District (SMCJHSD) in order to provide transportation for SMCJHSD 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 SMCJHSD students.

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

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

**Route #1 King City High/Transition (wheelchair)- total 60.2 miles**

**Route #2 Greenfield High (wheelchair)- total 43.9 miles**

**Route #3 Greenfield High – total 9.3 miles**

**See attached route list.**

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

**Payment for Services:**

The MCOE Transportation department will provide transportation based on the student's school Calendar (182 days). SMCJHSD 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 SMCJHSD students.

South Monterey County Joint High School District

Monterey County Office of Education

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

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

\_\_\_\_\_  
Date  
#0100-7240-0-5001-0000-868900-000-0250-202

\_\_\_\_\_  
Date

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

**SUBJECT:** Approval to Surplus KCHS Textbooks

**MEETING:** October 12, 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:

King City High School has numerous outdated editions of books in their current inventory. The request is being made to surplus these books to ensure they are not used by students.

Recommendation:

The recommendation is being made for the Board to approve the outdated material.

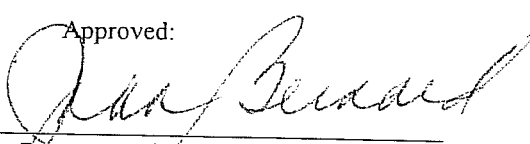
Fiscal Impact:

None

Submitted By:

Bruce Corbett  
Principal

Approved:

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

# 2011-2012 Inventory of Books to be Discarded

## King City High School

Title	ISBN	Copyright	Quantity
Agriscience Fundamentals +Apps.	08273-33951	1990	33
Biotechnology	0-8134-3161-1	2001	32
Physical Science Apps in Ag.	0-8134-3013-5	1996	31
Crop Science & Food Production	0-07-005431-2	1983	22
Environmental Science	0-8273-5025-2	1994	34
Agricultural Mecanics	0-8273-2271-2	1987	2
Chemistry	0-395985811	2000	32
Prentice Hall Literature-Platinum	0-13-698580-7	1989	52
Prentice Hall Literature-Platinum (teacher's edition)	0-13-693771-3	1989	1
Intro Chemistry a Foundation	0-395-95536-x	2000	26
Algebra 2	9780-07-8777856-8	2008	2
Algebra 1	0-07-821225-1	2000	1
Moving w/Math-Conquering the CAHSEE	1591670632	2003	2
Algebra Structure & Method-Bk. 1	0-395-46140-5	1990	4
Algebra 2 (McDougal Little)	9780618811816	2007	2
Discovering Geometry	0-913684082	1993	4
Algebra Structure & Method	0-395291879	1981	2
Pre-Algebra	0-395591236	1992	3
Algebra 1/2	0-93979845x	1990	2
Peace Maker-Alg. 1	0-130236381	2001	2
Basic Math Skills	0-785-423168	2001	2
Life Skills Math	0-785423206	2001	2
Math with Business App.	0-078298067	2004	2
Championship Keyboarding Drills	0-028011996	1997	32
Keyboarding & Info. Process.	0-5386497x	1997	4
Keyboarding & Info. Process. (complete course)	0-538648929	1997	57
Intro to Business	0-538612193	1992	1
Spreadsheet Apps in Practice	0-538615508	1994	1
Keyboarding for Computer Success	0-538685840	1999	1
Typing Time	0-5384353380	2003	1
Keyboarding & Info Processing (teachers Ed.)	0-538649437	1997	1
Understanding Business & Personal Law	0-07-0084335	1988	26
Music	0-02-642121-6	1994	25
Ven Conmigo	0-03-056589-8	2003	5
Understanding Business Law	0-07-053635-x	1984	4
Intro to Business	0-538-69146-8	2000	5
Intro to Business	0-538-65688-3	1997	1
Business Math	0-538-43253-5	2003	1
Economics	0-02-823048-5	1995	2
General Science	0-675-07687-0	1986	3
Physical Science	0-382-13472-9	1988	3
Physical Science	0-07-822745-3	2002	1
History of United States	0-395-62762-2	1993	3
History of United States	0-395-58296-2	1992	1
History of United States (teacher's edition)	0-395-58299-0	1992	1
United States History	0-7854-3859-9	2005	19
American Government	0-130-23617-9	2001	24
Health	0-395-39516-x	1992	1
Psychology	0-15-374800-1	1989	2
World Geography Today	0-03-050326-5	1980	2
Careers in Focus	1-56637-882-6	1997	1

# SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

**SUBJECT:** Special Education Waiver Request

**MEETING:** October 12, 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 we move through the process of making certain that students who need special services are getting those services, we have been able to move a number of students from Special Education to 504 plans. At the opening of this academic year it appeared we would need 1.5 additional Special Education teachers. However, through the due diligence of our staff, we have reduced this number significantly and now only need one teacher to agree to increase their case load as set by Education Code. Mr. William Riddle has agreed to assume this additional case work. An already employed Special Education Instructional Assistant will be provided to assist Mr. Riddle.

Recommendation:

Approve the case load waiver as required by Education Code.

Fiscal Impact:

This is a cost savings to the district in that no other teachers are needed to be hired.

Submitted By:

Daniel Moirao, Ed.D.

Asst. Supt. Human Resources/Educational Services

Approved:



John Bernard, Ed.D.  
State Administrator

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

**SUBJECT:** Cash Flow Report from July 1, 2011 through  
September 30, 2011

**MEETING:** October 12, 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:

Attached is the cash flow information from July 1, 2011 through September 30, 2011

Recommendation:

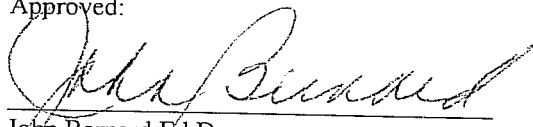
Fiscal Impact:

None

Submitted By:

Approved:

Linda Grundhoffer  
CBO

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

# Cash Flow Report

Fund:01 - General Fund

July 2011 through September 2011

	July	August	September	October	November	December	January
<b>A. BEGINNING CASH</b>	615,705.03	581,149.49	-348,719.59	1,911,348.47	1,911,348.47	1,911,348.47	1,911,348.47
<b>B. RECEIPTS</b>							
Property Tax 8020-8079	34,082.95	-26,324.47	42,484.00	0.00	0.00	0.00	0.00
Principal Apportionment 8010-8019	0.00	0.00	1,601,783.00	0.00	0.00	0.00	0.00
Miscellaneous Funds 8080-8099	2,466.31	3,511.10	3,543.09	0.00	0.00	0.00	0.00
Federal Revenues 8100-8299	0.00	432,901.62	0.00	0.00	0.00	0.00	0.00
Other State Revenue 8300-8599	163,850.00	74,555.00	334,527.54	0.00	0.00	0.00	0.00
Other Local Revenue 8600-8799	4,754.38	37,970.88	102,411.05	0.00	0.00	0.00	0.00
Interfund Transfers In 8910-8929	0.00	0.00	0.00	0.00	0.00	0.00	0.00
All Other Financing Sources 8930-8979	0.00	0.00	2,000,000.00	0.00	0.00	0.00	0.00
Other Receipts/Non Revenue	0.00	24,035.71	0.00	0.00	0.00	0.00	0.00
<b>TOTAL RECIEPTS</b>	205,153.64	546,649.84	4,084,748.68	0.00	0.00	0.00	0.00
<b>C. DISBURSEMENTS</b>							
Certificated Salaries 1000-1999	101,510.24	710,839.43	716,370.62	0.00	0.00	0.00	0.00
Classified Salaries 2000-2999	131,602.39	207,980.99	205,191.54	0.00	0.00	0.00	0.00
Employee Benefits 3000-3999	77,144.36	414,212.24	332,140.96	0.00	0.00	0.00	0.00
Books, Supplies and Services 4000-5999	297,553.81	156,352.49	172,588.24	0.00	0.00	0.00	0.00
Capital Outlays 6000-6599	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Other Outgo 7000-7499	20,043.97	42,092.34	986,200.16	0.00	0.00	0.00	0.00
Interfund Transfers Out 7600-7629	0.00	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
Other Dis / Non Expend	-17.11	816,472.45	-127.30	0.00	0.00	0.00	0.00
<b>TOTAL DISBURSEMENTS</b>	627,837.66	2,347,949.94	2,412,364.22	0.00	0.00	0.00	0.00
<b>NET INCREASE/DECREASE (B - C)</b>	-422,684.02	-1,801,300.10	1,672,384.46	0.00	0.00	0.00	0.00
<b>D. PRIOR YEAR TRANSACTIONS</b>							
Accounts Receivable 9200	619,841.15	1,036,195.64	724,297.99	0.00	0.00	0.00	0.00
Accounts Payable 9500	231,712.67	164,764.62	136,614.39	0.00	0.00	0.00	0.00
<b>TOTAL PRIOR YEAR TRANSACTIONS</b>	388,128.48	871,431.02	587,683.60	0.00	0.00	0.00	0.00
<b>NET INCREASE/DECREASE (B - C + D)</b>	-34,555.54	-929,869.08	2,260,068.06	0.00	0.00	0.00	0.00
<b>ENDING CASH (A + E)</b>	581,149.49	-348,719.59	1,911,348.47	1,911,348.47	1,911,348.47	1,911,348.47	1,911,348.47

# Cash Flow Report

Printed: 10/6/2011 10:53:57 AM  
Requested by: Igrundhoffe

Fund:01 - General Fund

July 2011 through September 2011

	9110	9110	9110	9110	9110	Total
<b>A. BEGINNING CASH</b>	1,911,348.47	1,911,348.47	1,911,348.47	1,911,348.47	1,911,348.47	
<b>B. RECEIPTS</b>						
Property Tax 8020-8079	0.00	0.00	0.00	0.00	0.00	50,242.48
Principal Apportionment 8010-8019	0.00	0.00	0.00	0.00	0.00	1,601,783.00
Miscellaneous Funds 8080-8099	0.00	0.00	0.00	0.00	0.00	9,520.50
Federal Revenues 8100-8299	0.00	0.00	0.00	0.00	0.00	432,901.62
Other State Revenue 8300-8599	0.00	0.00	0.00	0.00	0.00	572,932.54
Other Local Revenue 8600-8799	0.00	0.00	0.00	0.00	0.00	145,136.31
Interfund Transfers In 8910-8929	0.00	0.00	0.00	0.00	0.00	0.00
All Other Financing Sources 8930-8979	0.00	0.00	0.00	0.00	0.00	2,000,000.00
Other Receipts/Non Revenue	0.00	0.00	0.00	0.00	0.00	24,035.71
<b>TOTAL RECIEPTS</b>	0.00	0.00	0.00	0.00	0.00	4,836,552.16
<b>C. DISBURSEMENTS</b>						
Certificated Salaries 1000-1999	0.00	0.00	0.00	0.00	0.00	1,528,720.29
Classified Salaries 2000-2999	0.00	0.00	0.00	0.00	0.00	544,774.92
Employee Benefits 3000-3999	0.00	0.00	0.00	0.00	0.00	823,497.56
Books, Supplies and Services 4000-5999	0.00	0.00	0.00	0.00	0.00	626,494.54
Capital Outlays 6000-6599	0.00	0.00	0.00	0.00	0.00	0.00
Other Outgo 7000-7499	0.00	0.00	0.00	0.00	0.00	1,048,336.47
Interfund Transfers Out 7600-7629	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
Other Dis / Non Expend	0.00	0.00	0.00	0.00	0.00	816,328.04
<b>TOTAL DISBURSEMENTS</b>	0.00	0.00	0.00	0.00	0.00	5,388,151.82
<b>NET INCREASE/DECREASE (B - C)</b>	0.00	0.00	0.00	0.00	0.00	-551,599.66
<b>D. PRIOR YEAR TRANSACTIONS</b>						
Accounts Receivable 9200	0.00	0.00	0.00	0.00	0.00	2,380,334.78
Accounts Payable 9500	0.00	0.00	0.00	0.00	0.00	533,091.68
<b>TOTAL PRIOR YEAR TRANSACTIONS</b>	0.00	0.00	0.00	0.00	0.00	1,847,243.10
<b>NET INCREASE/DECREASE (B - C + D)</b>	0.00	0.00	0.00	0.00	0.00	1,295,643.44
<b>ENDING CASH (A + E)</b>	1,911,348.47	1,911,348.47	1,911,348.47	1,911,348.47	1,911,348.47	

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

**SUBJECT:** Revenue and Expenditure Report from July 1, 2011 through September 30, 2011      **MEETING:** October 12, 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:

Attached is the revenue and expenditure report information from July 1, 2011 through September 30, 2011

Recommendation:


Fiscal Impact:

None

Submitted By:

Linda Grundhoffer  
CBO

Approved:

  
John Bernard Ed.D.  
State Administrator

Board Report  
From 7/1/2011 thru 9/30/2011

Fund: 01 General Fund

	Approved	Working	Expended		Encumbered	Unencumbered	
			Current	Year To Date		Balance	%
**** Total Adjusted Beginning Balance	\$1,039,406.19	\$2,389,886.31	\$1,630,821.09	\$1,630,821.09	\$0.00	\$759,065.22	31.76
801100 Revenue Limit State Aid - Current Year	\$6,059,759.00	\$6,059,759.00	\$1,601,783.00	\$1,601,783.00	\$0.00	\$4,457,976.00	73.57
802100 Home Owners Exemption	\$26,000.00	\$26,000.00	\$0.00	\$0.00	\$0.00	\$26,000.00	100.00
804100 Secured Tax Rolls	\$4,369,500.00	\$4,369,500.00	\$0.00	\$0.00	\$0.00	\$4,369,500.00	100.00
804200 Unsecured Roll Taxes	\$165,000.00	\$165,000.00	\$0.00	\$0.00	\$0.00	\$165,000.00	100.00
804300 Prior Years' Taxes	\$160,000.00	\$160,000.00	\$50,111.33	\$50,111.33	\$0.00	\$109,888.67	68.68
804400 Supplemental Taxes	\$25,000.00	\$25,000.00	\$5,924.84	\$5,924.84	\$0.00	\$19,075.16	76.30
804500 Community Redevelopment Funds	\$28,309.00	\$28,309.00	\$353.49	\$353.49	\$0.00	\$27,955.51	98.75
804800 Penalties and Interest from Delinquent Taxes	\$0.00	\$0.00	(\$6,147.18)	(\$6,147.18)	\$0.00	\$6,147.18	0.00
809200 PERS Reduction Transfer	\$33,116.00	\$33,252.00	\$9,520.50	\$9,520.50	\$0.00	\$23,731.50	71.37
809600 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
818100 Special Education - Entitlement per UDC	\$356,305.00	\$356,305.00	\$0.00	\$0.00	\$0.00	\$356,305.00	100.00
829000 All Other Federal Revenues	\$1,091,599.00	\$1,069,710.17	\$432,901.62	\$432,901.62	\$0.00	\$636,808.55	59.53
831100 Other State Apportionments - Current Year	\$593,488.00	\$609,876.00	\$53,585.00	\$53,585.00	\$0.00	\$556,291.00	91.21
856000 State Lottery Revenue	\$211,904.00	\$211,904.00	\$0.00	\$0.00	\$0.00	\$211,904.00	100.00
859000 All Other State Revenues	\$1,722,904.00	\$1,730,794.00	\$519,347.54	\$519,347.54	\$0.00	\$1,211,446.46	69.99
862500 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
865000 Leases and Rentals	\$26,800.00	\$26,800.00	\$2,685.00	\$2,685.00	\$0.00	\$24,115.00	89.98
866000 Interest	\$4,000.00	\$4,000.00	\$0.00	\$0.00	\$0.00	\$4,000.00	100.00
867700 Interagency Services Between LEAs	\$50,000.00	\$50,000.00	\$0.00	\$0.00	\$0.00	\$50,000.00	100.00
869900 All Other Local Revenues	\$268,500.00	\$157,597.56	\$53,682.45	\$53,682.45	\$0.00	\$103,915.11	65.94
879200 Transfers of Apportionments From County Offices	\$650,000.00	\$650,000.00	\$88,306.00	\$88,306.00	\$0.00	\$561,694.00	86.41
891900 Other Authorized Interfund Transfers In	\$0.00	\$200,000.00	\$0.00	\$0.00	\$0.00	\$200,000.00	100.00
893100 Emergency Apportionments	\$2,000,000.00	\$2,000,000.00	\$2,000,000.00	\$2,000,000.00	\$0.00	\$0.00	0.00

# Board Report

From 7/1/2011 thru 9/30/2011

10/6/2011 10:53:33AM

Fund: 01 General Fund

	Approved	Working	Current	Expended Year To Date	Encumbered	Unencumbered Balance	%
898000 Contributions from Unrestricted Revenues	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
899000 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	\$17,743,806.73	\$4,812,516.45	\$4,812,516.45	\$0.00	\$12,931,290.28	72.88
**** Total Income & Beginning Balance	\$18,691,590.19	\$20,133,693.04	\$6,443,337.54	\$6,443,337.54	\$0.00	\$13,690,355.50	68.00
110000 Teachers' Salaries	\$5,770,366.00	\$5,918,991.00	\$1,190,383.97	\$1,190,383.97	\$0.00	\$4,728,607.03	79.89
110010 Substitute Teachers	\$173,850.00	\$173,850.00	\$29,342.98	\$29,342.98	\$0.00	\$144,507.02	83.12
110030 Teachers Salaries - Hourly	\$14,120.00	\$26,059.00	\$9,480.00	\$9,480.00	\$0.00	\$16,579.00	63.62
110060 Teachers Salaries - Stipends	\$14,000.00	\$14,000.00	\$0.00	\$0.00	\$0.00	\$14,000.00	100.00
120010 Certificated Pupil Support Salaries	\$195,612.00	\$195,612.00	\$45,750.60	\$45,750.60	\$0.00	\$149,861.40	76.61
130000 Certificated Supervisors' and Administrators' Salaries	\$1,036,755.00	\$1,002,497.00	\$232,822.32	\$232,822.32	\$0.00	\$769,674.68	76.78
130010 Certificated Supervisor and Administrator Salaries-Su	\$32,000.00	\$32,000.00	\$17,240.42	\$17,240.42	\$0.00	\$14,759.58	46.12
190020 Other Certificated Salaries - Other	\$90,000.00	\$90,000.00	\$0.00	\$0.00	\$0.00	\$90,000.00	100.00
190030 Other Certificated Salaries - Hourly	\$0.00	\$17,920.00	\$2,040.00	\$2,040.00	\$0.00	\$15,880.00	88.62
190060 Other Certificated Salaries - Stipend	\$16,000.00	\$16,000.00	\$1,660.00	\$1,660.00	\$0.00	\$14,340.00	89.63
**** 1000 Totals	\$7,342,703.00	\$7,486,929.00	\$1,528,720.29	\$1,528,720.29	\$0.00	\$5,958,208.71	79.58
210000 Instructional Aides' Salaries	\$296,464.30	\$296,464.30	\$75,539.35	\$75,539.35	\$0.00	\$220,924.95	74.52
210010 Instructional Aides- Substitute	\$5,000.00	\$5,000.00	\$984.15	\$984.15	\$0.00	\$4,015.85	80.32
210030 Instructional Aides Salaries - Hourly	\$5,000.00	\$5,000.00	\$67.28	\$67.28	\$0.00	\$4,932.72	98.65
220000 Classified Support Salaries	\$1,055,617.40	\$1,055,617.40	\$210,080.30	\$210,080.30	\$0.00	\$845,537.10	80.10
220010 Substitute Classified Support Salaries	\$10,000.00	\$10,000.00	\$8,424.42	\$8,424.42	\$0.00	\$1,575.58	15.76
220030 Classified Support Salaries - Hourly	\$7,000.00	\$7,000.00	\$7,528.09	\$7,528.09	\$0.00	(\$528.09)	(7.54)
220050 Classified Support Salaries - Overtime	\$64,500.00	\$29,500.00	\$18,011.57	\$18,011.57	\$0.00	\$11,488.43	38.94
230000 Classified Supervisors' and Administrators' Salaries	\$481,180.00	\$481,180.00	\$122,222.97	\$122,222.97	\$0.00	\$358,957.03	74.60
240000 Clerical & Office Salaries	\$446,881.19	\$453,358.19	\$95,910.45	\$95,910.45	\$0.00	\$357,447.74	78.84

# Board Report

From 7/1/2011 thru 9/30/2011

10/6/2011 10:53:33AM

Fund: 01 General Fund

	Approved	Working	Expended Current	Year To Date	Encumbered	Unencumbered Balance	%
240010 Substitute Clerical and Office Salaries	\$0.00	\$0.00	\$603.88	\$603.88	\$0.00	(\$603.88)	0.00
240030 Clerical and Office Salaries - Hourly	\$0.00	\$0.00	\$5,402.46	\$5,402.46	\$0.00	(\$5,402.46)	0.00
290020 Other Classified Salaries - Other	\$82,500.00	\$82,500.00	\$0.00	\$0.00	\$0.00	\$82,500.00	100.00
**** 2000 Totals	<u>\$2,454,142.89</u>	<u>\$2,425,619.89</u>	<u>\$544,774.92</u>	<u>\$544,774.92</u>	<u>\$0.00</u>	<u>\$1,880,844.97</u>	<u>77.54</u>
310100 State Teachers' Retirement System. certificated	\$562,905.00	\$577,994.00	\$119,372.20	\$119,372.20	\$0.00	\$458,621.80	79.35
320200 Public Employees' Retirement System. classified	\$249,062.45	\$249,770.45	\$54,960.14	\$54,960.14	\$0.00	\$194,810.31	78.00
330100 Social Security/Medicare/Alternative. certificated	\$103,180.00	\$105,735.00	\$20,681.76	\$20,681.76	\$0.00	\$85,053.24	80.44
330300 Social Security/Medicare/Alternative. classified	\$185,376.00	\$185,872.00	\$40,197.76	\$40,197.76	\$0.00	\$145,674.24	78.37
340100 Health & Welfare Benefits. certificated	\$913,372.00	\$925,349.00	\$306,597.56	\$306,597.56	\$0.00	\$618,751.44	66.87
340200 Health & Welfare Benefits. classified	\$559,142.00	\$558,533.00	\$114,867.24	\$114,867.24	\$0.00	\$443,665.76	79.43
350100 State Unemployment Insurance. certificated	\$114,225.00	\$116,099.00	\$24,150.92	\$24,150.92	\$0.00	\$91,948.08	79.20
350200 State Unemployment Insurance. classified	\$40,675.00	\$40,780.00	\$8,513.30	\$8,513.30	\$0.00	\$32,266.70	79.12
360100 Worker's Compensation Insurance. certificated	\$174,179.00	\$178,564.00	\$36,641.21	\$36,641.21	\$0.00	\$141,922.79	79.48
360200 Worker's Compensation Insurance. classified	\$60,662.00	\$60,821.00	\$12,896.95	\$12,896.95	\$0.00	\$47,924.05	78.80
370100 Retiree Benefits. certificated	\$135,000.00	\$83,965.00	\$26,254.50	\$26,254.50	\$0.00	\$57,710.50	68.73
370200 Retiree Benefits. classified	\$45,000.00	\$32,028.00	\$416.73	\$416.73	\$0.00	\$31,611.27	98.70
380200 PERS Reduction. Classified	\$32,306.00	\$32,442.00	\$9,516.54	\$9,516.54	\$0.00	\$22,925.46	70.67
390100 Other Benefits. certificated	\$150,325.00	\$150,325.00	\$48,430.75	\$48,430.75	\$0.00	\$101,894.25	67.78
**** 3000 Totals	<u>\$3,325,409.45</u>	<u>\$3,298,277.45</u>	<u>\$823,497.56</u>	<u>\$823,497.56</u>	<u>\$0.00</u>	<u>\$2,474,779.89</u>	<u>75.03</u>
410000 Approved Textbooks and Core Curricula Materials	\$76,502.00	\$109,999.00	\$32,517.24	\$32,517.24	\$7,448.23	\$70,033.53	63.67
420000 Books and Reference Materials	\$17,864.00	\$158,442.62	\$29,915.58	\$29,915.58	\$1,819.96	\$126,707.08	79.97
430000 Materials and Supplies	\$430,636.00	\$589,150.58	\$92,390.24	\$92,390.24	\$99,684.56	\$397,075.78	67.40

# Board Report

From 7/1/2011 thru 9/30/2011

Fund: 01 General Fund

	Approved	Working	Expended			Unencumbered	
			Current	Year To Date	Encumbered	Balance	%
430010 Materials and Supplies - Gasoline/Fuel	\$90,000.00	\$93,150.00	\$10,351.16	\$10,351.16	\$82,798.84	\$0.00	0.00
430011 Materials and Supplies - Tires	\$12,000.00	\$12,000.00	\$80.00	\$80.00	\$4,920.00	\$7,000.00	58.33
440000 Noncapitalized Equipment	\$15,500.00	\$20,037.00	\$8,963.44	\$8,963.44	\$3,936.65	\$7,136.91	35.62
**** 4000 Totals	\$642,502.00	\$982,779.20	\$174,217.66	\$174,217.66	\$200,608.24	\$607,953.30	61.86
510000 Contracted Services	\$195,000.00	\$199,685.00	\$13,266.25	\$13,266.25	\$186,418.75	\$0.00	0.00
520000 Travel and Conferences	\$65,206.00	\$72,134.00	\$13,518.25	\$13,518.25	\$9,117.72	\$49,498.03	68.62
530000 Dues and Memberships	\$23,820.00	\$26,155.00	\$13,446.53	\$13,446.53	\$5,250.00	\$7,458.47	28.52
540000 Insurance	\$10,725.00	\$10,725.00	\$0.00	\$0.00	\$0.00	\$10,725.00	100.00
545000 Other Insurance	\$130,000.00	\$130,000.00	\$129,786.00	\$129,786.00	\$0.00	\$214.00	0.16
550010 Gas	\$56,700.00	\$48,700.00	\$2,130.58	\$2,130.58	\$43,469.42	\$3,100.00	6.37
550020 Electricitv	\$262,300.00	\$267,855.00	\$58,823.96	\$58,823.96	\$206,176.04	\$2,855.00	1.07
550030 Water	\$13,200.00	\$15,800.00	\$2,153.09	\$2,153.09	\$12,496.91	\$1,150.00	7.28
550040 Sewer	\$17,800.00	\$18,500.00	\$1,920.10	\$1,920.10	\$5,079.90	\$11,500.00	62.16
550050 Garbage	\$72,000.00	\$70,400.00	\$15,952.38	\$15,952.38	\$48,510.82	\$5,936.80	8.43
550070 Pest Control	\$800.00	\$800.00	\$0.00	\$0.00	\$0.00	\$800.00	100.00
560010 Maintenance Agreements	\$20,757.00	\$22,461.00	\$7,602.48	\$7,602.48	\$7,581.60	\$7,276.92	32.40
560020 Repairs	\$67,000.00	\$70,749.00	\$21,335.44	\$21,335.44	\$20,623.30	\$28,790.26	40.69
560030 Leases and Rentals	\$62,994.00	\$70,562.00	\$5,429.03	\$5,429.03	\$29,588.97	\$35,544.00	50.37
571030 Direct Costs for Transfer of Services - Field Trips	\$0.00	\$0.00	\$0.00	\$0.00	\$3,992.96	(\$3,992.96)	0.00
571035 Direct Costs for Transfer of Services - Motor Pool	\$0.00	\$2,000.00	\$0.00	\$0.00	\$0.00	\$2,000.00	100.00
580000 Professional/Consulting Services and Operating Expe	\$649,595.00	\$866,890.56	\$138,864.35	\$138,864.35	\$305,666.82	\$422,359.39	48.72
580010 Prof. Services & Operating Expenses- Legal	\$55,000.00	\$51,000.00	\$3,271.24	\$3,271.24	\$51,728.76	(\$4,000.00)	(7.84)
580020 Prof. Services & Operating Expenses - Transportatio	\$7,120.00	\$500.00	\$0.00	\$0.00	\$0.00	\$500.00	100.00
580050 Prof Services & Operating Expenses-Software Licens	\$396,385.00	\$432,258.31	\$3,904.86	\$3,904.86	\$20,312.60	\$408,040.85	94.40

Board Report  
From 7/1/2011 thru 9/30/2011

Fund: 01 General Fund

	Approved	Working	Expended		Encumbered	Unencumbered	
			Current	Year To Date		Balance	%
580060 Prof Services and Operating Expenses - Fingerprint/	\$3,000.00	\$3,000.00	\$160.00	\$160.00	\$640.00	\$2,200.00	73.33
590010 Communications - Telephone	\$1,200.00	\$1,200.00	\$0.77	\$0.77	\$0.00	\$1,199.23	99.94
590030 Communications - Postage	\$28,250.00	\$29,834.00	\$17,531.30	\$17,531.30	\$4,507.55	\$7,795.15	26.13
590040 Communications - Cellular Phones	\$11,810.00	\$14,235.00	\$3,180.27	\$3,180.27	\$3,527.92	\$7,526.81	52.88
**** 5000 Totals	\$2,150,662.00	\$2,425,443.87	\$452,276.88	\$452,276.88	\$964,690.04	\$1,008,476.95	41.58
**** 1000 - 5000	\$15,915,419.34	\$16,619,049.41	\$3,523,487.31	\$3,523,487.31	\$1,165,298.28	\$11,930,263.82	71.79
713000 State Special Schools	\$12,420.00	\$12,420.00	\$0.00	\$0.00	\$0.00	\$12,420.00	100.00
714200 Other Tuition, Excess Costs, and/or Deficits Payment	\$533,656.00	\$533,656.00	\$104,228.65	\$104,228.65	\$0.00	\$429,427.35	80.47
721410 All Other Transfers to County Offices	\$28,000.00	\$28,000.00	\$0.00	\$0.00	\$0.00	\$28,000.00	100.00
731000 Transfers of Indirect Costs	\$0.00	(\$4,934.00)	\$0.00	\$0.00	\$0.00	(\$4,934.00)	100.00
735000 Transfers of Indirect Costs-Interfund	(\$44,613.00)	(\$44,613.00)	\$0.00	\$0.00	\$0.00	(\$44,613.00)	100.00
743800 Debt Service Interest	\$927,843.76	\$975,144.00	\$674,107.82	\$674,107.82	\$0.00	\$301,036.18	30.87
743900 Other Debt Service Payments	\$277,000.00	\$277,000.00	\$270,000.00	\$270,000.00	\$0.00	\$7,000.00	2.53
761600 From General Fund to Cafeteria Fund	\$116,719.00	\$116,719.00	\$0.00	\$0.00	\$0.00	\$116,719.00	100.00
**** 7000 Totals	\$1,851,025.76	\$1,893,392.00	\$1,048,336.47	\$1,048,336.47	\$0.00	\$845,055.53	44.63
**** 1000 - 7000	\$17,766,445.10	\$18,512,441.41	\$4,571,823.78	\$4,571,823.78	\$1,165,298.28	\$12,775,319.35	69.01

Board Report  
From 7/1/2011 thru 9/30/2011

Fund: 01 General Fund

	Approved	Working	Expended Current	Expended Year To Date	Encumbered	Unencumbered Balance	%
Total: Beginning Balance	\$1,039,406.19	\$2,389,886.31	\$1,630,821.09	\$1,630,821.09			
Total: Income Current Year	\$17,652,184.00	\$17,743,806.73	\$4,812,516.45	\$4,812,516.45	\$0.00	\$759,065.22	31.76
Total: 1000 - 5000	\$15,915,419.34	\$16,619,049.41	\$3,523,487.31	\$3,523,487.31	\$0.00	\$12,931,290.28	72.88
Total: 1000 - 6000	\$15,915,419.34	\$16,619,049.41	\$3,523,487.31	\$3,523,487.31	\$1,165,298.28	\$11,930,263.82	71.79
Total: 1000 - 7000	\$17,766,445.10	\$18,512,441.41	\$4,571,823.78	\$4,571,823.78	\$1,165,298.28	\$11,930,263.82	71.79
Total: 9710 - 9719	\$0.00	\$0.00	\$0.00	\$0.00	\$1,165,298.28	\$12,775,319.35	69.01
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	\$1,621,251.63	\$1,871,513.76	\$1,871,513.76	(\$1,165,298.28)	\$915,036.15	56.44
Total Income & Beginning Balance	\$18,691,590.19	\$20,133,693.04	\$6,443,337.54	\$6,443,337.54	\$0.00	\$13,690,355.50	68.00
Total Expenditures & Ending Balance	\$18,691,590.19	\$20,133,693.04	\$6,443,337.54	\$6,443,337.54	\$0.00	\$13,690,355.50	68.00

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# Board Report

From 7/1/2011 thru 9/30/2011

Fund: 09 Charter Schools Fund

	Approved	Working	Expended Current	Year To Date	Encumbered	Unencumbered Balance	%
<b>**** Total Adjusted Beginning Balance</b>	<u>\$137,733.00</u>	<u>\$297,129.60</u>	<u>\$234,988.51</u>	<u>\$234,988.51</u>	<u>\$0.00</u>	<u>\$62,141.09</u>	<u>20.91</u>
801500 Charter Schools Gen Purpose Entitlement-State Aid	\$327,000.00	\$327,000.00	\$87,034.00	\$87,034.00	\$0.00	\$239,966.00	73.38
809600 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
859000 All Other State Revenues	\$30,500.00	\$30,500.00	\$8,466.00	\$8,466.00	\$0.00	\$22,034.00	72.24
866000 Interest	\$100.00	\$100.00	\$0.00	\$0.00	\$0.00	\$100.00	100.00
<b>**** 8000 Totals</b>	<u>\$507,600.00</u>	<u>\$507,600.00</u>	<u>\$95,500.00</u>	<u>\$95,500.00</u>	<u>\$0.00</u>	<u>\$412,100.00</u>	<u>81.19</u>
<b>**** Total Income &amp; Beginning Balance</b>	<u>\$645,333.00</u>	<u>\$804,729.60</u>	<u>\$330,488.51</u>	<u>\$330,488.51</u>	<u>\$0.00</u>	<u>\$474,241.09</u>	<u>58.93</u>
110000 Teachers' Salaries	\$57,608.00	\$57,608.00	\$16,506.40	\$16,506.40	\$0.00	\$41,101.60	71.35
110010 Substitute Teachers	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
110030 Teachers Salaries - Hourly	\$155,000.00	\$155,000.00	\$2,960.00	\$2,960.00	\$0.00	\$152,040.00	98.09
130000 Certificated Supervisors' and Administrators' Salaries	\$46,856.00	\$84,554.00	\$21,138.39	\$21,138.39	\$0.00	\$63,415.61	75.00
<b>**** 1000 Totals</b>	<u>\$259,464.00</u>	<u>\$297,162.00</u>	<u>\$40,604.79</u>	<u>\$40,604.79</u>	<u>\$0.00</u>	<u>\$256,557.21</u>	<u>86.34</u>
240000 Clerical & Office Salaries	\$35,038.00	\$35,038.00	\$7,443.80	\$7,443.80	\$0.00	\$27,594.20	78.76
<b>**** 2000 Totals</b>	<u>\$35,038.00</u>	<u>\$35,038.00</u>	<u>\$7,443.80</u>	<u>\$7,443.80</u>	<u>\$0.00</u>	<u>\$27,594.20</u>	<u>78.76</u>
310100 State Teachers' Retirement System. certificated	\$21,191.00	\$21,191.00	\$2,165.37	\$2,165.37	\$0.00	\$19,025.63	89.78
320200 Public Employees' Retirement System. classified	\$3,755.00	\$3,755.00	\$813.09	\$813.09	\$0.00	\$2,941.91	78.35
330100 Social Security/Medicare/Alternative. certificated	\$31,124.00	\$31,124.00	\$373.16	\$373.16	\$0.00	\$30,750.84	98.80
330200 Social Security/Medicare/Alternative. classified	\$2,680.00	\$2,680.00	\$569.47	\$569.47	\$0.00	\$2,110.53	78.75
340100 Health & Welfare Benefits. certificated	\$16,230.00	\$16,230.00	\$3,328.28	\$3,328.28	\$0.00	\$12,901.72	79.49
340200 Health & Welfare Benefits. classified	\$10,820.00	\$10,820.00	\$2,077.54	\$2,077.54	\$0.00	\$8,742.46	80.80
350100 State Unemployment Insurance. certificated	\$4,135.00	\$4,135.00	\$645.53	\$645.53	\$0.00	\$3,489.47	84.39

# Board Report

From 7/1/2011 thru 9/30/2011

10/6/2011 10:53:33AM

Fund: 09 Charter Schools Fund

	Approved	Working	Expended Current	Year To Date	Encumbered	Unencumbered Balance	%
350200 State Unemployment Insurance. classified	\$564.00	\$564.00	\$119.84	\$119.84	\$0.00	\$444.16	78.75
360100 Worker's Compensation Insurance. certificated	\$6,284.00	\$6,284.00	\$980.87	\$980.87	\$0.00	\$5,303.13	84.39
360200 Worker's Compensation Insurance. classified	\$857.00	\$857.00	\$182.12	\$182.12	\$0.00	\$674.88	78.75
380200 PERS Reduction. Classified	\$810.00	\$810.00	\$0.00	\$0.00	\$0.00	\$810.00	100.00
**** 3000 Totals	\$98,450.00	\$98,450.00	\$11,255.27	\$11,255.27	\$0.00	\$87,194.73	88.57
410000 Approved Textbooks and Core Curricula Materials	\$6,000.00	\$6,000.00	\$0.00	\$0.00	\$0.00	\$6,000.00	100.00
420000 Books and Reference Materials	\$1,500.00	\$173.00	\$0.00	\$0.00	\$0.00	\$173.00	100.00
430000 Materials and Supplies	\$2,500.00	\$3,571.00	\$1,367.54	\$1,367.54	\$133.68	\$2,069.78	57.96
**** 4000 Totals	\$10,000.00	\$9,744.00	\$1,367.54	\$1,367.54	\$133.68	\$8,242.78	84.59
520000 Travel and Conferences	\$5,500.00	\$2,872.00	\$0.00	\$0.00	\$0.00	\$2,872.00	100.00
530000 Dues and Memberships	\$150.00	\$150.00	\$0.00	\$0.00	\$0.00	\$150.00	100.00
560010 Maintenance Agreements	\$1,500.00	\$1,935.00	\$1,531.26	\$1,531.26	\$0.00	\$403.74	20.87
560030 Leases and Rentals	\$2,750.00	\$4,693.00	\$663.43	\$663.43	\$3,479.57	\$550.00	11.72
580000 Professional/Consulting Services and Operating Expe	\$1,000.00	\$1,506.00	\$925.46	\$925.46	\$0.00	\$580.54	38.55
**** 5000 Totals	\$10,900.00	\$11,156.00	\$3,120.15	\$3,120.15	\$3,479.57	\$4,556.28	40.84
**** 1000 - 5000	\$413,852.00	\$451,550.00	\$63,791.55	\$63,791.55	\$3,613.25	\$384,145.20	85.07
735000 Transfers of Indirect Costs-Interfund	\$44,613.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
761900 Other Authorized Interfund Transfers Out	\$0.00	\$200,000.00	\$0.00	\$0.00	\$0.00	\$200,000.00	100.00
**** 7000 Totals	\$44,613.00	\$200,000.00	\$0.00	\$0.00	\$0.00	\$200,000.00	100.00
**** 1000 - 7000	\$458,465.00	\$651,550.00	\$63,791.55	\$63,791.55	\$3,613.25	\$584,145.20	89.65

Board Report  
From 7/1/2011 thru 9/30/2011

Fund: 09 Charter Schools Fund

	Approved	Working	Expended		Encumbered	Unencumbered	
			Current	Year To Date		Balance	%
Total: Beginning Balance	\$137,733.00	\$297,129.60	\$234,988.51	\$234,988.51	\$0.00	\$62,141.09	20.91
Total: Income Current Year	\$507,600.00	\$507,600.00	\$95,500.00	\$95,500.00	\$0.00	\$412,100.00	81.19
Total: 1000 - 5000	\$413,852.00	\$451,550.00	\$63,791.55	\$63,791.55	\$3,613.25	\$384,145.20	85.07
Total: 1000 - 6000	\$413,852.00	\$451,550.00	\$63,791.55	\$63,791.55	\$3,613.25	\$384,145.20	85.07
Total: 1000 - 7000	\$458,465.00	\$651,550.00	\$63,791.55	\$63,791.55	\$3,613.25	\$584,145.20	89.65
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	\$153,179.60	\$266,696.96	\$266,696.96	(\$3,613.25)	(\$109,904.11)	(71.75)
Total Income & Beginning Balance	\$645,333.00	\$804,729.60	\$330,488.51	\$330,488.51	\$0.00	\$474,241.09	58.93
Total Expenditures & Ending Balance	\$645,333.00	\$804,729.60	\$330,488.51	\$330,488.51	\$0.00	\$474,241.09	58.93

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**Board Report**  
From 7/1/2011 thru 9/30/2011

Fund: 11 Adult Education Fund

	Approved	Working	Expended Current	Year To Date	Encumbered	Unencumbered 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 9/30/2011

Fund: 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	0.00
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)	\$4,522.41	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
			\$0.00	\$0.00	\$0.00	\$0.00	0.00
P.47 Total Income & Beginning Balance	\$4,522.41	\$0.00	\$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	0.00

# Board Report

From 7/1/2011 thru 9/30/2011

10/6/2011 10:53:33AM

Fund: 13 Cafeteria Fund

	Approved	Working	Expended Current	Year To Date	Encumbered	Unencumbered Balance	%
<b>**** Total Adjusted Beginning Balance</b>	<u>\$0.00</u>	<u>(\$393,036.45)</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>(\$393,036.45)</u>	<u>100.00</u>
822000 Child Nutrition Programs	\$216,000.00	\$216,000.00	\$35,061.96	\$35,061.96	\$0.00	\$180,938.04	83.77
852000 Child Nutrition	\$20,000.00	\$20,000.00	\$2,984.98	\$2,984.98	\$0.00	\$17,015.02	85.08
863400 Food Services Sales	\$74,000.00	\$74,000.00	\$0.80	\$0.80	\$0.00	\$73,999.20	100.00
891600 To Cafeteria Fund. From General Fund	\$116,719.00	\$116,719.00	\$0.00	\$0.00	\$0.00	\$116,719.00	100.00
<b>**** 8000 Totals</b>	<u>\$426,719.00</u>	<u>\$426,719.00</u>	<u>\$38,047.74</u>	<u>\$38,047.74</u>	<u>\$0.00</u>	<u>\$388,671.26</u>	<u>91.08</u>
<b>**** Total Income &amp; Beginning Balance</b>	<u>\$426,719.00</u>	<u>\$33,682.55</u>	<u>\$38,047.74</u>	<u>\$38,047.74</u>	<u>\$0.00</u>	<u>(\$4,365.19)</u>	<u>(12.96)</u>
22 800 Classified Support Salaries	\$98,000.00	\$98,000.00	\$15,383.04	\$15,383.04	\$0.00	\$82,616.96	84.30
230000 Classified Supervisors' and Administrators' Salaries	\$45,886.00	\$45,886.00	\$11,467.17	\$11,467.17	\$0.00	\$34,418.83	75.01
<b>**** 2000 Totals</b>	<u>\$143,886.00</u>	<u>\$143,886.00</u>	<u>\$26,850.21</u>	<u>\$26,850.21</u>	<u>\$0.00</u>	<u>\$117,035.79</u>	<u>81.34</u>
320200 Public Employees' Retirement Svstem. classified	\$6,968.00	\$6,968.00	\$1,712.81	\$1,712.81	\$0.00	\$5,255.19	75.42
330200 Social Security/Medicare/Alternative. classified	\$23,685.00	\$23,685.00	\$2,053.55	\$2,053.55	\$0.00	\$21,631.45	91.33
340200 Health & Welfare Benefits. classified	\$10,819.00	\$10,819.00	\$1,803.22	\$1,803.22	\$0.00	\$9,015.78	83.33
350200 State Unemployment Insurance. classified	\$2,127.00	\$2,127.00	\$432.18	\$432.18	\$0.00	\$1,694.82	79.68
360200 Worker's Compensation Insurance. classified	\$3,236.00	\$3,236.00	\$656.73	\$656.73	\$0.00	\$2,579.27	79.71
380200 PERS Reduction. Classified	\$0.00	\$0.00	\$3.96	\$3.96	\$0.00	(\$3.96)	0.00
<b>**** 3000 Totals</b>	<u>\$46,835.00</u>	<u>\$46,835.00</u>	<u>\$6,662.45</u>	<u>\$6,662.45</u>	<u>\$0.00</u>	<u>\$40,172.55</u>	<u>85.77</u>
430000 Materials and Supplies	\$10,000.00	\$10,000.00	\$208.38	\$208.38	\$1,291.62	\$8,500.00	85.00
440000 Noncapitalized Equipment	\$4,500.00	\$4,500.00	\$0.00	\$0.00	\$0.00	\$4,500.00	100.00
470000 Food	\$200,000.00	\$200,000.00	\$9,060.30	\$9,060.30	\$160,939.70	\$30,000.00	15.00

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# Board Report

From 7/1/2011 thru 9/30/2011

Fund: 13 Cafeteria Fund

	Approved	Working	Current	Expended Year To Date	Encumbered	Unencumbered Balance	%
<b>**** 4000 Totals</b>	<u>\$214,500.00</u>	<u>\$214,500.00</u>	<u>\$9,268.68</u>	<u>\$9,268.68</u>	<u>\$162,231.32</u>	<u>\$43,000.00</u>	<u>20.05</u>
520000 Travel and Conferences	\$1,500.00	\$1,500.00	\$0.00	\$0.00	\$0.00	\$1,500.00	100.00
560000 Rentals, Leases and Repairs	\$13,485.00	\$13,485.00	\$156.75	\$156.75	\$0.00	\$13,328.25	98.84
580000 Professional/Consulting Services and Operating Expe	\$5,115.00	\$5,115.00	\$405.04	\$405.04	\$2,074.75	\$2,635.21	51.52
<b>**** 5000 Totals</b>	<u>\$20,100.00</u>	<u>\$20,100.00</u>	<u>\$561.79</u>	<u>\$561.79</u>	<u>\$2,074.75</u>	<u>\$17,463.46</u>	<u>86.88</u>
<b>**** 1000 - 5000</b>	<u>\$425,321.00</u>	<u>\$425,321.00</u>	<u>\$43,343.13</u>	<u>\$43,343.13</u>	<u>\$164,306.07</u>	<u>\$217,671.80</u>	<u>51.18</u>

# Board Report

From 7/1/2011 thru 9/30/2011

10/6/2011 10:53:33AM

Fund: 13 Cafeteria Fund

	Approved	Working	Expended Current	Year To Date	Encumbered	Unencumbered Balance	%
Total: Beginning Balance	\$0.00	(\$393,036.45)	\$0.00	\$0.00	\$0.00	(\$393,036.45)	100.00
Total: Income Current Year	\$426,719.00	\$426,719.00	\$38,047.74	\$38,047.74	\$0.00	\$388,671.26	91.08
Total: 1000 - 5000	\$425,321.00	\$425,321.00	\$43,343.13	\$43,343.13	\$164,306.07	\$217,671.80	51.18
Total: 1000 - 6000	\$425,321.00	\$425,321.00	\$43,343.13	\$43,343.13	\$164,306.07	\$217,671.80	51.18
Total: 1000 - 7000	\$425,321.00	\$425,321.00	\$43,343.13	\$43,343.13	\$164,306.07	\$217,671.80	51.18
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)	\$1,398.00	(\$391,638.45)	(\$5,295.39)	(\$5,295.39)	(\$164,306.07)	(\$222,036.99)	56.69
P.50							
Total Income & Beginning Balance	\$426,719.00	\$33,682.55	\$38,047.74	\$38,047.74	\$0.00	(\$4,365.19)	(12.96)
Total Expenditures & Ending Balance	\$426,719.00	\$33,682.55	\$38,047.74	\$38,047.74	\$0.00	(\$4,365.19)	(12.96)

# Board Report

From 7/1/2011 thru 9/30/2011

10/6/2011 10:53:33AM

Fund: 14 Deferred Maintenance Fund

	Approved	Working	Expended Current	Year To Date	Encumbered	Unencumbered Balance	%
**** Total Adjusted Beginning Balance	\$0.00	\$14,191.34	\$7,095.67	\$7,095.67	\$0.00	\$7,095.67	50.00
	\$0.00	\$14,191.34	\$7,095.67	\$7,095.67	\$0.00	\$7,095.67	50.00

# Board Report

From 7/1/2011 thru 9/30/2011

10/6/2011 10:53:33AM

Fund: 14 Deferred Maintenance Fund

	Approved	Working	Expended Current	Year To Date	Encumbered	Unencumbered Balance	%
Total: Beginning Balance	\$0.00	\$14,191.34	\$7,095.67	\$7,095.67	\$0.00	\$7,095.67	50.00
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)	\$0.00	\$14,191.34	\$7,095.67	\$7,095.67	\$0.00	\$7,095.67	50.00
P.5							
Total Income & Beginning Balance	\$0.00	\$14,191.34	\$7,095.67	\$7,095.67	\$0.00	\$7,095.67	50.00
Total Expenditures & Ending Balance	\$0.00	\$14,191.34	\$7,095.67	\$7,095.67	\$0.00	\$7,095.67	50.00

**Board Report**  
From 7/1/2011 thru 9/30/2011

Fund: 17 Special Reserve Fund for Other than

	Approved	Working	Expended Current	Year To Date	Encumbered	Unencumbered Balance	%
**** Total Adjusted Beginning Balance	\$2,316,265.00	\$6,897,639.41	\$6,397,639.41	\$6,397,639.41	\$0.00	\$500,000.00	7.25
	\$2,316,265.00	\$6,897,639.41	\$6,397,639.41	\$6,397,639.41	\$0.00	\$500,000.00	7.25

# Board Report

From 7/1/2011 thru 9/30/2011

10/6/2011 10:53:33AM

Fund: 17 Special Reserve Fund for Other than

	Approved	Working	Current	Expended Year To Date	Encumbered	Unencumbered Balance	%
Total: Beginning Balance	\$2,316,265.00	\$6,897,639.41	\$6,397,639.41	\$6,397,639.41	\$0.00	\$500,000.00	7.25
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)	\$2,316,265.00	\$6,897,639.41	\$6,397,639.41	\$6,397,639.41	\$0.00	\$500,000.00	7.25
P.54							
Total Income & Beginning Balance	\$2,316,265.00	\$6,897,639.41	\$6,397,639.41	\$6,397,639.41	\$0.00	\$500,000.00	7.25
Total Expenditures & Ending Balance	\$2,316,265.00	\$6,897,639.41	\$6,397,639.41	\$6,397,639.41	\$0.00	\$500,000.00	7.25

# Board Report

From 7/1/2011 thru 9/30/2011

10/6/2011 10:53:33AM

Fund: 25 Capital Facilities Fund

	Approved	Working	Expended Current	Year To Date	Encumbered	Unencumbered Balance	%
**** Total Adjusted Beginning Balance	\$551,368.98	\$1,152,560.83	\$570,420.12	\$570,420.12	\$0.00	\$582,140.71	50.51
866000 Interest	\$2,500.00	\$2,500.00	\$0.00	\$0.00	\$0.00	\$2,500.00	100.00
868100 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	\$2,147.15	\$2,147.15	\$0.00	\$5,352.85	71.37
**** Total Income & Beginning Balance	\$558,868.98	\$1,160,060.83	\$572,567.27	\$572,567.27	\$0.00	\$587,493.56	50.64
440000 Noncapitalized Equipment	\$0.00	\$2,500.00	\$0.00	\$0.00	\$2,438.96	\$61.04	2.44
**** 4000 Totals	\$0.00	\$2,500.00	\$0.00	\$0.00	\$2,438.96	\$61.04	2.44
580000 Professional/Consulting Services and Operating Expe	\$0.00	\$23,144.00	\$22,644.00	\$22,644.00	\$500.00	\$0.00	0.00
**** 5000 Totals	\$0.00	\$23,144.00	\$22,644.00	\$22,644.00	\$500.00	\$0.00	0.00
**** 1000 - 5000	\$0.00	\$25,644.00	\$22,644.00	\$22,644.00	\$2,938.96	\$61.04	0.24
640000 Equipment - Over \$5000 per unit	\$0.00	\$40,000.00	\$0.00	\$0.00	\$38,462.44	\$1,537.56	3.84
**** 6000 Totals	\$0.00	\$40,000.00	\$0.00	\$0.00	\$38,462.44	\$1,537.56	3.84
**** 1000 - 6000	\$0.00	\$65,644.00	\$22,644.00	\$22,644.00	\$41,401.40	\$1,598.60	2.44
743800 Debt Service Interest	\$30,447.00	\$30,447.00	\$0.00	\$0.00	\$0.00	\$30,447.00	100.00
743900 Other Debt Service Payments	\$78,226.00	\$78,226.00	\$0.00	\$0.00	\$0.00	\$78,226.00	100.00
**** 7000 Totals	\$108,673.00	\$108,673.00	\$0.00	\$0.00	\$0.00	\$108,673.00	100.00
**** 1000 - 7000	\$108,673.00	\$174,317.00	\$22,644.00	\$22,644.00	\$41,401.40	\$110,271.60	63.26

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# Board Report

From 7/1/2011 thru 9/30/2011

10/6/2011 10:53:33AM

und: 25 Capital Facilities Fund

	Approved	Working	Expended		Encumbered	Unencumbered	
			Current	Year To Date		Balance	%
Total: Beginning Balance	\$551,368.98	\$1,152,560.83	\$570,420.12	\$570,420.12	\$0.00	\$582,140.71	50.51
Total: Income Current Year	\$7,500.00	\$7,500.00	\$2,147.15	\$2,147.15	\$0.00	\$5,352.85	71.37
Total: 1000 - 5000	\$0.00	\$25,644.00	\$22,644.00	\$22,644.00	\$2,938.96	\$61.04	0.24
Total: 1000 - 6000	\$0.00	\$65,644.00	\$22,644.00	\$22,644.00	\$41,401.40	\$1,598.60	2.44
Total: 1000 - 7000	\$108,673.00	\$174,317.00	\$22,644.00	\$22,644.00	\$41,401.40	\$110,271.60	63.26
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	\$985,743.83	\$549,923.27	\$549,923.27	(\$41,401.40)	\$477,221.96	48.41
P.56							
Total Income & Beginning Balance	\$558,868.98	\$1,160,060.83	\$572,567.27	\$572,567.27	\$0.00	\$587,493.56	50.64
Total Expenditures & Ending Balance	\$558,868.98	\$1,160,060.83	\$572,567.27	\$572,567.27	\$0.00	\$587,493.56	50.64

# Board Report

From 7/1/2011 thru 9/30/2011

10/6/2011 10:53:33AM

und: 35 School Facility Program (Regular)

		Approved	Working	Current	Expended Year To Date	Encumbered	Unencumbered Balance	%
<b>**** Total Adjusted Beginning Balance</b>		<u>\$3,354,735.95</u>	<u>\$6,737,043.02</u>	<u>\$3,368,521.51</u>	<u>\$3,368,521.51</u>	<u>\$0.00</u>	<u>\$3,368,521.51</u>	<u>50.00</u>
866000	Interest	\$12,500.00	\$12,500.00	\$0.00	\$0.00	\$0.00	\$12,500.00	100.00
<b>**** 8000 Totals</b>		<u>\$12,500.00</u>	<u>\$12,500.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$12,500.00</u>	<u>100.00</u>
<b>**** Total Income &amp; Beginning Balance</b>		<u>\$3,367,235.95</u>	<u>\$6,749,543.02</u>	<u>\$3,368,521.51</u>	<u>\$3,368,521.51</u>	<u>\$0.00</u>	<u>\$3,381,021.51</u>	<u>50.09</u>
580000	Professional/Consulting Services and Operating Expe	\$0.00	\$11,000.00	\$0.00	\$0.00	\$4,000.00	\$7,000.00	63.64
<b>**** 5000 Totals</b>		<u>\$0.00</u>	<u>\$11,000.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$4,000.00</u>	<u>\$7,000.00</u>	<u>63.64</u>
<b>**** 1000 - 5000</b>		<u>\$0.00</u>	<u>\$11,000.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$4,000.00</u>	<u>\$7,000.00</u>	<u>63.64</u>
520000	Buildings and Improvement of Buildings	\$3,300,000.00	\$3,294,788.00	\$0.00	\$0.00	\$0.00	\$3,294,788.00	100.00
520010	Buildings - Architect Fees	\$0.00	\$1,212.00	\$1,211.01	\$1,211.01	\$0.00	\$0.99	0.08
<b>**** 6000 Totals</b>		<u>\$3,300,000.00</u>	<u>\$3,296,000.00</u>	<u>\$1,211.01</u>	<u>\$1,211.01</u>	<u>\$0.00</u>	<u>\$3,294,788.99</u>	<u>99.96</u>
<b>**** 1000 - 6000</b>		<u>\$3,300,000.00</u>	<u>\$3,307,000.00</u>	<u>\$1,211.01</u>	<u>\$1,211.01</u>	<u>\$4,000.00</u>	<u>\$3,301,788.99</u>	<u>99.84</u>

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## Board Report

From 7/1/2011 thru 9/30/2011

10/6/2011 10:53:33AM

und: 35 School Facility Program (Regular)

	Approved	Working	Expended		Encumbered	Unencumbered	
			Current	Year To Date		Balance	%
Total: Beginning Balance	\$3,354,735.95	\$6,737,043.02	\$3,368,521.51	\$3,368,521.51	\$0.00	\$3,368,521.51	50.00
Total: Income Current Year	\$12,500.00	\$12,500.00	\$0.00	\$0.00	\$0.00	\$12,500.00	100.00
Total: 1000 - 5000	\$0.00	\$11,000.00	\$0.00	\$0.00	\$4,000.00	\$7,000.00	63.64
Total: 1000 - 6000	\$3,300,000.00	\$3,307,000.00	\$1,211.01	\$1,211.01	\$4,000.00	\$3,301,788.99	99.84
Total: 1000 - 7000	\$3,300,000.00	\$3,307,000.00	\$1,211.01	\$1,211.01	\$4,000.00	\$3,301,788.99	99.84
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	\$3,442,543.02	\$3,367,310.50	\$3,367,310.50	(\$4,000.00)	\$79,232.52	2.30
P. 58							
Total Income & Beginning Balance	\$3,367,235.95	\$6,749,543.02	\$3,368,521.51	\$3,368,521.51	\$0.00	\$3,381,021.51	50.09
Total Expenditures & Ending Balance	\$3,367,235.95	\$6,749,543.02	\$3,368,521.51	\$3,368,521.51	\$0.00	\$3,381,021.51	50.09

# Board Report

From 7/1/2011 thru 9/30/2011

10/6/2011 10:53:33AM

und: 51 Bond Interest and Redemption Fund

	Approved	Working	Current	Expended Year To Date	Encumbered	Unencumbered Balance	%
**** Total Adjusted Beginning Balance	<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</u>	<u>100.00</u>
	\$1,303,373.00	\$1,303,373.00	\$0.00	\$0.00	\$0.00	\$1,303,373.00	100.00

# Board Report

From 7/1/2011 thru 9/30/2011

10/6/2011 10:53:33AM

und: 51 Bond Interest and Redemption Fund

	Approved	Working	Current	Expended 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  
GOVERNING BOARD**

**SUBJECT:** Board Policies – First Reading

**MEETING:** October 12, 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:**

There are 24 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:**

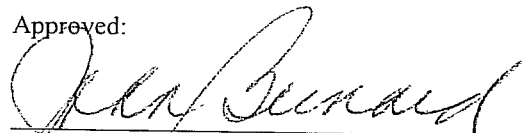
None

Submitted By:

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Approved:



John Bernard, Ed.D.  
State Administrator

## 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 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 ~~distribute communications protocols and procedures to the Board and staff, which include, but are not limited to, identification of spokesperson(s) authorized to speak to the media on behalf of the district, job descriptions that identify the responsibilities of the public information officer and other staff members related to communications with the public, strategies for coordinating communications activities, legal requirements pertaining to confidentiality as well as the public's right to access records, and the importance of presenting a consistent, unified message on district issues.~~ **provide the Board and staff with communications protocols and procedures to assist the district in presenting a consistent, unified message on district issues. Such protocols and procedures may include, but are not limited to, identification of the spokesperson(s) authorized to speak to the media on behalf of the district, strategies for coordinating communications efforts and activities, and legal requirements pertaining to confidentiality as well as the public's right to access records.**

*(cf. 1112 - Media Relations)*

*(cf. 1340 - Access to District Records)*

*(cf. 2111 - Superintendent Governance Standards)*

*(cf. 3580 - District Records)*

*(cf. 5125 - Student Records)*

*(cf. 5125.1 - Release of Directory Information)*

*(cf. 9005 - Governance Standards)*

*(cf. 9010 - Public Statements)*

*(cf. 9011 - Disclosure of Confidential/Privileged Information)*

The Superintendent or designee shall utilize a variety of communications methods in order to provide the public with access to information. 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

BP 1100 (d)

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

First reading: October 11, 2011

Adopted; 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; ~~or~~ 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 ~~may~~ **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

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

First Reading: October 12, 2011

Adopted:

King City, California

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. ~~Good repair means that the facility is maintained in a manner that assures that it is clean, safe and functional as determined by the Office of Public School Construction~~
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**

First reading: October 12, 2011

Adopted;

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://>"><http://www.casbo.org>  
(6/97 11/00) 7/08

Policy

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

First reading: October 12, 2011

Adopted;

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, ~~and may post the notice on the district's website or through an electronic portal.~~ **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)
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)
  - a. Cash
  - b. A cashier's check made payable to the district
  - c. A certified check made payable to the district

- d. A bidder's bond executed by an admitted surety insurer and made payable to the district
  - 3. ~~When a standardized proposal form is provided by the district, bids not presented on the standard form shall be disregarded. (Public Contract Code 20111.5)~~
  - 4. 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)
  - 5. 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)
  - 6. 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)
- 7. Any subsequent change or alteration of a contract shall be governed by the provisions of Public Contract Code 20118.4.
  - 8. 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

~~Upon a finding by the Board that a particular procurement qualifies for the alternative procedure, the district may acquire~~ **Rather than seek competitive bids, the Board may use competitive negotiation when it makes a finding that a district procurement is for** computers, software, telecommunications equipment, microwave equipment, and other related electronic equipment and apparatus ~~through competitive negotiations. This procedure shall not apply~~ **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 district~~ **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 award shall be made~~ **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 award is not made~~ **Board does not award the contract** to the bidder whose proposal contains the lowest price, then the ~~district~~ **Board** shall make a finding setting forth the basis for the award.
8. ~~The district~~ **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

~~Specifications~~ **In any contract** for the construction, alteration, or repair of school facilities ~~may ,~~ **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 shall is followed the description with 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** ~~specifications for such contracts~~ 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.

(3/06 7/08) 11/10

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

First reading: October 12, 2011

Adopted;

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, ~~and desire 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**

First reading: October 12, 2011

Adopted;

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**

First reading October 12, 2011

Adopted:

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 alcoholic beverage, drug or controlled substance at any school district **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 ~~702~~ 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 ~~702~~ 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 Board 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**

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>

(7/02 7/10) 11/10

Policy

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

First reading: October 12, 2011

Adopted;

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

**KING CITY JOINT UNION HIGH SCHOOL DISTRICT**

First reading: March 9, 2011

Adopted:

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

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

First reading: October 12, 2011

Adopted: King City, California

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

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

First reading: October 12, 2011

Adopted;

King City, California

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**

First Reading: October 12, 2011

Adopted:

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 consisting of **whose membership shall include** representatives of

these groups. ~~The council or committee~~ **He/she also** may ~~include~~ **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 ~~assist with policy development and~~ 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

Policy

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

First reading: October 12, 2011

Adopted;

King City, California

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)*

~~In addition, the Superintendent or designee shall cooperate with other agencies within the community to meet the needs of students who have serious school attendance or behavior problems and to maintain a continuing inventory of community resources, including alternative programs.~~ **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 ~~may~~ **shall** be referred to a school attendance review board ~~(SARB)~~ **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 districtwide and by school, grade level, and student population. Such data shall be used to identify common barriers to attendance, prioritize resources for intervention, and monitor progress over time. The Superintendent or designee shall periodically report this information to the Board for purposes of evaluating the effectiveness of strategies implemented to reduce chronic absence and truancy and making changes as needed. As appropriate, the Superintendent or designee also shall provide this information to key school staff and community agency partners to engage them in program evaluation and improvement.**

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

Policy

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

First reading: October 12, 2011

Adopted:

King City, California

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**

~~An attendance supervisor or designee~~ **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 attendance supervisor~~ **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 ~~attendance supervisor~~ **truancy specialist**. (Education Code 48260)
- b. The student's parent/guardian shall be notified ~~of the following:~~ **by 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 ~~designee~~ **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 ~~attendance supervisor~~ **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 ~~attendance supervisor~~ **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 ~~attendance supervisor~~ **district's truancy specialist.** (Education Code 48263, 48264.5)
- b. Upon making a referral to the probation department, the Superintendent or ~~designee~~ **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 ~~designee~~ **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.**

[illegible]

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)

~~Employers~~ **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, ~~other than employers~~ 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**

First reading: October 12, 2011

Adopted;

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. Electronic Email address
- ~~5. Photograph.~~
- ~~5~~ 6. Date and place of birth
- ~~6~~ 7. Major field of study
- ~~7~~ 8. Participation record in officially recognized activities and sports
- ~~8~~ 9. Weight and height of athletic team members
- ~~9~~ 10. Dates of attendance
- ~~10~~ 11 Degrees and awards received
- ~~11~~ 12. 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)**

(7/02 7/05) 3/09

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

First reading: October 12, 2011

Adopted;

King City, California

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**

First reading: October 12, 2011

Adopted:

King City, California



## Serving:

Arroyo Seco, Bitterwater-Tully, Bradley,  
Fort Hunter-Liggett, Greenfield,  
King City, Lockwood, San Antonio,  
San Ardo, and San Lucas Communities

# **SOUTH MONTEREY COUNTY HIGH SCHOOL DISTRICT**

800 Broadway Street, King City, CA 93930 • 831-385-0606 • FAX 831-385-0695

## **PARENT REQUEST TO NOT RELEASE INFORMATION TO COLLEGES/MILITARY RECRUITERS WITHOUT PRIOR CONSENT**

Dear Parent/Guardian:

Recognizing the challenges faced by military recruiters, the No Child Left Behind Act required high schools to provide to 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 of higher education upon request. If you do not want the South Monterey County High School District to disclose this information without your prior written consent, please fill out the form below. If we do not receive the form back, we will release student information to military and college recruiters upon their request. If your child is over 18, he or 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.

### **PLEASE REQUEST TO NOT RELEASE INFORMATION TO COLLEGES/MILITARY RECRUITERS *WITHOUT PRIOR CONSENT***

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

Student's Name: \_\_\_\_\_ Grade Level: \_\_\_\_\_  
(Please Print)

Student's ID Number: \_\_\_\_\_

Do not disclose my child's name, address or telephone number to the following without my prior consent (check one or both):

- ☐ Colleges and other higher education institutions recruiters  
☐ United States military recruiters

Parent's Signature: \_\_\_\_\_

Student's Signature (if 18 years old): \_\_\_\_\_

**GREENFIELD High School**  
225 S. El Camino Real  
Greenfield, CA 93927  
831-674-2751

**KING CITY High School**  
720 Broadway Street  
King City, CA 93930  
831-385-5461

**PORTOLA-BUTLER  
Continuation High School**  
760 Broadway Street  
King City, CA 93930  
831-385-4661

**SOUTH MONTEREY COUNTY  
Charter Independent Study Program**  
215 S. El Camino Real  
Greenfield, CA 93927  
831-674-3275

Exhibit

First reading: October 12, 2011

Adopted:

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

King City, CA



## Serving:

Arroyo Seco, Bitterwater-Tully, Bradley,  
Fort Hunter-Liggett, Greenfield,  
King City, Lockwood, San Antonio,  
San Ardo, and San Lucas Communities

# SOUTH MONTEREY COUNTY HIGH SCHOOL DISTRICT

800 Broadway Street, King City, CA 93930 • 831-385-0606 • FAX 831-385-0695

## SOLICITUD DE LOS PADRES PARA QUE NO SE REVELE INFORMACION A COLEGIOS/RECLUTADORES MILITARES SIN ANTES UN CONSENTIMIENTO

Estimados Padres/Tutores:

Reconociendo todos los desafíos a los que se enfrentan los reclutadores militares, el Acto de que Ningún Niño se Quede Atrás (No Child Left Behind Act) requiere que todas las Preparatorias revelen información a reclutadores militares cuando estos la pidan y tengan acceso a nombres, direcciones y números de teléfono de estudiantes de la preparatoria del grado 11 y 12. La ley también requiere que las preparatorias revelen información a colegios u otras instituciones con más alto grado nivel educativo cuando estas lo pidan. Si Usted no quiere que el Distrito Escolar de las Preparatorias del Sur del Condado de Monterey revele esta información sin antes con su consentimiento por escrito, favor de llenar la forma de abajo. Si no recibimos la forma entonces nosotros revelaremos la información del estudiante a los reclutadores militares y del colegio cuando estos lo pidan. Si su hijo(a) es mayor de 18 años de edad, él o ella debe de firmar la forma. Un enlistado de normas de orientación para los reclutadores militares y de colegio puede Usted encontrar y tener acceso a esta información en la siguiente página de internet: <http://www.ed.gov/policy/gen/guid/fpco/hottopics/ht-10-09-02a.html>. Si Usted tiene alguna pregunta por favor no dude en llamar al director de la escuela.

## SOLICITUD DE LOS PADRES PARA QUE NO REVELEN INFORMACION A COLEGIOS/RECLUTADORES MILITARES SIN ANTES UN CONSENTIMIENTO

Escuela: \_\_\_\_\_ Fecha: \_\_\_\_\_

Nombre del Estudiante: \_\_\_\_\_ Nivel de Grado: \_\_\_\_\_  
(Por favor imprima su nombre)

# De Identificación del Estudiante: \_\_\_\_\_

No revelar el nombre de mi hijo(a), dirección o número de teléfono de lo siguiente sin antes tener mi consentimiento (señale una o las dos):

- ☐ Reclutadores de colegios o instituciones de más alto grado nivel educativo  
☐ Reclutadores militares de los Estados Unidos

Firma del Padre o Tutor: \_\_\_\_\_

Firma del Estudiante (Si es mayor de 18 años): \_\_\_\_\_

**GREENFIELD High School**  
225 S. El. Camino Real  
Greenfield, CA 93927  
831-674-2751

**KING CITY High School**  
720 Broadway Street  
King City, CA 93930  
831-385-5461

**PORTOLA-BUTLER  
Continuation High School**  
760 Broadway Street  
King City, CA 93930  
831-385-4661

**SOUTH MONTEREY COUNTY  
Charter Independent Study Program**  
215 S. El Camino Real  
Greenfield, CA 93927  
831-674-3275

SOUTH MCP. 122Y COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Exhibit  
First reading: October 12, 2011  
Adopted:

King City, CA

BP 5131.62 Students

**Tobacco**

The Governing Board recognizes that tobacco use presents serious health risks and desires to ~~discourage students' use of tobacco products~~ **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 school property 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>

(7/02 7/09) 3/11

Policy

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

**First reading: October 12, 2011**

Adopted:

King City, California

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)*

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

First Reading; October 12, 2011

Adopted:

King City, California

BP 5131.7 Students

**Weapons And Dangerous Instruments**

The Governing Board ~~desires students and staff to be free from the fear and~~ **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/ls/ss>

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

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

U.S. Department of Education, Office of Safe and Drug Free Schools:  
<http://www.ed.gov/about/offices/list/osdfs>  
(7/04 3/08) 3/10

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

First reading: October 12, 2011

Adopted;

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 3-1/2 **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)*

~~If an employee knows that a student possesses any of the above devices, he/she~~ **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 ~~device~~ **instrument**, the employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of ~~any seizure~~ **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**

First Reading: October 12, 2011

Adopted:

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)*

~~To be admitted to school, children must be fully immunized~~ **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. Children** ~~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 ~~aphysician, nurse or clinic~~ **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 ~~are met~~ **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**

First reading: October 12, 2011

Adopted;

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)

Regulation **SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**  
First Reading: October 12m,, 2011  
Adopted: King City, California

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

Policy

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

First reading: October 12, 2011

Adopted:

King City, California

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**

First Reading: October 12, 2011

Adopted:

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, ~~unless except for any school year in which the district and employee organization(s) have negotiated to reduce the~~ **agree to have fewer** days of instruction in any school year through 2012-13 pursuant to the authorization in Education Code 42605 **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**

First reading: October 12, 2011

Adopted;

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 school representatives of appropriate area districts** to ensure ~~a smooth transition for students~~ **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 ~~required~~ **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

Policy

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

First reading: October 12, 2011

Adopted;

King City, California

## 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 ~~draw from~~ **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) ~~American government and civics, including study of all of the following:~~ (Education Code 51230)

- (a) The Declaration of Independence
- (b) ~~The United States Constitution, including the Bill of Rights~~
- (c) ~~The Federalist Papers~~
- (d) The Emancipation Proclamation
- (e) ~~The Gettysburg Address~~
- (f) ~~George Washington's Farewell Address~~

- (1) Early California history, and the role and contributions of both men and women, black Americans, American Indians, ~~Hispanics~~, **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 ~~individual's~~ relations **of persons to their** human and natural environments, including the ~~protection, conservation and wise use of~~ **natural** resources and the necessity for ~~protecting the environment~~ (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: ~~including physical and biological science aspects; with~~ emphasis on basic concepts, theories, and processes of scientific investigation and on ~~humanity's~~ **the place of humans** in ecological systems; **and with** appropriate applications of the interrelation and interdependence of the sciences (Education Code 51220)

~~*(cf. 6142.5 - Environmental Education)*~~

*(cf. 6142.93 - Science Instruction)*

- 6. Mathematics: ~~including instruction designed to develop~~ mathematical understandings, operational skills and ~~insight into~~ problem-solving procedures; **algebra** (Education Code 51220, 51224.5)

*(cf. 6142.92 - Mathematics Instruction)*

- 7. Visual and performing arts: ~~including art, music or drama, with~~ **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: ~~including instruction in~~ consumer and homemaking education, industrial arts, general business education, or general agriculture (Education Code 51220)

9. **Career technical**/vocational-technical education ~~designed to prepare youth for gainful employment and/or further acquisition of technical skills in institutions of higher 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 – ~~Vocational~~ *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, ~~and~~ 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

(cf. 6141 – *Curriculum Development*)

(cf. 6161 – *Selection and Evaluation of Instructional Materials*)

~~10. Automobile driver education, including~~ **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**

First reading: October 12, 2011

Adopted;

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**

First reading: October 12, 2011

Adopted;

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**

First reading: October 12, 2011

Adopted;

King City, California

## SMCJUHS D, CA State and UC-CSU Graduation Requirements

<b>Subjects</b>	<b>SMCJUHS D Graduation Requirements</b>	<b>CA State Requirements (Ed. Code 51225.3)</b>	<b>UC &amp; CSU Requirements</b>
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>• <u>Pass</u> 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 units :**        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**

First reading: October 12, 2011

Adopted;

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**

First reading: October 12, 2011

Adopted;

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**  
First reading: October 12, 2011  
Adopted; 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**

First reading: October 12, 2011

Adopted:

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**

First reading: October 12, 2011

Adopted;

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. 515 519)

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 300.1-300.756 **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**

First reading: October 12, 2011

Adopted;

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

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**  
First Reading: October 12, 2011  
Adopted: 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**

First Reading: October 12, 2011

Adopted:

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>

BP 6173(b)

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

Policy

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

First reading: October 12, 2011

Adopted;

King City, California

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- 7503 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 ~~ten~~ **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**

First reading: October 12, 2011

Adopted:

King City, California

## BP 6179 Instruction

**Supplemental Instruction**

The Governing Board shall ~~provide~~ **recognizes that high-quality** supplemental instructional programs to **can** motivate and support students to attain grade-level academic standards, overcome academic deficiencies, **and/or enhance 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. 6146.5 - Elementary/Middle School Graduation Requirements)*

*(cf. 6164.5 - Student Study Success Teams)*

**Required Supplemental Programs**

The Board ~~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 Compulsory 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

Policy **SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**  
First reading: October 12, 2011  
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## 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**

First reading: October 12, 2011

Adopted;

King City, California

# SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

SUBJECT: LEAP Addendum

MEETING: October 12, 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:

South Monterey County Joint Union High School District is a Program Improvement District. Due to that fact, we are required to write an addendum to our LEAP (Local Education Academic Plan). This document was created in collaboration with four teachers from our two comprehensive high schools, and the completion of two surveys by our core content departments at both schools.

### Recommendation:

Approve the LEAP addendum for the 2011-2012 academic year.


### Fiscal Impact:

This document is mandatory for our ongoing qualification for Title I, II, and III funding.

Submitted By:

Approved:

Daniel Moirao, Ed.D.  
Asst. Supt. Human Resources/Educational Services

  
John Bernard Ed.D.  
State Administrator

District Name: South Monterey County  
Joint Union High School District

CD Code: 2766068

## LOCAL EDUCATIONAL AGENCY PLAN ADDENDUM TEMPLATE

*The Elementary Secondary Education Act, codified as No Child Left Behind (NCLB, Section 1116(c)(7)(A) requires that local educational agencies (LEAs) identified for Program Improvement (PI) shall, not later than three months after being identified, develop or revise an LEA Plan, in consultation with parents, school staff, and others. Rather than completely rewriting the existing LEA Plan, we recommend using this Plan Addendum template to address the items below. Type your responses in the expandable text boxes.*

*Please submit your completed Addendum by e-mail to [LEAP@cde.ca.gov](mailto:LEAP@cde.ca.gov) and indicate in the subject line of the e-mail: 1) the name of your LEA; 2) the Program Improvement Year; and 3) the name of the document attached (i.e., ZZZ Unified School District; PI Year 1; LEA Plan Addendum). If your LEA is also identified for Title III Year 2, please also note this in the subject line.*

*The Plan Addendum must be submitted to the California Department of Education (CDE) no later than January 13, 2011, if your LEA received a September 2010 notice letter, or by August 15, 2011, if your LEA received an April 2011 notice letter. The Plan Addendum should:*

- 1. Address the fundamental teaching and learning needs in the schools of that LEA and the specific academic problems of low-achieving students, including a determination of why the prior LEA Plan failed to bring about increased student achievement.**

Please describe how you will address student learning needs, based on an analysis of data for why the prior LEA Plan was not successful. (First determine whether the LEA Plan was fully implemented as written. For assistance, please use the State Assessment Tools to help you with your analysis, review and/or revision. These tools are available on the CDE State Assessment Tools Web page at <a href="http://www.cde.ca.gov/ta/ac/ti/stateassesspi.asp">http://www.cde.ca.gov/ta/ac/ti/stateassesspi.asp</a> .)	Persons Involved/Timeline	Related Expenditures	Estimated Cost	Funding Source
The LEA plan was not successful because it was not communicated. As the district was taken over by the state administrator, other pressing issues took precedent; therefore, the plan was never fully implemented. The district will establish required steps to meet these goals and				

expectations, as well as implementing a monitoring system to evaluate the level of implementation at each school site.

Reasons for lack of success of prior LEA Plan:

- Lack of communication of the LEA Plan
- Plan was created in isolation with no stakeholder input
- Significant turnover of administration in the district
- Inconsistent instructional practices
- Little to no monitoring of instructional practices
- Lack of an EL plan
- Lack of accurate identification of English Learners and Re-designated English proficient students
- Significant turnover of ELA and math teachers in the District
- Lack of well-defined or developed interventions

Factors that impact success

- Low skills at entrance
- Little to no articulation with partner districts
- High levels of substance abuse, gang involvement, and truancy
- Lack of adequate support for English Learners and Re-designated English Proficient students

**Need:** A high percentage of students enter 9<sup>th</sup> grade as English Learners, however many of these students have been ELs for 5 or more years and below grade level in English language arts (ELA) and mathematics.

The need is to accelerate progress towards proficiency on State Content Standards Tests (CSTs) so that all students will be able to meet Annual Measurable Outcomes (AMOs).

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<p><b>Academic Problem:</b> The district met 10 out of the 18 AMOs criteria.</p> <ul style="list-style-type: none"> <li>- The district did not meet criteria for the ELs and the Hispanic population in both English language arts and mathematics.</li> <li>-The district did not meet the socioeconomically disadvantaged student population in mathematics.</li> <li>- The district did not meet graduation rates.</li> </ul> <p>Stakeholders completed the Academic Program Survey (APS), Inventory of Services and Supports (ISS) for Students with Disabilities, and the District Assistance Survey (DAS).</p> <p>After reviewing these plans, it is evident that there needs to be a district wide EL plan developed to address the needs of all English Learners.</p> <p><b>Plan Strategies</b>  Actions Taken:</p> <ol style="list-style-type: none"> <li>1. The district has recently purchased EDGE and READ 180.</li> <li>2. The master schedule was revamped to accommodate for double blocked periods.</li> <li>3. The master schedule went from a 7 period day to a 6 period day to allow for increased instructional time.</li> <li>4. Double periods were created to target student intervention.</li> <li>5. Graduation requirements stayed the same at 240.</li> </ol>	<p>--State Administrator (Fall 2010)</p>		<p>167,140 Read 180 43, 552 EDGE</p>	<p>Title I</p>
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<p>Actions to take:</p> <ol style="list-style-type: none"> <li>1. Develop a common mission and vision for the district.</li> <li>2. Implement and communicate the LEA plan to all stakeholders.</li> <li>3. Develop an EL plan</li> <li>4. Identify students properly in both English language arts and mathematics.</li> <li>5. Maintain fidelity to any adopted program.</li> <li>6. Develop a staff development plan.</li> <li>7. Articulate throughout the district and with partner schools.</li> <li>8. Develop common district benchmark</li> <li>9. Train teachers on data analysis.</li> <li>10. Provide time for teacher collaboration on standards-based instruction, data analysis of student test results, and assessments (by subject and grade level).</li> <li>11. Proper placement of SWD in least restrictive environment.</li> <li>12. Observe classroom implementation of instructional strategies</li> <li>13. Develop a calendar for ongoing text book adoptions.</li> </ol>	<ul style="list-style-type: none"> <li>-State Administrator</li> <li>-Assistant Superintendent</li> <li>-Principals</li> <li>-Assistant Principals</li> <li>-Coordinators of Student and Community Services</li> <li>-Teachers</li> <li>-CBO</li> <li>-ELAC and DLAC</li> <li>-MCOE Special ED</li> </ul> <ol style="list-style-type: none"> <li>1. March 2012-May, 2012</li> <li>2. October 2011 – December, 2011.</li> <li>3. November, 2011 – December, 2011</li> <li>4. August, 2011, at time of enrollment, checked at semester, and after the start of each new year.</li> <li>5. Ongoing</li> <li>6. Began April, 2011-continue through June, 2012</li> <li>7. Scheduled dates in January, February, March 2012.</li> <li>8. Spring 2010, currently be revised to be completed April 2012.</li> <li>9. October 12, 2011</li> <li>10. Weekly from start to end of each academic year (built</li> </ol>		23,000	Title III
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	into the schedule. 11. New process implement August, 2011 ongoing assessment. 12. Ongoing 13. October, 2011			
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**2. Include specific measurable achievement goals and targets for student groups consistent with Adequate Yearly Progress (AYP).**

Please describe academic goals and targets for student achievement, participation, growth on the API, and graduation rate, if applicable. (Refer to the CDE AYP Reports Web page at <a href="http://www.cde.ca.gov/ta/ac/ay/aypreports.asp">http://www.cde.ca.gov/ta/ac/ay/aypreports.asp</a> .)	Persons Involved/Timeline	Related Expenditures	Estimated Cost	Funding Source
<p>2011 STAR results:</p> <p>No. of students: 1, 326 API: 706 (+17) ; met 10 of 18 AYP criteria</p> <p><b>LEA wide:</b></p> <ul style="list-style-type: none"> <li>- The district did not meet criteria for the ELs and the Hispanic population in both English language arts and mathematics.</li> <li>-The district did not meet the socioeconomically disadvantage student population in mathematics.</li> <li>- The district did not meet graduation rates.</li> </ul> <p><b>Objective:</b></p> <ol style="list-style-type: none"> <li>1. The schools will continue to meet its participation rate at 95% on STAR.</li> <li>2. Schools will increase their graduation rates.</li> <li>3. Schools (including significant subgroups) will meet state target growth for API, AYP, and graduation rates.</li> <li>4. The Educational Services Division will annually update the LEA Plan and addendum and ensure that all Single School Plans are written in alignment with the LEA plans.</li> </ol>	<p>-State Administrator -Assistant Superintendent -Principals -Assistant Principals -Coordinators of Student and Community Services -Teachers -CBO -School Site</p>			

	Councils (begin Fall 2011 and ongoing)			
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**3. *Incorporate scientifically based research strategies that strengthen the core academic program in schools served by the LEA.***

Please describe the specific strategies that the district will use and how those strategies will be used to strengthen the core academic program.	Persons Involved/Timeline	Related Expenditures	Estimated Cost	Funding Source
<p>In order to accomplish the above goals the following will be implemented:</p> <ol style="list-style-type: none"> <li>Teachers will be given protected collaboration time to identify students for the intervention using multiple measures.</li> <li>Principals and teachers will work together to provide multiple levels of intervention.</li> <li>In all classrooms, at all schools, teachers will utilize effective research based practices identified through Professional Learning Communities. The focus will include: <ul style="list-style-type: none"> <li>- Lesson design</li> <li>- A variety of effective instructional strategies</li> <li>- Active Student participation</li> <li>- Use of adopted core materials with fidelity and integrity</li> <li>- Differentiated instruction</li> <li>- ELD strategies</li> </ul> </li> <li>Provide professional development for principals on how to observe and coach teachers.</li> </ol>	<p>State Administrator -Assistant Superintendent -Principals -Assistant Principals -Coordinators of Student and Community Services -Teachers -CBO</p> <p>1. August, 2010 and ongoing. 2. November, 2011 – March 2012. 3. August, 2011 – ongoing. 4. October, 2011</p>		20,000	Title II

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**4. Identify actions that have the greatest likelihood of improving student achievement in meeting state standards.**

Please identify actions and how they will be supported. (See full implementation statements in the Academic Program Survey [APS] and the District Assistance Survey [DAS] on the CDE State Assessment Tools Web page at <a href="http://www.cde.ca.gov/ta/ac/ti/stateassesspi.asp">http://www.cde.ca.gov/ta/ac/ti/stateassesspi.asp</a> .)	Persons Involved/Timeline	Related Expenditures	Estimated Cost	Funding Source
<ol style="list-style-type: none"> <li>1. Develop and implement district wide benchmark assessments and pacing guides.</li> <li>2. Develop and implement an English Learner plan.</li> <li>3. Provide collaboration time on professional development in scientifically research based instructional strategies to focus on student results.</li> <li>4. Identify and modify as necessary "essential standards."</li> <li>5. Study CST and CAHSEE Blueprints and Released Test Questions; provide students with test-taking skills.</li> <li>6. Provide intervention and tutoring focused on standards during and after school.</li> <li>7. Implement Cyber Academy for credit recovery and CAHSEE and STAR prep.</li> </ol>	<ul style="list-style-type: none"> <li>-State Administrator</li> <li>-Assistant Superintendent</li> <li>-Principals</li> <li>-Assistant Principals</li> <li>-Coordinators of Student and Community Services</li> <li>-Teachers</li> <li>-CBO</li> </ul> <ol style="list-style-type: none"> <li>1. Spring 2010, currently be revised to be completed April 2012.</li> <li>2. November, 2011 – December, 2011</li> <li>3. August, 2010 – ongoing.</li> <li>4. July, 2011 in process.</li> <li>5. Nov. 2011 through March 2012 and repeated annually.</li> <li>6 &amp; 7. Sept. 2011-May, 2012 ongoing thereafter</li> </ol>		32,640	Federal Stabilization

## P.201

Please explain how the LEA identified professional development needs of instructional staff and LEA plans to support professional development. <i>(See full implementation statements in the APS and the DAS located on the CDE State Assessment Tools Web page at <a href="http://www.cde.ca.gov/ta/ac/ti/stateassesspi.asp">http://www.cde.ca.gov/ta/ac/ti/stateassesspi.asp</a>.)</i>	Persons Involved/Timeline	Related Expenditures	Estimated Cost	Funding Source
<p>Through the analysis of the DAS and APS given at both school sites the district advisory plan identified the following professional development needs:</p> <ul style="list-style-type: none"> <li>- Use of School Plan as a data tool.</li> <li>- The district will develop a year- long staff development plan</li> <li>- Differentiated instruction</li> <li>- Training to develop and implement a Pyramid Response to Intervention.</li> <li>- Use of Constructing Meaning techniques</li> <li>- Common assessment development</li> <li>- Professional development on scientifically research based instructional strategies (lesson plan design, note taking strategies, CM thinking maps and sentence frames, graphing calculators, document reader, SDAIE strategies, Marzano 9 effective instructional strategies, AVID strategies, explicit direct instruction, etc.)</li> <li>- Use collaboration time more effectively to address professional development needs.</li> <li>- Peer observations on instructional practices.</li> <li>- Administrator Walk-Throughs focused on</li> </ul>	<p>-State Administrator -Assistant Superintendent -Principals -Assistant Principals -Coordinators of Student and Community Services -Teachers -CBO -CM trainers -MCOE mathematics and English language arts consultants August, 2011 – ongoing through weekly collaboration time and specifically scheduled professional development.</p>		<p>30,000</p> <p>20,000</p>	<p>Title II</p> <p>Title III</p>

instructional practices. - Provide opportunities to attend professional development.			30,000	Title II
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## 6. English Learners

a. **Title III Status and Title I Program Improvement (PI) Status:** An LEA that is also in Title III Year 2 should insert the Improvement Plan Addendum in the expandable space below. LEAs in Title III Year 4 are required to complete the online Action Plan and need not address Item 6.

b. **Title I Program Improvement Status Only:** Include specific academic achievement and English Language Proficiency goals, targets and strategies for English Learners consistent with Goal 1 and Goal 2 of NCLB. (See Title III Accountability Report Information Guide available on the CDE Title III Accountability Web page at <http://www.cde.ca.gov/ta/ac/t3/index.asp>).

Please describe those goals and targets.	Persons Involved/Timeline	Related Expenditures	Estimated Cost	Funding Source
<p>Goal: English Learners in the LEA Consortium will achieve annual AMAO goals.</p> <p>Develop and implement the district wide English Language Development master plan for EL students by:</p> <ol style="list-style-type: none"> <li>1. Identify all English Learners and place them appropriately based on CELDT, CST, and benchmark tests.</li> <li>2. Utilize SDAIE strategies (make connections to prior learning; emphasize comprehensible input; use visuals to contextualize key concepts and vocabulary; clarify meaning; discuss real-life applications, etc.)</li> <li>3. Provide support to Re-designated English Proficient student continuing to need assistance with academic work.</li> <li>4. Use ELD adopted materials with fidelity.</li> </ol>	<p>-State Administrator -Assistant Superintendent -Principals -Assistant Principals -Coordinators of Student and Community Services -Teachers -CBO</p> <p>1. November, 2011 – December, 2011 1B. August, 2011, at time of enrollment, checked at semester, and after the start of each new year. 3. August, 2011 – ongoing 4. Sept. 2011- ongoing</p>		<p>27,000 52,000</p>	<p>EIA General Fund</p>



<p>student learning will include but are not limited to the following:</p> <ul style="list-style-type: none"> <li>- Involve parents in DELAC, ELAC, School Site Council, and District Advisory Committee.</li> <li>- Utilize district website, phone dialers (AlertNow), Aeries Parent Portal, marquees, newsletters to communicate upcoming events.</li> <li>- Continue to implement a home/school compact with each student and parent/guardian. Include attendance, academic achievement, behavioral expectations, necessity of taking tests, etc.</li> <li>- Continue to provide opportunities for parents to come to school (Parent information meetings, Back to School Night, parent/teacher informational meetings).</li> </ul>	<ul style="list-style-type: none"> <li>-Assistant Superintendent</li> <li>-Principals</li> <li>-Assistant Principals</li> <li>-Coordinators of Student and Community Services</li> <li>-Teachers</li> <li>-Parents</li> <li>-Migrant Education</li> <li>-GEAR-UP</li> <li>-ETS</li> <li>-CBO</li> </ul> <p>1. October, 2011-April, 2012 2. August, 2011 – ongoing 3. Continuous</p>		1747	General Ed.
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LOCAL EDUCATIONAL AGENCY PROGRAM IMPROVEMENT PLAN  
ASSURANCE PAGE

Local Educational Agency (LEA) Plan Information:

Name of LEA: South Monterey County Joint Union High School District (formally; King City Joint Union High School District)

County District Code: 2766068

Date of Local Governing Board Approval: September 14, 2011

District Superintendent: (State Administrator) Dr. John Bernard

Address: 800 Broadway

City: King City

Zip Code: 93930

Phone: 1 831 385 0606

FAX: 1 831 385 0695

E-mail:  
jbernard@kingcity.k12.c  
a.us

Signatures:

On behalf of LEAs, participants included in the preparation of this Program Improvement LEA Plan Addendum:

	John Bernard, Ed.D.	September 19, 2011
Signature of Superintendent	Printed Name of Superintendent	Date

	Mike Foster	September 19, 2011
Signature of Board President	Printed Name of Board President	Date

	Daniel R. Moirao Ed.D.	September 19, 2011
Signature of Title III English Learner Coordinator/Director	Printed Name of Title III English Learner Coordinator/Director	Date

*Please note that the Title III English Learner Coordinator/Director will only need to sign this Assurance if the LEA is identified for Title III Year 2 or Year 4 improvement status.*

By submission of the local board approved LEA Plan Addendum (in lieu of the original signature assurance page in hard copy), the LEA certifies that the plan has been locally adopted and original signed copies of the assurances are on file in the LEA. The certification reads:

**Certification:** *I hereby certify that all of the applicable state and federal rules and regulations will be observed by this LEA and that, to the best of my knowledge, information contained in this Plan is correct and complete. Legal assurances for all programs are accepted as the basic legal condition for the operation of selected projects and programs and copies of assurances are retained onsite. I certify that we accept all general and program specific assurances for Titles I, II, and/or III as appropriate, except for those for which a waiver has been obtained. A copy of all waivers will remain on file. I certify that actual ink signatures for this LEA Plan/Plan Addendum/Action Plan are on file, including signatures of any required external providers.*

# SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

## GOVERNING BOARD

**SUBJECT:** Variable Term Waivers-EL Authorizations for Michael Mahr and Vicky Mullin

**MEETING:** 10/12/2011

**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 and to support Career Technical Education through academic and vocational training

Summary:

All requests for a Variable Term Waiver must be presented for approval to the governing board of a public school district. Every waiver request submitted to the Commission on Teacher Credentialing must include verification that a notice of intent to employ the named applicants in the identified positions has been made public. Such waivers provide credential candidates additional time to complete a credential requirement and allow the district to place a teacher who holds a basic teaching credential into the area of need. Board authorization is sought for initiation of a Variable Term Waiver for the following teachers:

- Career Technical teacher Michael Mahr is enrolled in University of Riverside Extension's English Learner Authorization (SDAIE) course but needs the Variable Term Waiver to cover his services to EL Learners pending completion of coursework (November 2011).
- Career Technical teacher Vicky Mullin is enrolled in Ventura County Office of Education but needs the Variable Term Waiver to cover her services to EL Learners pending completion of coursework (April 2012).

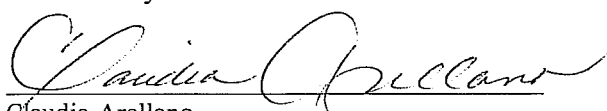
Recommendation:

It is recommended that the SMCJUHSD Board of Trustees approve the Variable Term Waiver Requests.

Fiscal Impact:

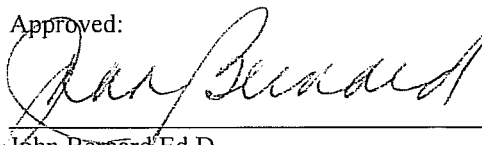
No fiscal impact

Submitted By:



Claudia Arellano  
Personnel Manager

Approved:



John Bernard Ed.D.

P.207 State Administrator



Serving:  
Arroyo Seco, Bitterwater-Tully, Bradley,  
Fort Hunter-Liggett, Greenfield,  
King City, Lockwood, San Antonio,  
San Ardo, and San Lucas Communities

## SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

800 Broadway Street, King City, CA 93930 • 831-385-0606 • FAX 831-385-0695

### PUBLIC NOTICE

#### INTENT TO REQUEST VARIABLE-TERM WAIVER FROM THE COMMISSION ON TEACHER CREDENTIALING

I, Dr. Daniel Moirao, Assistant Superintendent of Human Resources and Educational Services for the South Monterey County Joint Union High School District do hereby declare that a need has been shown that the district is currently unable to recruit fully qualified and acceptable teaching candidates. Therefore, it is my intent to employ the following people under the provisions of a variable-term waiver as authorized by the California Commission on Teacher Credentialing.

Vicky Mullin	King City High School/Greenfield High School	ASL Instructor
Michael Mahr	King City High School	ASL Instructor

As required by law, this notice will be posted in a public place for a minimum of seventy-two (72) hours. The period of this posting shall commence on Friday, October 7, 2011, and will end on Monday, October 10, 2011.

Any person having an objection to this use of a variable-term waiver for the filing of the above mentioned teaching positions shall submit such objection in writing.

October 7, 2011

Dated

Dr. Daniel Moirao

Assistant Superintendent

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

**SUBJECT:** Board Policies – Second Reading

**MEETING:** October 12, 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:

These 19 policies were reviewed at the September 14 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/lr/ss>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. 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 3514.1 Business and Noninstructional Operations

**Hazardous Substances**

The Governing Board recognizes that potentially hazardous substances are used in the daily operations of our schools. The Superintendent or designee shall ensure these substances are inventoried, used, stored and regularly disposed of in a safe and legal manner.

Insofar as possible, the Superintendent or designee shall minimize the quantities of hazardous substances stored on school property and shall substitute less dangerous materials for hazardous substances.

Hazard Communication Program

The Superintendent or designee shall develop, implement and monitor a written hazard communication program in accordance with state law. As part of this program, he/she shall ensure that employees are fully informed about the properties and potential hazards of substances to which they may be exposed and that material safety data sheets are readily accessible to them.

Teachers shall instruct students about the importance of proper handling, storage, disposal and protection when using any potentially hazardous substance.

*(cf. 3514 - Environmental Safety)*

*(cf. 4157/4257/4357 - Employee Safety)*

*(cf. 5141.22 - Infectious Diseases)*

*(cf. 6161.3 - Toxic Art Supplies)*

## Legal Reference:

## EDUCATION CODE

49341 Legislative findings

49401.5 Legislative intent; consultation services

49411 Chemical listing; compounds used in school programs; determination of shelf life; disposal

## FOOD AND AGRICULTURAL CODE

12981 Regulations re pesticides and worker safety

## HEALTH AND SAFETY CODE

25163 Transportation of hazardous wastes; registration; exemptions; inspection

25500-25520 Hazardous materials release response plans; inventory

## LABOR CODE

6360-6363 Hazardous Substances Information and Training Act

## CODE OF REGULATIONS, TITLE 8

5194 Hazard communication

Policy

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: October 12, 2011

King City, California

AR 3514.1 Business and Noninstructional Operations

**Hazardous Substances**

The disposal of chemicals may be accomplished in accordance with removal and disposal systems established by the County Office of Education or by permission of the County Superintendent of Schools. (Education Code 49411)

Hazard Communication Program

The written hazard communication program shall be available upon request to all employees and their designated representatives. (8 CCR 5194)

The following materials are exempted from the hazard communication program and this district regulation: hazardous wastes; tobacco products; wood and wood products; manufactured articles; food, drugs and cosmetics intended for personal consumption by employees while in the workplace; and substances used in compliance with regulations issued by the Department of Pesticide Regulation pursuant to Food and Agricultural Code 12981.

1. Container Labeling

Except for consumer products, pesticides, alcoholic beverages, and food, drug and additive products which are already labeled in compliance with federal law, no container of hazardous substance shall be accepted by schools or the district unless labeled by the supplier with the following information:

- a. Identity of the hazardous substance(s)
- b. Hazard warning statements
- c. Name and address of the chemical manufacturer or importer

Whenever hazardous substances are transferred from their original containers to other containers, the secondary containers shall likewise be labeled with the identity and hazard warning statement.

2. Material Safety Data Sheets

Upon receiving a hazardous substance or mixture, the Superintendent or designee shall ensure that the manufacturer has also furnished a Material Safety Data Sheet (MSDS) as required by law. If the MSDS is missing or obviously incomplete, the Superintendent or designee shall request a new MSDS from the manufacturer and shall notify the California Occupational Safety and Health Division (Cal/OSHA) if a complete MSDS is not received.

The Superintendent or designee shall maintain copies of the MSDS for all hazardous substances and ensure that they are kept up to date and available to all affected employees during working hours. He/she shall review each incoming MSDS for new and significant health or safety information and shall disseminate this information to affected employees.

### 3. Employee Information and Training

Employees shall receive inservice training on hazardous substances in their work area at the time of their initial assignment and whenever a new hazard is introduced into their work area. This training shall include but is not limited to: (8 CCR 5194)

- a. An overview of the requirements of California's Hazard Communication Regulation (8 CCR 5194), including employee rights described therein
- b. The location, availability and content of the district's written hazard communication program
- c. Information as to any operations in the employees' work area where hazardous substances are present
- d. The physical and health effects of the hazardous substances in the work area
- e. Techniques and methods of observation that may determine the presence or release of hazardous substances in the work area
- f. Methods by which employees can lessen or prevent exposure to these hazardous substances, such as appropriate work practices, use of personal protective equipment and engineering controls
- g. Steps the district has taken to lessen or prevent exposure to these substances
- h. Instruction on how to read labels and review the MSDS for appropriate information
- i. Emergency and first aid procedures to follow if exposed to the hazardous substance(s)

In addition, employees shall receive training on how to operate the computers or fax machines that provide access to MSDS files.

### 4. List of Hazardous Substances

For specific information about the hazardous substances known to be present in the district and schools, employees may consult the MSDS.

### 5. Hazardous Nonroutine Tasks

When employees are required to perform hazardous nonroutine tasks, they shall first receive information about the specific hazards to which they may be exposed during this activity and the protective/safety measures which must be used. They shall also receive information about emergency procedures and the measures the district has taken to lessen the hazards, including ventilation, respirators, and the presence of another employee.

6. Hazardous Substances in Unlabeled Pipes

Before starting to work on unlabeled pipes, employees shall contact their supervisors for information as to the hazardous substance(s) contained in the pipes, the potential hazards, and safety precautions which must be taken.

*(cf. 3514 - Environmental Safety)*

7. Informing Contractors

To ensure that outside contractors and their employees work safely in district buildings and schools, the Superintendent or designee shall inform these contractors of hazardous substances which are present on the site and precautions that employees may take to lessen the possibility of exposure. It shall be the contractor's responsibility to disseminate this information to his/her employees and subcontractors.

## BP 3517 Business and Noninstructional Operations

**Facilities Inspection**

The Governing Board recognizes that the condition of school facilities may have an impact on safety, student achievement, and employee morale and desires to provide school facilities that are safe, clean, and functional, as defined in Education Code 17002.

*(cf. 0510 - School Accountability Report Card)*

*(cf. 1312.4 - Williams Uniform Complaint Procedures)*

*(cf. 3111 - Deferred Maintenance Funds)*

*(cf. 3514 - Environmental Safety)*

The Superintendent or designee shall develop a facilities inspection and maintenance program to ensure that school facilities are maintained in good repair in accordance with law. At a minimum, the program shall analyze those facility conditions specified on the facilities inspection tool developed by the Office of Public School Construction, including the following:

1. Gas Leaks: Gas systems and pipes appear safe, functional, and free of leaks.
2. Mechanical Systems: Heating, ventilation, and air conditioning systems as applicable are functional and unobstructed.
3. Windows/Doors/Gates/Fences (interior and exterior): Conditions that pose a safety and/or security risk are not evident.
4. Interior Surfaces (and window casings): Interior surfaces appear to be clean, safe, and functional.
5. Hazardous Materials (interior and exterior): There does not appear to be evidence of hazardous materials that may pose a threat to students or staff.
6. Structural Damage: There does not appear to be structural damage that could create hazardous or uninhabitable conditions.
7. Fire Safety: The fire equipment and emergency systems appear to be functioning properly.
8. Electrical (interior and exterior): There is no evidence that any portion of the school has a power failure and electrical systems, components, and equipment appear to be working properly.
9. Pest/Vermin Infestation: Pest or vermin infestation is not evident.

10. Drinking Fountains (inside and outside): Drinking fountains appear to be accessible and functioning as intended.
11. Restrooms: Restrooms appear to be accessible during school hours, are clean, functional, and in compliance with Education Code 35292.5 (operational and supplied).
12. Sewers: Sewer line stoppage is not evident.
13. Roofs (observed from the ground, inside/outside the building): Roof system appears to be functioning properly.
14. Playground/School Grounds: The playground equipment and school grounds appear to be clean, safe, and functional.
15. Overall Cleanliness: School grounds, buildings, common areas, and individual rooms appear to be cleaned regularly.

The Superintendent or designee shall ensure that any necessary repairs identified during the inspection are made in a timely and expeditious manner. The Superintendent or designee shall provide the Board with regular reports regarding the district's facility inspection program and updates of any visits to district schools by the County Superintendent of Schools.

Legal Reference:

EDUCATION CODE

1240 County superintendent of schools, duties

17002 Definitions

17070.10-17077.10 Leroy F. Greene School Facilities Act of 1998

17565-17591 Property maintenance and control, especially:

17584 Deferred maintenance

17592.72 Urgent or emergency repairs, School Facility Emergency Repair Account

33126 School accountability report card

35186 Williams uniform complaint procedure

CODE OF REGULATIONS, TITLE 2

1859.300-1859.330 Emergency Repair Program

Management Resources:

CSBA PUBLICATIONS

Williams Settlement and the Emergency Repair Program, Policy Brief, January 2008

COALITION OF ADEQUATE SCHOOL HOUSING PUBLICATIONS

Facility Inspection Tool Guidebook, February 2008

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>

Coalition of Adequate School Housing: <http://www.cashnet.org>

State Allocation Board, Office of Public School Construction: <http://www.opsc.dgs.ca.gov>  
(3/05 11/06) 7/08

BP 5022 Students

Student And Family Privacy Rights

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

*(cf. 5020 - Parent Rights and Responsibilities)*

*(cf. 5021 - Noncustodial Parents)*

*(cf. 5125 - Student Records)*

*(cf. 5125.1 - Release of Directory Information)*

*(cf. 6162.8 - Research)*

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

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

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

*(cf. 0420 - School Plans/Site Councils)*

*(cf. 1220 - Citizen Advisory Committee)*

*(cf. 1230 - School-Connected Organizations)*

Legal Reference:

EDUCATION CODE

49450-49458 Physical examinations  
49602 Confidentiality of personal information received during counseling  
51101 Parents Rights Act of 2002  
51513 Test, questionnaire, survey, or examination concerning personal beliefs  
51938 Sexual Health and HIV/AIDS Prevention Education Act; notice and parental excuse  
UNITED STATES CODE, TITLE 20  
1232g Family Educational Rights and Privacy Act  
1232h Protection of pupil rights

Management Resources:

WEB SITES

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

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

U.S. Department of Education, Family Policy Compliance Office:

<http://www.ed.gov/offices/OM/fpco>

(11/02) 3/11

## AR 5022 Students

### Student And Family Privacy Rights

Personal information for marketing or sale means individually identifiable information, including a student's or parent/guardian's first and last name, home or other physical address (including street name and the name of the city or town), telephone number, or social security identification number. (20 USC 1232h)

District staff shall not administer or distribute to students any survey instrument that is designed for the purpose of collecting personal information for marketing or sale.

Requirements regarding the collection of personal information for marketing or sale shall not apply to the collection, disclosure, or use of personal information collected from students for the purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following: (20 USC 1232h)

1. College or other postsecondary education recruitment or military recruitment
2. Book clubs, magazines, and programs providing access to low-cost literary products
3. Curriculum and instructional materials used by elementary and secondary schools
4. Tests and assessments to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments

*(cf. 6162.51 - Standardized Testing and Reporting Program)*

5. The sale by students of products or services to raise funds for school-related or education-related activities

*(cf. 1321 - Solicitation of Funds from and by Students)*

6. Student recognition programs

*(cf. 5126 - Awards for Achievement)*

### Surveys Requesting Information about Beliefs and Practices

A student's parent/guardian shall provide prior written consent before the student is required to participate in a survey inquiring about one or more of the following: (Education Code 51513; 20 USC 1232h)

1. Political affiliations or beliefs of the student or his/her parent/guardian
2. Mental or psychological problems of the student or his/her family
3. Sexual behavior or attitudes or personal beliefs and practices in family life or morality
4. Illegal, anti-social, self-incriminating, or demeaning behavior
5. Critical appraisals of other individuals with whom the student has close family relationships
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, or ministers
7. Religious practices, affiliations, or beliefs of the student or his/her parent/guardian
8. Income, except to the extent that income is required to be disclosed by law for participation in a program or for receiving financial assistance under such a program

*(cf. 3553 - Free and Reduced Price Meals)*

*(cf. 5148 - Child Care and Development)*

Notwithstanding the above requirements, the district may administer to students in grades 7-12 anonymous, voluntary, and confidential research and evaluation tools to measure student health risks and behaviors, including tests and surveys about student attitudes or practices related to sex as long as parents/guardians are provided written notice and given an opportunity to request, in writing, that their child not participate. (Education Code 51938)

If a student participates in a survey requesting information about beliefs and practices as identified above, school officials and staff members shall not request or disclose the student's identity.

*(cf. 6162.8 - Research)*

#### Parent/Guardian Access to Surveys and Instructional Materials

The parent/guardian of any district student, upon his/her request, shall have the right to inspect: (Education Code 51938; 20 USC 1232h)

1. A survey or other instrument to be administered or distributed to his/her child that either collects personal information for marketing or sale or requests information about beliefs and practices

2. Any instructional material to be used as part of his/her child's educational curriculum

*(cf. 5020 - Parent Rights and Responsibilities)*

Within a reasonable period of time after receiving a parent/guardian's request, the principal or designee shall permit the parent/guardian to view the survey or other document he/she requested. A parent/guardian may view the document any time during normal business hours.

No student shall be subject to penalty for his/her parent/guardian's exercise of any of the rights stated above.

### Health Examinations

Authorized school officials may administer to any student any physical examination or screening permitted under California law. However, no student shall be subjected to a nonemergency, invasive physical examination without prior written notice to his/her parent/guardian. (20 USC 1232h)

Invasive physical examination means any medical examination that involves the exposure of private body parts or any act during such examination that includes incision, insertion, or injection into the body, but does not include a properly authorized hearing, vision, or scoliosis screening. (20 USC 1232h)

*(cf. 5131.61 - Drug Testing)*

*(cf. 5141.3 - Health Examinations)*

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians of: (20 USC 1232h)

### Notifications

1. The district's policy regarding student privacy
2. The process to opt their children out of participation in any activity described in this policy and administrative regulation
3. The specific or approximate dates during the school year when the following activities are scheduled:
  - a. Survey requesting personal information
  - b. Physical examinations or screenings

c. Collection of personal information from students for marketing or sale

Prior to administering any anonymous and voluntary survey regarding health risks and behaviors to students in grades 7-12, the district shall provide parents/guardians with written notice that the survey is to be administered. (Education Code 51938)

Parents/guardians shall also be notified of any substantive change to this policy and administrative regulation within a reasonable period of time after adoption of the change. (20 USC 1232h)

*(cf. 5145.6 - Parental Notifications)*

(11/02 3/04) 3/11

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

Adopted: October 12, 2011

King City, California

## BP 5125 Students

**Student Records**

The Governing Board recognizes the importance of keeping accurate, comprehensive student records as required by law. The Superintendent or designee shall ensure that the district's administrative regulation and school site procedures for maintaining the confidentiality of student records are consistent with state and federal law.

The Superintendent or designee shall establish regulations governing the identification, description, and security of student records, as well as timely access for authorized persons. These regulations shall ensure parental rights to review, inspect, and copy student records and shall protect the student and his/her family from invasion of privacy.

*(cf. 3580 - District Records)*

*(cf. 4040 - Employee Use of Technology)*

*(cf. 5125.1 - Release of Directory Information)*

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

*(cf. 5125.3 - Challenging Student Records)*

The Superintendent or designee shall designate a certificated employee to serve as custodian of records with responsibility for student records at the district level. At each school, the principal or a certificated designee shall act as custodian of records for students enrolled at that school. The custodian of records shall be responsible for implementing Board policy and administrative regulation regarding student records. (5 CCR 431)

## Legal Reference:

## EDUCATION CODE

48201 Student records for transfer students who have been suspended/expelled

48904-48904.3 Withholding grades, diplomas, or transcripts

48918 Rules governing expulsion procedures

49060-49079 Student records

49091.14 Parental review of curriculum

51747 Independent study programs

56050 Surrogate parents

56055 Foster parents

## CODE OF CIVIL PROCEDURE

1985.3 Subpoena duces tecum

## FAMILY CODE

3025 Access to records by noncustodial parents

## GOVERNMENT CODE

6252-6260 Inspection of public records

## HEALTH AND SAFETY CODE

120440 Immunizations; disclosure of information

## WELFARE AND INSTITUTIONS CODE

681 Truancy petitions

16010 Health and education records of a minor

CODE OF REGULATIONS, TITLE 5

430-438 Individual student records

16020-16027 Destruction of records of school districts

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

300.501 Opportunity to examine records for parents of student with disability

Management Resources:

FEDERAL REGISTER

Final Rule and Analysis of Comments and Changes, Family Educational Rights and Privacy, December 9, 2008, Vol. 73, No. 237, pages 74806-74855

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

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

WEB SITES

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

U.S. Department of Education, Family Policy Compliance Office,  
<http://www.ed.gov/policy/gen/guid/fpco/index.html>

(7/99 11/00) 3/09

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

First reading:

Adopted: October 12, 2011

King City, California

## AR 5125 Students

## Student Records

## Definitions

*Student* means any individual who is or has been in attendance at the district and regarding whom the district maintains student records. (34 CFR 99.3)

*Attendance* includes, but is not limited to, attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunication technologies for students who are not physically present in the classroom, and the period during which a person is working under a work-study program. (34 CFR 99.3)

*Student records* are any items of information (in handwriting, print, tape, film, computer, or other medium) gathered within or outside the district that are directly related to an identifiable student and maintained by the district, required to be maintained by an employee in the performance of his/her duties, or maintained by a party acting for the district. Any information maintained for the purpose of second-party review is considered a student record. Student records include the student's health record. (34 CFR 99.3; Education Code 49061, 49062; 5 CCR 430)

Student records do not include: (34 CFR 99.3; Education Code 49061, 49062; 5 CCR 430)

1. Directory information

(cf. 5125.1 - *Release of Directory Information*)

2. Informal notes compiled by a school officer or employee which remain in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a substitute

3. Records of the law enforcement unit of the district, subject to the provisions of 34 CFR 99.8

(cf. 3515 - *Campus Security*)

(cf. 3515.3 - *District Police/Security Department*)

4. Records created or received by the district after an individual is no longer a student in attendance and that are not directly related to the individual's attendance as a student

5. Grades on peer-graded papers before they are collected and recorded by a teacher

*Mandatory permanent student records* are those records which are maintained in perpetuity and which schools have been directed to compile by state law, regulation, or administrative directive. (5 CCR 430)

*Mandatory interim student records* are those records which the schools are directed to compile and maintain for stipulated periods of time and are then destroyed in accordance with state law, regulation, or administrative directive. (5 CCR 430)

*Permitted student records* are those records having clear importance only to the current educational process of the student. (5 CCR 430)

*Access* means a personal inspection and review of a record, an accurate copy of a record or receipt of an accurate copy of a record, an oral description or communication of a record, and a request to release a copy of any record. (Education Code 49061)

*Disclosure* means to permit access to, or the release, transfer, or other communication of, personally identifiable information contained in education records to any party, except the party that provided or created the record, by any means including oral, written, or electronic. (34 CFR 99.3)

*Personally identifiable information* includes, but is not limited to: (34 CFR 99.3)

1. The student's name
2. The name of the student's parent/guardian or other family members
3. The address of the student or student's family
4. A personal identifier, such as the student's social security number, student number, or biometric record (e.g., fingerprints, retina and iris patterns, voiceprints, DNA sequence, facial characteristics, and handwriting)
5. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name
6. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty
7. Information requested by a person who the district reasonably believes knows the identity of the student to whom the student record relates

*Adult student* is a person who is or was enrolled in school and who is at least 18 years of age. (5 CCR 430)

*Parent/guardian* means a natural parent, an adopted parent, legal guardian, surrogate parent, or foster parent. (Education Code 49061, 56050, 56055)

*School officials and employees* are officials or employees whose duties and responsibilities to the district, whether routine or as a result of special circumstances, require that they have access to student records. School officials and employees include contractors, consultants, volunteers, or other parties to whom the district has outsourced district functions and who perform services for which the district would otherwise use employees.

A *legitimate educational interest* is one held by school officials and employees whose duties and responsibilities to the district, whether routine or as a result of special circumstances, require that they have access to student records.

*Custodian of records* is the employee responsible for the security of student records maintained by the district and for devising procedures for assuring that access to such records is limited to authorized persons. (5 CCR 433)

*County placing agency* means the county social service department or county probation department. (Education Code 49061)

#### Persons Granted Access Without Prior Written Consent

The following persons or agencies shall have absolute access to any and all student records in accordance with law:

1. Parents/guardians of students younger than age 18 (Education Code 49069)

Access to student records and information shall not be denied to a parent because he/she is not the child's custodial parent. (Family Code 3025)

2. An adult student age 18 or older or a student under the age of 18 who attends a postsecondary institution, in which case the student alone shall exercise rights related to his/her student records and grant consent for the release of records (34 CFR 99.3, 99.5)
3. Any person, agency, or organization authorized in compliance with a court order or lawfully issued subpoena (Education Code 49077)

Unless otherwise instructed by the court, the Superintendent or designee shall, prior to disclosing a record pursuant to a court order or subpoena, give the parent/guardian or adult student at least three days' notice of the name of the requesting agency and the specific record requested, if lawfully possible within the requirements of the judicial order. (34 CFR 99.31; 5 CCR 435)

In addition, the following persons or agencies shall have access to those particular records that are relevant to their legitimate educational interest: (34 CFR 99.31; Education Code 49076)

1. Parents/guardians of a dependent student age 18 or older

2. Students who are age 16 or older or who have completed the 10th grade
3. School officials and employees (consistent with criteria defined by the district)
4. Members of a school attendance review board (SARB) and any volunteer aide age 18 or older who has been investigated, selected, and trained by the SARB to provide follow-up services to a referred student

(cf. 5113.1 - *Truancy*)

5. Officials and employees of other public schools, school systems, or postsecondary institutions where the student intends or is directed to enroll, including local, county, or state correctional facilities where educational programs leading to high school graduation are provided, or where the student is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer

When the district discloses personally identifiable information to officials of another school, school system, or postsecondary institution where the student seeks or intends to enroll, the Superintendent or designee shall make a reasonable attempt to notify the parent/guardian or adult student at his/her last known address, provide a copy of the record that is disclosed, and give the parent/guardian or adult student an opportunity for a hearing to challenge the record. (34 CFR 99.34)

6. Federal, state, and local officials, as needed for program audits or compliance with law
7. Any district attorney who is participating in or conducting a truancy mediation program or participating in the presentation of evidence in a truancy petition or a prosecuting agency for consideration against a parent/guardian for failure to comply with compulsory education laws
8. Any probation officer or district attorney for the purposes of conducting a criminal investigation or an investigation in regards to declaring a person a ward of the court or involving a violation of a condition of probation
9. Any judge or probation officer for the purpose of conducting a truancy mediation program for a student or for the purpose of presenting evidence in a truancy petition pursuant to Welfare and Institutions Code 681

Upon releasing student information to a judge or probation officer in such cases, the Superintendent or designee shall inform, or provide written notification to, the student's parent/guardian within 24 hours. (Education Code 49076)

10. Any county placing agency for the purpose of fulfilling educational case management responsibilities required by the juvenile court or by law pursuant to Welfare and Institutions Code 16010 and to assist with the school transfer or enrollment of a student

(cf. 6173.1 - Education for Foster Youth)

Foster family agencies with jurisdiction over currently enrolled or former students may access those students' records of grades and transcripts and any individualized education program (IEP) developed and maintained by the district with respect to such students. (Education Code 49069.3)

(cf. 6159 - Individualized Education Program)

When authorized by law to assist law enforcement in investigations of suspected kidnapping, the Superintendent or designee shall provide information about the identity and location of the student as it relates to the transfer of that student's records to another public school district or California private school. The information shall be released only to designated peace officers, federal criminal investigators, and federal law enforcement officers whose names have been submitted in writing by their law enforcement agency in accordance with the procedures specified in Education Code 49076.5. (Education Code 49076.5)

The Superintendent or designee may release information from a student's records to the following: (34 CFR 99.31, 99.36; Education Code 49076)

1. Appropriate persons, including parents/guardians of a student, in an emergency, if the health and safety of the student or other persons are at stake
2. Accrediting associations
3. Under the conditions specified in Education Code 49076 and 34 CFR 99.31, organizations conducting studies on behalf of educational institutions or agencies for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction, provided that:
  - a. The study is conducted in a manner that does not permit personal identification of parents/guardians and students by individuals other than representatives of the organization who have legitimate interests in the information.
  - b. The information is destroyed when no longer needed for the purposes for which the study is conducted.
  - c. The district enters into a written agreement with the organization that includes the information in 34 CFR 99.31.
4. Officials and employees of private schools or school systems where the student is enrolled or intends to enroll
5. Agencies or organizations in connection with the student's application for or receipt of financial aid

However, information permitting the personal identification of a student or his/her parents/guardians for these purposes may be disclosed only as may be necessary to determine the eligibility of the student for financial aid, determine the amount of financial aid, determine the conditions which will be imposed regarding the financial aid, or enforce the terms or conditions of the financial aid.

6. County elections officials for the purpose of identifying students eligible to register to vote and offering such students an opportunity to register

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

The Superintendent or designee may release information specified in law regarding a student's immunization record to local health departments operating countywide or regional immunization information and reminder systems and the California Department of Public Health. Prior to releasing such information, the Superintendent or designee shall notify the parent/guardian of his/her rights in accordance with law. (Health and Safety Code 120440)

#### Persons Granted Access With Prior Written Consent

Persons, agencies, or organizations not afforded access rights by law may be granted access only through written permission of the parent/guardian or adult student, or by judicial order. (Education Code 49075)

Only a parent/guardian having legal custody of the student may consent to the release of records to others. Either parent may grant consent if both parents notify the district, in writing, that such an agreement has been made. (Education Code 49061)

*(cf. 5021 - Noncustodial Parents)*

Any person or agency granted access is prohibited from releasing information to another person or agency without written permission from the parent/guardian or adult student. (Education Code 49076)

#### Access to Records by Authorized Persons

Student records shall be maintained in a central file at the school attended by the student or, when records are maintained in different locations, a notation shall be placed in the central file indicating where other records may be found. Parents/guardians shall be notified of the location of student records if not centrally located. (Education Code 49069; 5 CCR 433)

The custodian of records shall be responsible for the security of student records and shall assure that access is limited to authorized persons. (5 CCR 433)

The custodian of records shall develop reasonable methods, including physical, technological, and administrative controls, to ensure that school officials and employees obtain access to only those student records in which they have legitimate educational interests. (34 CFR 99.31)

To inspect, review, or obtain copies of student records, authorized persons shall submit a request to the custodian of records. For those individuals for whom the law requires that access be granted based on a legitimate educational interest, the request shall specify such interest involved. Prior to granting the request, the custodian of records shall authenticate the individual's identity.

When prior written consent is required by law, the parent/guardian shall provide a signed and dated written consent before the district discloses the student record. Such consent may be given through electronic means in those cases where it can be authenticated. The district's consent form shall specify the records that may be disclosed, state the purpose of the disclosure, and identify the party or class of parties to whom the disclosure may be made. Upon request by the parent/guardian, the district shall provide him/her a copy of the records disclosed. (34 CFR 99.30)

Within five business days following the date of request, a parent/guardian or other authorized person shall be granted access to inspect, review, and obtain copies of student records during regular school hours. (Education Code 49069)

Qualified certificated personnel shall be available to interpret records when requested. (Education Code 49069)

The custodian of records or the Superintendent or designee shall prevent the alteration, damage, or loss of records during inspection. (5 CCR 435)

### Access Log

A log shall be maintained for each student's record which lists all persons, agencies, or organizations requesting or receiving information from the records and the legitimate educational interest of the requester. (Education Code 49064)

In every instance of inspection by persons who do not have assigned educational responsibility, the custodian of records shall make an entry in the log indicating the record inspected, the name of the person granted access, the reason access was granted, and the time and circumstances of inspection. (5 CCR 435)

The log does not need to include record of access by: (Education Code 49064)

1. Parents/guardians or adult students
2. Students who are 16 years of age or older or who have completed the 10th grade
3. Parties obtaining district-approved directory information

(*cf.* 5125.1 - *Release of Directory Information*)

4. Parties who provide written parental consent, in which case the consent notice shall be filed with the record pursuant to Education Code 49075
5. School officials and employees who have a legitimate educational interest

The log shall be accessible only to the parent/guardian, adult student, dependent adult student, student age who is 16 years or older or who has completed the 10th grade, custodian of records, and certain state/federal officials. (Education Code 49064; 5 CCR 432)

#### De-Identification of Records

The Superintendent or designee may release information from a student record without prior consent of the parent/guardian or adult student after the removal of all personally identifiable information, provided that he/she has made a reasonable determination that the student's identity is not personally identifiable, whether through single or multiple releases, and taking into account other reasonably available information. (34 CFR 99.31)

The Superintendent or designee may release de-identified student data from education records for the purpose of educational research in accordance with the conditions specified in 34 CFR 99.31.

#### Duplication of Student Records

To provide copies of any student record, the district shall charge a reasonable fee not to exceed the actual cost of providing the copies. No charge shall be made for providing up to two transcripts or up to two verifications of various records for any former student. No charge shall be made to locate or retrieve any student record. (Education Code 49065)

#### Changes to Student Records

No additions except routine updating shall be made to a student's record after high school graduation or permanent departure without prior consent of the parent/guardian or adult student. (5 CCR 437)

Only a parent/guardian having legal custody of the student or an adult student may challenge the content of a record or offer a written response to a record. (Education Code 49061)

*(cf. 5125.3 - Challenging Student Records)*

#### Retention and Destruction of Student Records

All anecdotal information and assessment reports maintained as student records shall be dated and signed by the individual who originated the data. (5 CCR 431)

Mandatory Permanent Student Records

The following *Mandatory Permanent Student Records* shall be kept indefinitely: (5 CCR 432, 437)

1. Legal name of student
2. Date and place of birth and method of verifying birth date

(cf. 5111 - *Admission*)

3. Sex of student
4. Name and address of parent/guardian of minor student
  - a. Address of minor student if different from the above
  - b. Annual verification of parent/guardian's name and address and student's residence

(cf. 5111.1 - *District Residency*)

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

(cf. 5111.13 - *Residency for Homeless Children*)

5. Entrance and departure dates of each school year and for any summer session or other extra session
6. Subjects taken during each year, half-year, summer session, or quarter, and marks or credits given

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

7. Verification of or exemption from required immunizations

(cf. 5141.31 - *Immunizations*)

8. Date of high school graduation or equivalent

Mandatory Interim Student Records

*Mandatory Interim Student Records*, unless forwarded to another district, shall be maintained subject to destruction during the third school year following a determination that their usefulness has ceased or the student has left the district. These records include: (Education Code 48918, 51747; 5 CCR 432, 437, 16027)

1. Expulsion orders and the causes therefor

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

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

2. A log identifying persons or agencies who request or receive information from the student record
3. Health information, including verification or waiver of the health screening for school entry

(cf. 5141.32 - *Health Screening for School Entry*)

4. Information on participation in special education programs, including required tests, case studies, authorizations, and evidence of eligibility for admission or discharge

(cf. 6159 - *Individualized Education Program*)

(cf. 6164.4 - *Identification and Evaluation of Individuals for Special Education*)

5. Language training records

(cf. 6174 - *Education for English Language Learners*)

6. Progress slips/notices required by Education Code 49066 and 49067
7. Parental restrictions/stipulations regarding access to directory information
8. Parent/guardian or adult student rejoinders to challenged records and to disciplinary action
9. Parent/guardian authorization or denial of student participation in specific programs
10. Results of standardized tests administered within the past three years

(cf. 6162.51 - *Standardized Testing and Reporting Program*)

(cf. 6162.52 - *High School Exit Examination*)

11. Written findings resulting from an evaluation conducted after a specified number of missed assignments to determine whether it is in a student's best interest to remain in independent study

(cf. 6158 - *Independent Study*)

*Permitted student records* may be destroyed six months after the student completes or withdraws from the educational program, including: (5 CCR 432, 437)

1. Objective counselor and/or teacher ratings
2. Standardized test results older than three years
3. Routine disciplinary data

(cf. 5144 - *Discipline*)

4. Verified reports of relevant behavioral patterns
5. All disciplinary notices
6. Supplementary attendance records

Records shall be destroyed in a way that assures they will not be available to possible public inspection in the process of destruction. (5 CCR 437)

#### Transfer of Student Records

If a student transfers into this district from any other school district or a private school, the Superintendent or designee shall inform the parent/guardian of his/her rights regarding student records, including the right to review, challenge, and receive a copy of student records. (Education Code 49068; 5 CCR 438)

When a student transfers into this district from another district, the Superintendent or designee shall request that the student's previous district provide any records, either maintained by that district in the ordinary course of business or received from a law enforcement agency, regarding acts committed by the transferring student that resulted in his/her suspension or expulsion. (Education Code 48201)

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

*(cf. 5119 - Students Expelled From Other Districts)*

When a student transfers from this district to another school district or to a private school, the Superintendent or designee shall forward a copy of the student's mandatory permanent record as requested by the other district or private school. The original record or a copy shall be retained permanently by this district. If the transfer is to another California public school, the student's entire mandatory interim record shall also be forwarded. If the transfer is out of state or to a private school, the mandatory interim record may be forwarded. Permitted student records may be forwarded to any other district or private school. (Education Code 48918; 5 CCR 438)

Upon receiving a request from a county placing agency to transfer a student in foster care out of a district school, the Superintendent or designee shall transfer the student's records to the next educational placement within two business days. (Education Code 49069.5)

*(cf. 6173.1 - Education for Foster Youth)*

All student records shall be updated before they are transferred. (5 CCR 438)

Student records shall not be withheld from the requesting district because of any charges or fees owed by the student or parent/guardian. (5 CCR 438)

If the district is withholding grades, diploma, or transcripts from the student because of his/her damage or loss of school property, this information shall be sent to the requesting district along with the student's records.

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

### Notification of Parents/Guardians

Upon any student's initial enrollment, and at the beginning of each school year thereafter, the Superintendent or designee shall notify parents/guardians and eligible students, in writing, of their rights related to student records. Insofar as practicable, the district shall provide these notices in the student's home language and shall effectively notify parents/guardians or eligible students who are disabled. (34 CFR 99.7; Education Code 49063)

(cf. 5145.6 - *Parental Notifications*)

The notice shall include: (34 CFR 99.7, 99.34; Education Code 49063)

1. The types of student records kept by the district and the information contained therein
2. The title(s) of the official(s) responsible for maintaining each type of record
3. The location of the log identifying those who request information from the records
4. District criteria for defining school officials and employees and for determining legitimate educational interest
5. District policies for reviewing and expunging student records
6. The right to inspect and review student records and the procedures for doing so
7. The right to challenge and the procedures for challenging the content of a student record that the parent/guardian or student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights

(cf. 5125.3 - *Challenging Student Records*)

8. The cost, if any, charged for duplicating copies of records
9. The categories of information defined as directory information pursuant to Education Code 49073
10. The right to consent to disclosures of personally identifiable information contained in the student's records except when disclosure without consent is authorized by law
11. The availability of the curriculum prospectus developed pursuant to Education Code 49091.14 containing the titles, descriptions, and instructional aims of every course offered by the school

(cf. 5020 - *Parent Rights and Responsibilities*)

12. Any other rights and requirements set forth in Education Code 49060-49078, and the right of parents/guardians to file a complaint with the United States Department of Education concerning an alleged failure by the district to comply with 20 USC 1232g
13. A statement that the district forwards education records to other agencies or institutions that request the records and in which the student seeks or intends to enroll or is already enrolled as long as the disclosure is for purposes related to the student's enrollment.

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

Adopted: October 12, 2011

King City, California

## Students

### Positive School Climate

The Governing Board desires to provide enhance student learning by providing an orderly, caring, and nurturing educational and social environment in which all students can feel safe and take pride in their school and their achievements. The school environment should be characterized by positive interpersonal relationships among students and between students and staff.

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

*(cf. 3515 - Campus Security)*

*(cf. 3515.2 - Disruptions)*

*(cf. 5030 - Student Wellness)*

*(cf. 5131.4 - Student Disturbances)*

*(cf. 5142 - Safety)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

All staff members are expected to serve as role models for students by demonstrating positive, professional attitudes and respect toward each student and other staff members. Teachers shall use effective classroom management techniques based on clear expectations for student behavior.

*(cf. 4119.21/4219.21/4319.21 - Professional Standards)*

Staff shall consistently enforce Board policies and regulations which establish rules for appropriate student conduct, including prohibitions against bullying, cyberbullying, harassment of students, hazing, other violence or threats of violence against students and staff, and drug, alcohol, and tobacco use.

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 3513.3 - Tobacco-Free Schools)*

*(cf. 4020 - Drug and Alcohol-Free Workplace)*

*(cf. 5131 - Conduct)*

*(cf. 5131.1 - Bus Conduct)*

*(cf. 5131.6 - Alcohol and Drugs)*

*(cf. 5131.7 - Weapons and Dangerous Instruments)*

*(cf. 5136 - Gangs)*

*(cf. 5144 - Discipline)*

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

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

*(cf. 5145.2 - Freedom of Speech/Expression)*

*(cf. 5145.7 - Sexual Harassment)*

*(cf. 5145.9 - Hate-Motivated Behavior)*

The district's curriculum shall include age-appropriate character education which includes, but is not limited to, the principles of equality, human dignity, mutual respect, fairness, honesty, and citizenship. Teachers are encouraged to employ cooperative learning strategies that foster positive interactions in the classroom among students from diverse backgrounds.

*(cf. 5131.9 - Academic Honesty)*  
*(cf. 6141 - Curriculum Development and Evaluation)*  
*(cf. 6142.3 - Civic Education)*  
*(cf. 6142.4 - Service Learning/Community Service Classes)*  
*(cf. 6142.92 - History-Social Science Instruction)*  
*(cf. 6161.1 - Selection and Evaluation of Instructional Materials)*

The Superintendent or designee may develop other strategies to enhance students' feelings of connectedness with the schools, such as campus beautification projects, graffiti removal, development of extracurricular activities and after-school programs, pairing of adult mentors with individual students, vandalism prevention campaigns, recognition of student achievement, and encouragement of strong family and community involvement in the schools.

*(cf. 1240 - Volunteer Assistance)*  
*(cf. 5126 - Awards for Achievement)*  
*(cf. 5131.5 - Vandalism and Graffiti)*  
*(cf. 5148.2 - Before/After School Programs)*  
*(cf. 6020 - Parent Involvement)*  
*(cf. 6145 - Extracurricular and Cocurricular Activities)*  
*(cf. 6145.5 - Student Organizations and Equal Access)*

Students shall have opportunities to voice their concerns about school policies and practices and to share responsibility for solving problems that affect their school.

The schools shall promote nonviolent conflict resolution techniques in order to encourage attitudes and behaviors that foster harmonious relations. As part of this effort, students shall be taught the skills necessary to reduce violence, including communication skills, anger management, bias reduction, and mediation skills.

*(cf. 5138 - Conflict Resolution/Peer Mediation)*  
*(cf. 6164.2 - Guidance/Counseling Services)*

Staff shall receive professional development designed to improve classroom management, conflict resolution techniques, and communications with students and parents/guardians including persons of diverse backgrounds.

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

Legal Reference:

EDUCATION CODE

233-233.8 Hate violence prevention

32280-32289 School safety plans

32295.5 Teen court programs

35181 Governing board policy on responsibilities of students

35291-35291.5 Rules

44807 Teachers' duty concerning conduct of students

48900-48925 Suspension and expulsion

Management Resources:

CSBA PUBLICATIONS

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

Protecting Our Schools: Governing Board Strategies to Combat School Violence, rev. 1999

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Bullying at School, 2003

Creating Safe and Drug-Free Schools: An Action Guide, 1996

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Preventing Bullying: A Manual for Schools and Communities, 1998

WEB SITES

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

California Department of Education, Learning Support: <http://www.cde.ca.gov/lr>

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

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

<http://www.ed.gov/offices/OESE/SDFS>

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

Adopted: October 12, 2011

King City, California

AR 5141.3 Students

**Health Examinations**

The principal at each school shall notify parents/guardians of the rights of students and parents/guardians related to health examinations. (Education Code 48980; 20 USC 1232h)

*(cf. 5141.32 - Health Screening for School Entry)*

*(cf. 5145.6 - Parental Notifications)*

A parent/guardian may annually file a written statement with the principal withholding consent to the physical examination of his/her child. Any such student shall be exempt from any physical examination but shall be subject to exclusion from attendance when contagious or infectious disease is reasonably suspected. (Education Code 49451; 20 USC 1232h)

*(cf. 5112.2 - Exclusions from Attendance)*

*(cf. 5141.22 - Infectious Diseases)*

*(cf. 5141.26 - Tuberculosis Testing)*

Type 2 Diabetes Information

Because type 2 diabetes in children is a preventable and treatable disease, parents/guardians are encouraged to have their child screened by an authorized health care practitioner for risk factors of the disease, including excess weight, and to request tests of their child's blood glucose to determine if he/she has diabetes or pre-diabetes.

*(cf. 5030 - Student Wellness)*

The Superintendent or designee may provide information to parents/guardians regarding public or private sources from which they may receive diabetes screening and education services for free or at reduced costs.

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## BP 5141.4 Students

**Child Abuse Prevention And Reporting**Child Abuse Prevention

The Governing Board recognizes the district's responsibility to educate students about the dangers of child abuse so that they will acquire the skills and techniques needed to identify unsafe situations and to react appropriately and promptly.

The district's instructional program shall include age-appropriate and culturally sensitive child abuse prevention curriculum. This curriculum shall explain students' right to live free of abuse, inform them of available support resources, and teach them how to obtain help and disclose incidents of abuse. The curriculum also shall include training in self-protection techniques.

(cf. 6143 - *Courses of Study*)

The Superintendent or designee shall seek to incorporate community resources into the district's child abuse prevention programs. To the extent feasible, the Superintendent or designee shall use these community resources to provide parents/guardians with instruction in parenting skills and child abuse prevention.

(cf. 1020 - *Youth Services*)

Child Abuse Reporting

The Board recognizes that child abuse has severe consequences and that the district has a responsibility to protect students by facilitating the prompt reporting of known and suspected incidents of child abuse. The Superintendent or designee shall establish procedures for the identification and reporting of such incidents in accordance with law.

(cf. 0450 - *Comprehensive Safety Plan*)

Employees who are mandated reporters, as defined by law and administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect. Mandated reporters shall not investigate any suspected incidents but rather shall cooperate with agencies responsible for investigating and prosecuting cases of child abuse and neglect.

The Superintendent or designee shall provide training regarding the reporting duties of mandated reporters.

In the event that training is not provided to mandated reporters, the Superintendent or designee shall report to the California Department of Education the reasons that such training is not provided.

(Penal Code 11165.7)

Legal Reference:

EDUCATION CODE

32280-32288 Comprehensive school safety plans

33308.1 Guidelines on procedure for filing child abuse complaints

44690-44691 Staff development in the detection of child abuse and neglect

44807 Duty concerning conduct of students

48906 Notification when student released to peace officer

48987 Dissemination of reporting guidelines to parents

49001 Prohibition of corporal punishment

51220.5 Parenting skills education

PENAL CODE

152.3 Duty to report murder, rape, or lewd or lascivious act

273a Willful cruelty or unjustifiable punishment of child; endangering life or health

288 Definition of lewd or lascivious act requiring reporting

11164-11174.4 Child Abuse and Neglect Reporting Act

WELFARE AND INSTITUTIONS CODE

15630-15637 Dependent adult abuse reporting

CODE OF REGULATIONS, TITLE 5

4650 Filing complaints with CDE, special education students

Management Resources:

CDE LEGAL ADVISORIES

0514.93 Guidelines for parents to report suspected child abuse

WEB SITES

California Attorney General's Office, Crime and Violence Prevention Center:

<http://safestate.org>

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

California Department of Social Services, Children and Family Services Division:

<http://www.childsworld.ca.gov>

U.S. Department of Health and Human Services, National Clearinghouse on Child Abuse and Neglect Information: <http://nccanch.acf.hhs.gov>

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

Adopted: October 12, 2011

King City, California

## AR 5141.4 Students

**Child Abuse Prevention And Reporting**Definitions

*Child abuse or neglect* includes the following: (Penal Code 11165.5, 11165.6)

1. A physical injury or death inflicted by other than accidental means on a child by another person
2. Sexual abuse of a child, including sexual assault or sexual exploitation, as defined in Penal Code 11165.1
3. Neglect of a child as defined in Penal Code 11165.2
4. Willful harming or injuring of a child or the endangering of the person or health of a child as defined in Penal Code 11165.3
5. Unlawful corporal punishment or injury as defined in Penal Code 11165.4

*Child abuse or neglect* does not include:

1. A mutual affray between minors (Penal Code 11165.6)
2. An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his/her employment (Penal Code 11165.6)

(cf. 3515.3 - District Police/Security Department)

3. An injury resulting from the exercise by a teacher, vice principal, principal, or other certificated employee of the same degree of physical control over a student that a parent/guardian would be privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning (Education Code 44807)
4. An injury caused by a school employee's use of force that is reasonable and necessary to quell a disturbance threatening physical injury to persons or damage to property, to protect himself/herself, or to obtain weapons or other dangerous objects within the control of the student (Education Code 49001)

(cf. 5144 - Discipline)

5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by the student (Education Code 49001)

*Mandated reporters* include, but are not limited to, teachers; instructional aides; teacher's aides or assistants; classified employees; certificated pupil personnel employees; administrative officers or supervisors of child attendance; administrators and employees of a licensed day care facility; Head Start teachers; district police or security officers; licensed nurses or health care providers; and administrators, presenters, and counselors of a child abuse prevention program. (Penal Code 11165.7)

*Reasonable suspicion* means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse or neglect. However, reasonable suspicion does not require certainty that child abuse or neglect has occurred nor does it require a specific medical indication of child abuse or neglect. (Penal Code 11166)

### Reportable Offenses

A mandated reporter shall make a report using the procedures provided below whenever, in his/her professional capacity or within the scope of his/her employment, he/she has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. (Penal Code 11166)

Any mandated reporter who has knowledge of or who reasonably suspects that a child is suffering serious emotional damage or is at a substantial risk of suffering serious emotional damage, based on evidence of severe anxiety, depression, withdrawal, or untoward aggressive behavior toward self or others, may make a report to the appropriate agency. (Penal Code 11166.05, 11167)

Any district employee who reasonably believes that he/she has observed the commission of a murder, rape, or lewd or lascivious act by use of force, violence, duress, menace, or fear of immediate and unlawful bodily injury against a victim who is a child under age 14 shall notify a peace officer. (Penal Code 152.3, 288)

### Responsibility for Reporting

The reporting duties of mandated reporters are individual and cannot be delegated to another person. (Penal Code 11166)

When two or more mandated reporters jointly have knowledge of a known or suspected instance of child abuse or neglect, the report may be made by a member of the team selected by mutual agreement and a single report may be made and signed by the selected member of the reporting team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter make the report. (Penal Code 11166)

No supervisor or administrator shall impede or inhibit a mandated reporter from making a report. (Penal Code 11166)

Any person not identified as a mandated reporter who has knowledge of or observes a child whom he/she knows or reasonably suspects has been a victim of child abuse or neglect may report the

known or suspected instance of child abuse or neglect to the appropriate agency. (Penal Code 11166)

### Reporting Procedures

#### 1. Initial Telephone Report

Immediately or as soon as practicable possible after knowing or observing suspected child abuse or neglect, a mandated reporter shall make an initial report by telephone to any police department (excluding a school district police/security department), sheriff's department, county probation department if designated by the county to receive such reports, or county welfare department. (Penal Code 11165.9, 11166)

Monterey County Department of Social Services child Abuse Hotline (831) 755-4661; Greenfield Police Department (831) 674-5111; King City Police Department (831) 385-4848; or 911

When the initial telephone report is made, the mandated reporter shall note the name of the official contacted, the date and time contacted, and any instructions or advice received.

#### 2. Written Report

Within 36 hours of knowing or observing the information concerning the incident, the mandated reporter shall then prepare and either send, fax, or electronically submit to the appropriate agency a written follow-up report, which includes a completed Department of Justice form (SS 8572). (Penal Code 11166, 11168)

The Department of Justice form may be obtained from the district office or other appropriate agencies, such as the county probation or welfare department or the police or sheriff's department.

Reports of suspected child abuse or neglect shall include, if known: (Penal Code 11167)

- a. The name, business address, and telephone number of the person making the report and the capacity that makes the person a mandated reporter
- b. The child's name and address, present location, and, where applicable, school, grade, and class
- c. The names, addresses, and telephone numbers of the child's parents/guardians
- d. The name, address, telephone number, and other relevant personal information about the person who might have abused or neglected the child
- e. The information that gave rise to the reasonable suspicion of child abuse or neglect and the source(s) of that information

The mandated reporter shall make a report even if some of this information is not known or is uncertain to him/her. (Penal Code 11167)

The mandated reporter may give to an investigator from an agency investigating the case, including a licensing agency, any information relevant to an incident of child abuse or neglect or to a report made for serious emotional damage pursuant to Penal Code 11166.05. (Penal Code 11167)

### Internal Reporting

The mandated reporter shall not be required to disclose his/her identity to his/her supervisor, the principal, or the Superintendent or designee. (Penal Code 11166)

However, employees reporting child abuse or neglect to an appropriate agency are encouraged, but not required, to notify the principal as soon as possible after the initial telephone report to the appropriate agency. When so notified, the principal shall inform the Superintendent or designee.

The principal so notified shall provide the mandated reporter with any assistance necessary to ensure that reporting procedures are carried out in accordance with law, Board policy, and administrative regulation. At the mandated reporter's request, the principal may assist in completing and filing the necessary forms.

Reporting the information to an employer, supervisor, principal, school counselor, co-worker, or other person shall not be a substitute for making a mandated report to the appropriate agency. (Penal Code 11166)

### Training

Training of mandated reporters shall include identification and mandated reporting of child abuse and neglect. (Penal Code 11165.7)

Training shall also include guidance in the appropriate discipline of students, physical contact with students, and maintenance of ethical relationships with students to avoid actions that may be misinterpreted as child abuse.

*(cf. 4119.21/4219.21/4319.21 - Professional Standards)*

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

*(cf. 5145.7 - Sexual Harassment)*

### Victim Interviews by Social Services

Whenever a representative from the Department of Social Services or another government

agency investigating suspected child abuse or neglect deems it necessary, a suspected victim may be interviewed during school hours, on school premises, concerning a report of suspected child abuse or neglect that occurred within the child's home or out-of-home care facility. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform him/her of the following requirements: (Penal Code 11174.3)

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Neglect Reporting Act, a violation of which is punishable as specified in Penal Code 11167.5.

If a staff member agrees to be present, the interview shall be held at a time during school hours when it does not involve an expense to the school. (Penal Code 11174.3)

### Release of Child to Peace Officer

When a child is released to a peace officer and taken into custody as a victim of suspected child abuse or neglect, the Superintendent or designee and/or principal shall not notify the parent/guardian, but rather shall provide the peace officer with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer or agent to notify the parent/guardian of the situation. (Education Code 48906)

(*cf. 5145.11 - Questioning and Apprehension by Law Enforcement*)

### Parent/Guardian Complaints

Upon request, the Superintendent or designee shall provide parents/guardians with a copy of this administrative regulation which contains procedures for reporting suspected child abuse occurring at a school site to appropriate agencies. For parents/guardians whose primary language is not English, such procedures shall be in their primary language and, when communicating orally regarding those procedures, an interpreter shall be provided.

To file a complaint against a district employee or other person suspected of child abuse or neglect at a school site, parents/guardians may file a report by telephone, in person, or in writing with any appropriate agency identified above under "Reporting Procedures." If a parent/guardian makes a complaint about an employee to any other employee, the employee receiving the information

shall notify the parent/guardian of procedures for filing a complaint with the appropriate agency. The employee also is obligated pursuant to Penal Code 11166 to file a report himself/herself using the procedures described above for mandated reporters.

*(cf. 1312.1 - Complaints Concerning District Employees)*

In addition, if the child is enrolled in special education, a separate complaint may be filed with the California Department of Education pursuant to 5 CCR 4650.

*(cf. 1312.3 - Uniform Complaint Procedures)*

### Notifications

The Superintendent or designee shall provide to all new employees who are mandated reporters a statement that informs them of their status as mandated reporters, their reporting obligations under Penal Code 11166, and their confidentiality rights under Penal Code 11167. The district also shall provide these new employees with a copy of Penal Code 11165.7, 11166, and 11167. (Penal Code 11165.7, 11166.5)

Before beginning employment, any person who will be a mandated reporter by virtue of his/her position shall sign a statement indicating that he/she has knowledge of the reporting obligations under Penal Code 11166 and will comply with those provisions. The signed statement shall be retained by the Superintendent or designee. (Penal Code 11166.5)

*(cf. 4112.9/4212.9/4312.9 - Employee Notifications)*

Employees who work with dependent adults shall be notified of legal responsibilities and reporting procedures pursuant to Welfare and Institutions Code 15630-15637.

The Superintendent or designee also shall notify all employees that:

1. A mandated reporter who reports a known or suspected instance of child abuse or neglect shall not be held civilly or criminally liable for making a report and this immunity shall apply even if the mandated reporter acquired the knowledge or reasonable suspicion of child abuse or neglect outside of his/her professional capacity or outside the scope of his/her employment. Any other person making a report shall not incur civil or criminal liability unless it can be proven that he/she knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11172)
2. If a mandated reporter fails to report an incident of known or reasonably suspected child abuse or neglect, he/she may be guilty of a crime punishable by a fine and/or imprisonment. (Penal Code 11166)
3. No employee shall be subject to any sanction by the district for making a report. (Penal Code 11166)

(3/08 3/10) 11/10

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

Adopted: October 12, 2011

King City, California

BP 5145.11 Students

Questioning And Apprehension By Law Enforcement

The Governing Board believes that the safety of district students and staff is essential to achieving the goal of student learning. In accordance with standards specified in law, law enforcement officers may interview and question students on school premises and may remove them when appropriate.

*(cf. 0450 - Comprehensive Safety Plan)*

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

*(cf. 3515.3 - District Police/Security Department)*

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

*(cf. 5141.4 - Child Abuse Prevention and Reporting)*

*(cf. 5145.12 - Search and Seizure)*

The Superintendent or designee shall collaborate with local law enforcement agencies to establish procedures which enable law enforcement officers to carry out their duties on school campus, including, when necessary, the questioning and/or apprehension of students.

When any law enforcement officer requests an interview with a student, the principal or designee shall request the officer's identity, his/her official capacity, and the legal authority under which the interview is to be conducted. The principal or designee shall maintain a record of all documentation relative to law enforcement interviews of students.

The principal or designee shall accommodate the interview in a way that causes the least possible disruption for the student and school and provides the student appropriate privacy.

At the law enforcement officer's discretion and with the student's approval, the principal or designee may be present during the interview.

Except in cases of child abuse or neglect, the principal or designee shall attempt to notify the student's parent/guardian as soon as practicable after the law enforcement officer has interviewed the student on school premises.

If a minor student is removed from school into the custody of law enforcement, the principal or designee shall immediately notify the parent/guardian or responsible relative regarding the student's release and the place to which he/she is reportedly being taken, except when the minor has been taken into custody as a victim of suspected child abuse. (Education Code 48906)

## Subpoenas

Although subpoenas may legally be served at school on students age 12 or older, the Board believes that serving officials should be strongly urged to serve subpoenas at the home of the student whenever possible. When served at school, the principal or designee shall take reasonable steps to protect the student's privacy rights and to minimize loss of class time for the student.

### Legal Reference:

#### EDUCATION CODE

44807 Duty concerning conduct of pupils

48264 Arrest of truants

48265 Delivery of truant

48902 Notice to law enforcement authorities

48906 Release of minor pupil to peace officers; notice to parent, guardian

48909 Narcotics and other hallucinogenic drugs (re arrest)

#### CODE OF CIVIL PROCEDURE

416.60 Service of summons or complaint to a minor

#### PENAL CODE

830-832.17 Peace officers

1328 Service of subpoena

#### WELFARE AND INSTITUTIONS CODE

627 Custody of minor

#### CODE OF REGULATIONS, TITLE 5

303 Duty to remain at school

#### COURT DECISIONS

Camreta v. Greene, (2011) 131 S.Ct. 2020

People v. Lessie, (2010) 47 Cal. 4th 1152

In re William V., (2003) 111 Cal.App.4th 1464

#### ATTORNEY GENERAL OPINIONS

54 Ops.Cal.Atty.Gen. 96 (1971)

34 Ops.Cal.Atty.Gen. 93 (1959)

### Management Resources:

#### WEB SITES

California Department of Justice, Office of the Attorney General: <http://oag.ca.gov>

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

Adopted: October 12, 2011

King City, California

## BP 6011 Instruction

## Academic Standards

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

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

*(cf. 0000 - Vision)*

*(cf. 0200 - Goals for the School District)*

*(cf. 1220 - Citizen Advisory Committees)*

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

*(cf. 6146.1 - High School Graduation Requirements)*

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

*(cf. 5148.3 - Preschool/Early Childhood Education)*

*(cf. 6142.2 - World/Foreign Language Instruction)*

*(cf. 6142.6 - Visual and Performing Arts Education)*

*(cf. 6142.7 - Physical Education and Activity)*

*(cf. 6142.8 - Comprehensive Health Education)*

*(cf. 6142.91 - Reading/Language Arts Instruction)*

*(cf. 6142.92 - Mathematics Instruction)*

*(cf. 6142.93 - Science Instruction)*

*(cf. 6142.94 - History-Social Science Instruction)*

*(cf. 6174 - Education for English Language Learners)*

*(cf. 6178 - Career Technical Education)*

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

*(cf. 0500 - Accountability)*  
*(cf. 4115 - Evaluation/Supervision)*  
*(cf. 6141 - Curriculum Development and Evaluation)*  
*(cf. 6143 - Courses of Study)*  
*(cf. 6162.5 - Student Assessment)*  
*(cf. 6190 - Evaluation of the Instructional Program)*

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

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

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

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

*(cf. 5121 - Grades/Evaluation of Student Achievement)*  
*(cf. 5123 - Promotion/Acceleration/Retention)*  
*(cf. 6177 - Summer School)*  
*(cf. 6179 - Supplemental Instruction)*

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

Legal Reference:

EDUCATION CODE

44662 Evaluation of certificated employees

51003 Statewide academic standards

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

UNITED STATES CODE, TITLE 20

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

Management Resources:

CSBA PUBLICATIONS

Common Core Standards, Fact Sheet, August 2010

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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

California Preschool Learning Foundations, Vol. 1, 2008

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

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

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

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

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

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

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

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

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

#### WEB SITES

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

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

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

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

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

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

## BB 9005 Board Bylaws

## Governance Standards

The Governing Board believes that its primary responsibility is to act in the best interests of every student in the district. The Board also has major commitments to parents/guardians, all members of the community, employees, the state of California, laws pertaining to public education, and established policies of the district. To maximize Board effectiveness and public confidence in district governance, Board members are expected to govern responsibly and hold themselves to the highest standards of ethical conduct.

*(cf. 9000 - Role of the Board)*

*(cf. 9270 - Conflict of Interest)*

The Board expects its members to work with each other and the Superintendent to ensure that a high-quality education is provided to each student. Each individual Board member shall:

1. Keep learning and achievement for all students as the primary focus
2. Value, support and advocate for public education

*(cf. 9010 - Public Statements)*

3. Recognize and respect differences of perspective and style on the Board and among staff, students, parents and the community
4. Act with dignity, and understand the implications of demeanor and behavior
5. Keep confidential matters confidential

*(cf. 9011 - Disclosure of Confidential/Privileged Information)*

6. Participate in professional development and commit the time and energy necessary to be an informed and effective leader

*(cf. 9240 - Board Development)*

7. Understand the distinctions between Board and staff roles, and refrain from performing management functions that are the responsibility of the Superintendent and staff

*(cf. 2110 - Superintendent Responsibilities and Duties)*

8. Understand that authority rests with the Board as a whole and not with individuals

*(cf. 9200 - Limits of Board Member Authority)*

Board members also shall assume collective responsibility for building unity and creating a positive organizational culture. To operate effectively, the Board shall have a unity of purpose and:

1. Keep the district focused on learning and achievement for all students
2. Communicate a common vision

*(cf. 0000 - Vision)*

*(cf. 0100 - Philosophy)*

*(cf. 0200 - Goals for the School District)*

3. Operate openly, with trust and integrity
4. Govern in a dignified and professional manner, treating everyone with civility and respect
5. Govern within Board-adopted policies and procedures

*(cf. 9310 - Board Policies)*

6. Take collective responsibility for the Board's performance
7. Periodically evaluate its own effectiveness

*(cf. 9400 - Board Self-Evaluation)*

8. Ensure opportunities for the diverse range of views in the community to inform Board deliberations

*(cf. 1220 - Citizen Advisory Committees)*

*(cf. 9323 - Meeting Conduct)*

#### Legal Reference:

##### EDUCATION CODE

35010 Power of governing board to adopt rules for its own governance

35160 Board authority to act in any manner not conflicting with law

35164 Actions by majority vote

##### GOVERNMENT CODE

1090 Financial interest in contract

1098 Disclosure of confidential information

1125-1129 Incompatible activities

54950-54963 The Ralph M. Brown Act

87300-87313 Conflict of interest code

#### Management Resources:

##### CSBA PUBLICATIONS

CSBA Professional Governance Standards, 2000

Maximizing School Board Leadership: Boardsmanship, 1996

##### WEB SITES

CSBA: [http:// www.csba.org](http://www.csba.org)

Bylaw

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

Adopted: October 12, 2011

King City, California

## BB 9121 Board Bylaws

### **President**

The Governing Board shall elect a president from among its members to provide leadership on behalf of the Board and the educational community it serves.

*(cf. 9000 - Role of the Board)*

*(cf. 9005 - Governance Standards)*

*(cf. 9100 - Organization)*

The president shall preside at all Board meetings. He/she shall:

1. Call the meeting to order at the appointed time
2. Announce the business to come before the Board in its proper order
3. Enforce the Board's policies relating to the conduct of meetings and help ensure compliance with applicable requirements of the Brown Act
4. Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference
5. Explain what the effect of a motion would be if it is not clear to every member
6. Restrict discussion to the question when a motion is before the Board
7. Rule on issues of parliamentary procedure
8. Put motions to a vote, and state clearly the results of the vote
9. Be responsible for the orderly conduct of all Board meetings

*(cf. 9323 - Meeting Conduct)*

The president shall perform other duties in accordance with law and Board policy including, but not limited to:

1. Signing all instruments, acts and orders necessary to carry out state requirements and the will of the Board
2. Consulting with the Superintendent or designee on the preparation of the Board's agendas

*(cf. 9322 - Agenda/Meeting Materials)*

3. Working with the Superintendent to ensure that Board members have necessary materials and information

4. Subject to Board approval, appointing and dissolving all committees

*(cf. 9130 - Board Committees)*

5. Calling such meetings of the Board as he/she may deem necessary, giving notice as prescribed by law

*(cf. 9320 - Meetings and Notices)*

*(cf. 9321 - Closed Session Purposes and Agendas)*

6. Representing the district as governance spokesperson, in conjunction with the Superintendent

*(cf. 1112 - Media Relations)*

The president shall have the same rights as other members of the Board, including the right to move, second, discuss and vote on all questions before the Board.

When the president resigns or is absent or disabled, the clerk shall perform the president's duties. When both the president and clerk are absent or disabled, the Board shall choose a president pro tempore to perform the president's duties.

*(cf. 9123 - Clerk)*

Legal Reference:

EDUCATION CODE

35022 President of the board

35143 Annual organizational meetings; dates and notice

GOVERNMENT CODE

54950-54963 Ralph M. Brown Act

Management Resources:

CSBA PUBLICATIONS

Board Presidents' Handbook, revised 2002

CSBA Professional Governance Standards, 2000

Maximizing School Board Leadership: Boardsmanship, 1996

WEB SITES

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

BB 9122

### **Secretary**

The Governing Board shall appoint the Superintendent to serve as secretary to the Board. The secretary to the Board shall be responsible for maintaining an accurate and complete record of all Board proceedings and shall:

1. Prepare, distribute and maintain the Board agenda

*(cf. 9322 - Agenda/Meeting Materials)*

2. Record, distribute and maintain the Board minutes

*(cf. 9324 - Minutes and Recordings)*

3. Maintain Board records and documents

4. Conduct official correspondence for the Board

5. As directed by the Board, sign and execute official papers

6. Perform other duties as assigned by the Board

*(cf. 2111 - Superintendent Governance Standards)*

### **Legal Reference:**

#### **EDUCATION CODE**

35025 Secretary and bookkeeper

35143 Annual organizational meetings; dates and notice

35250 Duty to keep certain records and reports

#### **GOVERNMENT CODE**

54950-54963 Ralph M. Brown Act

### **Management Resources:**

#### **CSBA PUBLICATIONS**

CSBA Professional Governance Standards, 2000

Maximizing School Board Leadership: Boardsmanship, 1996

#### **WEB SITES**

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

BB 9124 Board Bylaws

Attorney

The Governing Board recognizes the complex legal environment in which districts operate and desires reliable, high-quality legal advice at reasonable rates. In order to meet the district's legal needs, the Board may contract with county counsel, attorneys in private practice, or appoint legal counsel as a district employee or independent contractor. The Board also supports pursuing collaborative legal efforts with other agencies and districts as appropriate.

*(cf. 3320 - Claims and Actions Against the District)*

*(cf. 3400 - Management of District Assets/Accounts)*

*(cf. 4312.1 - Contracts)*

*(cf. 9000 - Role of the Board)*

*(cf. 9260 - Legal Protection)*

Duties of Legal Counsel

The district's legal counsel may: (Education Code 35041.5)

1. Render legal advice to the Board and the Superintendent or designee
2. Serve the Board and the Superintendent or designee in the preparation and conduct of district litigation and administrative proceedings
3. Render advice on school bond and tax increase measures and prepare the necessary forms for the voting of these measures
4. Perform other administrative duties as assigned by the Board and Superintendent or designee

Retaining Legal Counsel

When the district is seeking legal advice or representation, the Superintendent or designee shall initiate a Request for Proposals (RFP) to advertise and solicit proposals for legal services. In evaluating the proposals, the Board and Superintendent shall consider the firm's or attorney's background, experience, and reputation in education law; experience advising or representing school districts in California; fees; and experience of attorneys at the firm who will provide legal services.

The Board and Superintendent shall annually evaluate the performance of the firm and/or attorneys providing legal services in such areas as efficiency and adequacy of advice; results obtained for the district; reasonableness of fees; and responsiveness to and interactions with the Board, administration, and community. Upon a successful evaluation, the Board may renew the agreement with legal counsel without initiating an RFP.

The Board may also contract for temporary, specialized legal services without initiating an RFP when a majority of the Board determines that the unique demands of a particular issue or emergency situation so requires.

*(cf. 2121 - Superintendent's Contract)*

#### Contacting Legal Counsel

At his/her discretion, the Board president or Superintendent may confer with district legal counsel subject to any limits or parameters established by the Board. In addition, the Superintendent or Board president may contact district legal counsel to provide the Board with legal information or advice when so directed by a majority of the Board.

Individual Board members other than the Board president may not seek advice from district legal counsel on matters of district business unless so authorized by a majority of the Board.

*(cf. 9200 - Limits of Board Member Authority)*

*(cf. 9321 - Closed Session Purposes and Agendas)*

#### Legal Reference:

##### EDUCATION CODE

35041 Administrative adviser

35041.5 Legal counsel

35161 Powers and duties of governing board

35200-35214 Liabilities, especially:

35204 Contract with attorney in private practice

35205 Contract for legal services

##### GOVERNMENT CODE

814-895.8 Liability of public entities and public employees

995-996.6 Defense of public employees

26520 Legal services to school districts

53060 Special services and advice

#### Management Resources:

##### CSBA PUBLICATIONS

The Brown Act: School Boards and Open Meeting Laws, rev. 2007

Maximizing School Board Leadership: Boardsmanship, 1996

##### NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Selecting and Working with a School Attorney: A Guide for School Boards, 1997

##### WEB SITES

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

California Council of School Attorneys:

<http://www.csba.org/LegislationAndLegal/Legal/CaliforniaCouncilOfSchoolAttorneys.aspx>"><http://www.csba.org>"><http://www.csba.org/LegislationAndLegal/Legal/CaliforniaCouncilOfSchoolAttorneys.aspx>

National School Boards Association: <http://www.nsba.org>

State Bar of California: <http://www.calbar.ca.gov>

(6/91 12/92) 7/08

Bylaw

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

Adopted: October 12, 2011

King City, California

## BB 9130 Board Bylaws

**Board Committees**

The Governing Board may establish Board committees as necessary. The Board shall determine the duties of the committee at the time of its appointment. Unless specifically authorized by the Board to act on its behalf, Board committees shall act in an advisory capacity. When its duties have been completed, the committee shall be dissolved.

*(cf. 1220 - Citizen Advisory Committees)*

Board committees shall provide public notice of their meetings and conduct these meetings in accordance with state open meeting laws.

Meetings of advisory committees or standing committees for which an agenda is posted at least 72 hours in advance of the meeting pursuant to Government Code 54954.2, shall be considered, for purposes of the Brown Act, as regular meetings of the Board. (Government Code 54954)

*(cf. 9320 - Meetings and Notices)*

*(cf. 9322 - Agenda/Meeting Materials)*

Board advisory committees composed solely of less than a quorum of the members of the Board are not subject to open meeting laws unless they are standing committees that have a continuing subject matter jurisdiction or a meeting schedule established by the Board. (Government Code 54952)

Standing committees with a continuing subject matter jurisdiction include but are not limited to those responsible for providing advice on budgets, audits, contracts and personnel matters at the Board's request.

When a majority of the members of the Board attend an open and noticed meeting of a standing committee, the Board members who are not members of the standing committee shall attend only as observers. (Government Code 54952.2)

The Superintendent or designee may serve as an advisor to any committee at the discretion of the Board.

Whenever so charged, committees may actively seek input and participation by parents/guardians, staff, community and students and may consult with local public boards and agencies.

When a Board committee composed exclusively of Board members has provided for public comment on an item at a public meeting before or during the committee's consideration of the item, the Board is not obliged to provide for public comment on the item at a subsequent Board meeting. Public comment shall be afforded, however, if the Board determines that the item has been substantially changed since it was heard by the committee. (Government Code 54954.3)

Legal Reference:

EDUCATION CODE

35010 Control of district; prescription and enforcement of rules

35024 Executive committee

35160 Authority of governing boards

35160.1 Broad authority of school districts

GOVERNMENT CODE

54952 Legislative body, definition

54952.2 Definition of meeting

54954 Time and place of regular meetings; special meetings; emergencies

54954.3 Opportunity for public to address legislative body

ATTORNEY GENERAL OPINIONS

81 Ops.Cal.Atty.Gen. 156 (1998)

80 Ops.Cal.Atty.Gen. 308 (1997)

79 Ops.Cal.Atty.Gen. 69 (1996)

(2/97 10/97) 2/99

## BB 9230 Board Bylaws

**Orientation**Board Candidate Orientation

The Governing Board desires to provide Board candidates with orientation that will enable them to understand the responsibilities and expectations of Board membership. The Superintendent or designee shall provide all candidates with general information about school programs, district operations, and Board responsibilities. He/she may also provide candidates with information about the election process, including, but not limited to, information about campaign conduct and ballot statement information.

*(cf. 9200 - Limits of Board Member Authority)*

*(cf. 9220 - Governing Board Elections)*

*(cf. 9270 - Conflict of Interest)*

The Board encourages all candidates to attend public Board meetings during the period of their candidacy. Candidates shall have the same access as members of the public to district staff and information.

*(cf. 1340 - Access to District Records)*

*(cf. 9011 - Disclosure of Confidential/Privileged Information)*

New Board Member Orientation

The Board shall convene a meeting to provide an orientation and information to incoming Board members to assist them in understanding the Board's functions, policies, procedures, protocols, and agreed-upon standards of conduct. Incoming Board members shall receive the district's policy manual and other materials related to the district and Board member responsibilities.

*(cf. 9000 - Role of the Board)*

*(cf. 9005 - Governance Standards)*

Upon their election, incoming Board members shall be provided a copy of the Brown Act and informed that, pursuant to Government Code 54952.1, they must conform to the Act's requirements as if they had already assumed office.

The Superintendent may provide incoming Board members with additional background and information regarding the district's vision and goals, operations, and current challenges in areas that include, but are not be limited to, student achievement, curriculum, finance, facilities, policy, human resources, and collective bargaining.

*(cf. 0000 - Vision)*

*(cf. 0200 - Goals for the School District)*

Incoming members are encouraged to attend Board meetings and review agenda materials available to the public in order to become familiar with current issues facing the district. Incoming members also may, at district expense and with approval of the Board, attend workshops and conferences relevant to their individual needs or to the needs of the Board as a whole or the district.

*(cf. 9240 - Board Development)*

Legal Reference:

EDUCATION CODE

33360 Department of Education and statewide association of school district boards; annual workshops

33362-33363 Reimbursement of expenses; board member or member-elect

ELECTIONS CODE

13307 Candidate's statement

20440 Code of Fair Campaign Practices

GOVERNMENT CODE

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

54952.1 Member of a legislative body

54952.7 Copies of Brown Act to board members

Management Resources:

CSBA PUBLICATIONS

School Board Leadership, 2007

The Brown Act: School Boards and Open Meeting Laws, rev. 2007

Guide to Effective Meetings, 2007

Professional Governance Standards, 2000

Maximizing School Board Leadership, 1996

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Becoming a Better Board Member: A Guide to Effective School Board Service, 2006

WEB SITES

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

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

National School Boards Association: <http://www.nsba.org>

(9/89 6/94) 7/08

## BB 9260 Board Bylaws

### Legal Protection

#### Liability Insurance

The Governing Board shall provide insurance necessary to protect Board members and employees while acting within the scope of their office or employment in accordance with Education Code 35208.

*(cf. 3530 - Risk Management/Insurance)*

#### Protection Against Liability

No Board member shall be liable for harm caused by his/her act or omission when acting within the scope of district responsibilities. The act or omission must be in conformity with federal, state and local laws and made in furtherance of an effort to control, discipline, expel or suspend a student, or maintain order or control in the classroom or school. (20 USC 6736)

The protection against liability shall not apply when: (20 USC 6736)

1. The Board member acted with willful or criminal misconduct, gross negligence, recklessness, or a conscious, flagrant indifference to the harmed person's right to safety.
2. The Board member caused harm by operating a motor vehicle.
3. The Board member was not properly licensed, if required, by the State for such activities.
4. The Board member was found by a court to have violated a federal or state civil rights law.
5. The Board member was under the influence of alcohol or any drug at the time of the misconduct.
6. The misconduct constituted a crime of violence pursuant to 18 USC 16 or an act of terrorism for which the Board member has been convicted in a court.
7. The misconduct involved a sexual offense for which the Board member has been convicted in a court.

#### Legal Reference:

EDUCATION CODE

17029.5 Contract funding; board liability

35208 Liability insurance

35214 Liability insurance (self-insurance or a combination of self-insurance and insurance through an insurance company)

GOVERNMENT CODE

815.3 Intentional torts

820-823 Tort Claims Act

825.6 Indemnification of public entity

1090-1098 Conflicts of interest, prohibitions applicable to specified officers

54950-54963 The Ralph M. Brown Act

87100-89503 Conflicts of interest

UNITED STATES CODE, TITLE 18

16 Crime of violence defined

UNITED STATES CODE, TITLE 20

6731-6738 Teacher Protection Act

COURT DECISIONS

Caldwell v. Montoya (Paramount Unified School District) 10 Cal 4th 972 (1995)

(3/88 10/95) 7/03

E 9270 Board Bylaws

Conflict Of Interest

RESOLUTION ADOPTING A CONFLICT OF INTEREST CODE

WHEREAS, the Political Reform Act, Government Code 87300-87313, requires each public agency in California to adopt a conflict of interest code; and

WHEREAS, the Governing Board of the South Monterey County Joint Union High School District has previously adopted a local conflict of interest code; and

WHEREAS, past and future amendments to the Political Reform Act and implementing regulations may require conforming amendments to be made to the district's conflict of interest code; and

WHEREAS, a regulation adopted by the Fair Political Practices Commission, 2 CCR 18730, provides that incorporation by reference of the terms of that regulation, along with an agency-specific appendix designating positions and disclosure categories shall constitute the adoption and amendment of a conflict of interest code in conformance with Government Code 87300 and 87306; and

WHEREAS, the South Monterey County Joint Union High School District has recently reviewed its positions, and the duties of each position, and has determined that no changes to the current conflict of interest code are necessary; and

WHEREAS, any earlier resolutions, bylaws, and/or appendices containing the district's conflict of interest code shall be rescinded and superseded by this resolution and Appendix; and

NOW THEREFORE BE IT RESOLVED that the South Monterey County Joint Union High School District Governing Board adopts the following Conflict of Interest Code including its Appendix of Designated Employees and Disclosure Categories.

PASSED AND ADOPTED THIS 14<sup>th</sup> day of September, 2011, at a regular meeting, by the following vote:

AYES: \_\_\_\_\_ NOES: \_\_\_\_\_ ABSENT: \_\_\_\_\_

Attest:

---

Secretary/President

## Conflict of Interest Code of the South Monterey County Joint Union High School District

The provisions of 2 CCR 18730 and any amendments to it adopted by the Fair Political Practices Commission, together with the attached Appendix specifying designated positions and disclosure categories, are incorporated by reference and shall constitute the district's conflict of interest code.

Governing Board members and designated employees shall file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories listed in the attached Appendix. The Statement of Economic Interest shall be filed with the district's filing officer and/or, if so required, with the district's code reviewing body. The district's filing officer shall make the statements available for public review and inspection.

### APPENDIX

#### Disclosure Categories

1. Category 1: A person designated Category 1 shall disclose:

- a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district.
- b. Investments or business positions in or income from sources which are engaged in the acquisition or disposal of real property within the district, are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the district, or manufacture or sell supplies, books, machinery, or equipment of the type used by the district.

2. Category 2: A person designated Category 2 shall disclose:

- a. Investments or business positions in or income from sources which are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs.
- b. Investments or business positions in or income from sources which manufacture or sell supplies, books, machinery, or equipment of the type used by the department which the designated person manages or directs. For the purposes of this category, a principal's department is his/her entire school.

3. Full Disclosure: Because it has been determined that the district's Board members and/or Superintendent "manage public investments," they and other persons designated for "full disclosure" shall disclose, in accordance with Government Code 87200:

- a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district.

- b. Investments, business positions, and sources of income, including gifts, loans, and travel payments.

### Designated Positions

#### Designated Position Disclosure Category

Governing Board Members 1

Superintendent of Schools/State Administrator 1

Chief Business Official 1

Assistant/Associate Superintendent 1

Fiscal Services Manager 1

Director 2

Principal 2

Assistant Principal 2

Student Services Coordinator 2

### Disclosures for Consultants

Consultants are designated employees who must disclose financial interests as determined on a case-by-case basis by the Superintendent or designee. The Superintendent or designee's written determination shall include a description of the consultant's duties and a statement of the extent of disclosure requirements based upon that description. All such determinations are public records and shall be retained for public inspection along with this conflict of interest code.

A consultant is an individual who, pursuant to a contract with the district, makes a governmental decision whether to: (2 CCR 18701)

1. Approve a rate, rule, or regulation
2. Adopt or enforce a law
3. Issue, deny, suspend, or revoke a permit, license, application, certificate, approval, order, or similar authorization or entitlement

4. Authorize the district to enter into, modify, or renew a contract that requires district approval
5. Grant district approval to a contract that requires district approval and in which the district is a party, or to the specifications for such a contract
6. Grant district approval to a plan, design, report, study, or similar item
7. Adopt or grant district approval of district policies, standards, or guidelines

A consultant is also an individual who, pursuant to a contract with the district, serves in a staff capacity with the district and in that capacity participates in making a governmental decision as defined in 2 CCR 18702.2 or performs the same or substantially all the same duties for the district that would otherwise be performed by an individual holding a position specified in the district's conflict of interest code. (2 CCR 18701)

7/10

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

Adopted: October 12, 2011

King City, California

## BB 9324 Board Bylaws

### Minutes And Recordings

The Governing Board recognizes that maintaining accurate minutes of Board meetings provides a record of Board actions for use by district staff and the public. Accurate minutes also help foster public trust that Board actions are occurring in public in accordance with law.

*(cf. 9000 - Role of the Board)*

*(cf. 9005 - Governance Standards)*

*(cf. 9323 - Meeting Conduct)*

The secretary of the Board shall keep minutes and record all official Board actions. The Board's minutes shall be public records and shall be made available to the public upon request. (Education Code 35145, 35163)

*(cf. 1340 - Access to District Records)*

*(cf. 9323.2 - Actions by the Board)*

The Superintendent or designee shall distribute a copy of the "unapproved" minutes of the previous meeting(s) with the agenda for the next regular meeting. At the next meeting, the Board shall approve the minutes as circulated or with necessary amendments.

In order to ensure that the minutes are focused on Board action, the minutes shall include only a brief summary of the Board's discussion, but shall not include a verbatim record of the Board's discussion on each agenda topic or the names of Board members who made specific points during the discussion.

The minutes shall include the specific language of each motion, the names of members who made and seconded the motion, and the individual votes of each member, unless the action was unanimous. When a roll call vote is taken, the names and votes of each member shall be listed. Motions or resolutions shall be recorded as having passed or failed. All motions and Board resolutions shall be numbered consecutively from the beginning of each fiscal year.

The minutes shall reflect the names of those individuals who comment during the meeting's public comment period as well as the topics they address.

The minutes shall record which members are present and whether a member is not present for part of the meeting due to late arrival and/or early departure.

*(cf. 9250 - Remuneration, Reimbursement and Other Benefits)*

Official Board minutes and recordings shall be stored in a secure location and shall be retained in accordance with law.

*(cf. 3580 - District Records)*

Any minutes or recordings kept for Board meetings held in closed session shall be kept separately from the minutes or recordings of regular and special meetings. Minutes or recordings of closed sessions are not public records. (Government Code 54957.2)

*(cf. 9321.1 - Closed Session Actions and Reports)*

### Recording or Broadcasting of Meetings

The district may tape, film, or broadcast any open Board meeting. The Board president shall announce that a recording or broadcasting is being made at the beginning of the meeting and, as practicable, the recorder or camera shall be placed in plain view of meeting participants.

Any district recording may be erased or destroyed 30 days after the meeting. Recordings made during a meeting are public records and, upon request, shall be made available for inspection by members of the public on a district recorder without charge. (Government Code 54953.5)

#### Legal Reference:

##### EDUCATION CODE

35145 Public meetings

35163 Official actions, minutes and journals

35164 Vote requirements

##### GOVERNMENT CODE

54952.2 Meeting defined

54953.5 Audio or video recording of proceedings

54953.6 Broadcasting of proceedings

54957.2 Closed sessions; clerk; minute book

54960 Violations and remedies

##### PENAL CODE

632 Unlawful to intentionally record a confidential communication without consent

##### CODE OF REGULATIONS, TITLE 5

16020-16027 Classification and retention of records

#### Management Resources:

##### CSBA PUBLICATIONS

The Brown Act: School Boards and Open Meeting Laws, rev. 2007

Guide to Effective Meetings, rev. 2007

Maximizing School Board Leadership: Boardsmanship, 1996

##### WEB SITES

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

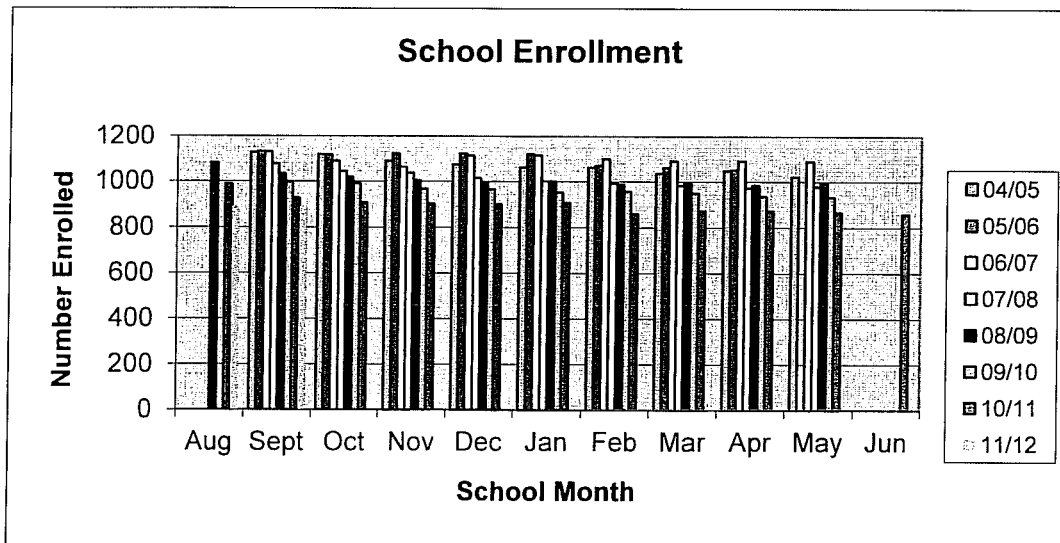
(9/89 2/94) 7/08

# KING CITY HIGH SCHOOL

Bruce Corbett  
Monthly School Statistics  
September 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	
<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>891</b>



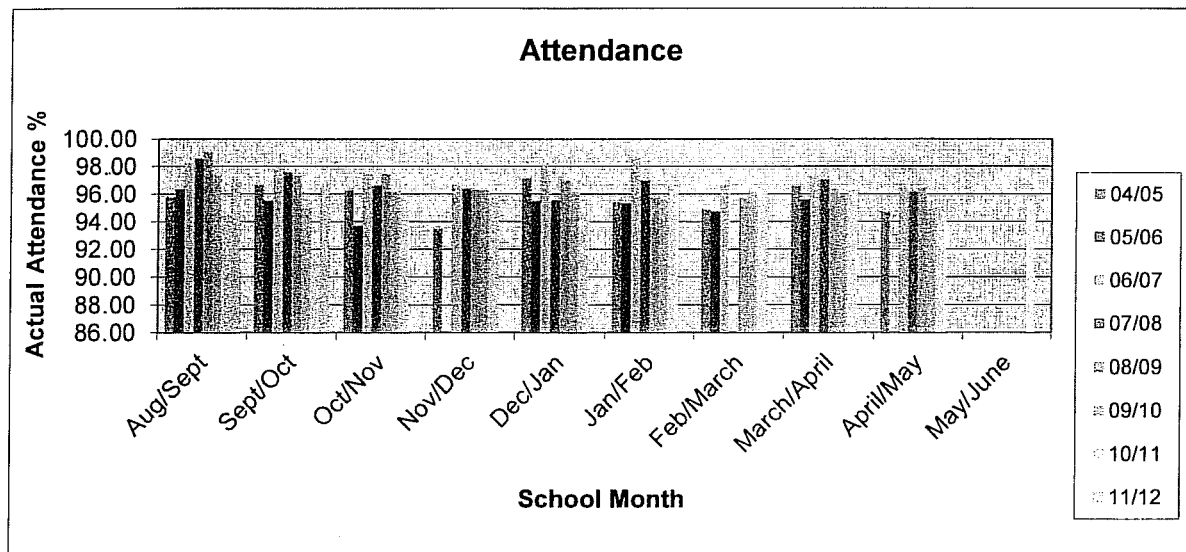
# KING CITY HIGH SCHOOL

Bruce Corbett  
Monthly School Statistics  
8/29/2011-9/23/2011

## SCHOOL ATTENDANCE PERCENTAGES

School Month                      04/05    05/06    06/07    07/08    08/09    09/10    10/11    11/12

Aug/Sept	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	
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	96.74



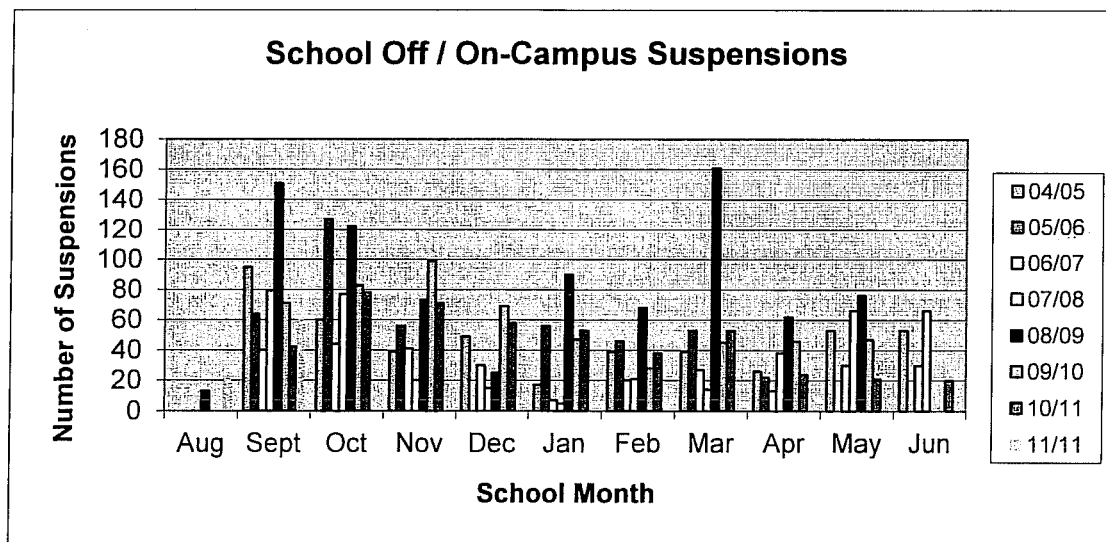
# KING CITY HIGH SCHOOL

Bruce Corbett  
Monthly School Statistics  
September 2011

## SCHOOL OFF / ON-CAMPUS SUSPENSIONS

School Month      04/05   05/06   06/07   07/08   08/09   09/10   10/11   11/11

<b>Aug</b>					13			22
<b>Sept</b>	95	64	40	79	151	71	42	61
<b>Oct</b>	60	127	44	77	122	83	78	
<b>Nov</b>	39	56	41	20	73	99	71	
<b>Dec</b>	49		30	15	25	69	58	
<b>Jan</b>	17	56	7	5	90	47	53	
<b>Feb</b>	39	46	20	21	68	28	38	
<b>Mar</b>	39	53	27	14	161	45	53	
<b>Apr</b>	26	22	13	38	62	46	24	
<b>May</b>	53		30	66	76	47	21	
<b>Jun</b>	53		30	66			20	
<b>Year Average</b>	<b>47</b>	<b>61</b>	<b>28</b>	<b>40</b>	<b>84</b>	<b>59</b>	<b>46</b>	<b>42</b>

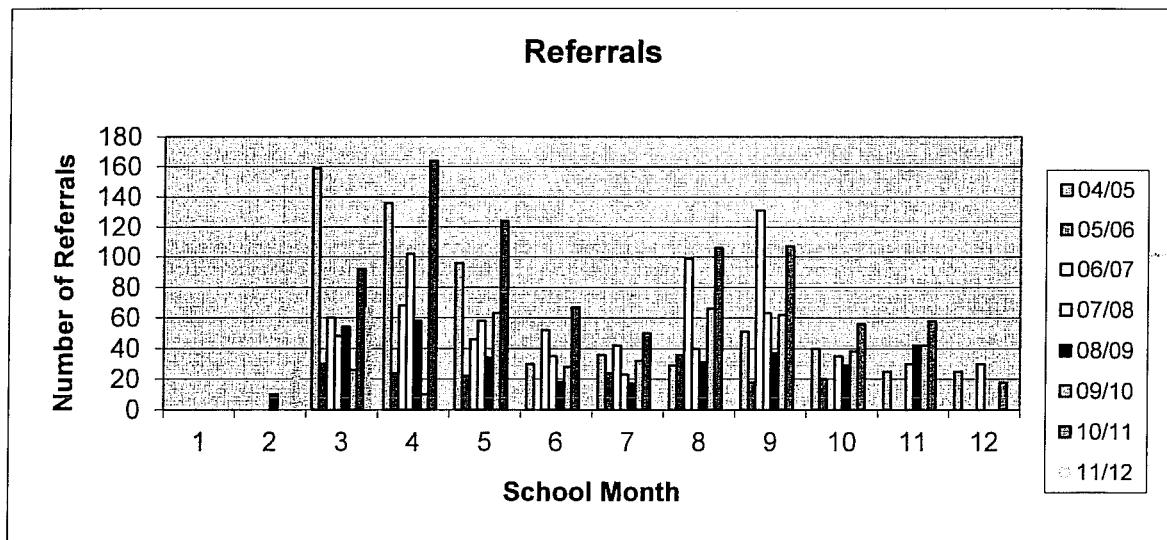


# KING CITY HIGH SCHOOL

Bruce Corbett  
Monthly School Statistics  
September 2011

## EFERRALS

School Month	04/05	05/06	06/07	07/08	08/09	09/10	10/11	11/12
<b>Aug</b>					10			27
<b>Sept</b>	159	30	60	48	54	26	92	67
<b>Oct</b>	136	24	68	102	58	10	164	
<b>Nov</b>	96	22	46	58	34	63	124	
<b>Dec</b>	30		52	35	18	28	67	
<b>Jan</b>	36	24	42	23	17	32	50	
<b>Feb</b>	29	36	99	40	31	66	106	
<b>Mar</b>	51	18	131	63	37	62	107	
<b>Apr</b>	40	20		35	29	38	56	
<b>May</b>	25			30	42	42	58	
<b>Jun</b>	25			30			18	
<b>Year Average</b>	<b>63</b>	<b>25</b>	<b>71</b>	<b>46</b>	<b>33</b>	<b>41</b>	<b>84</b>	<b>47</b>



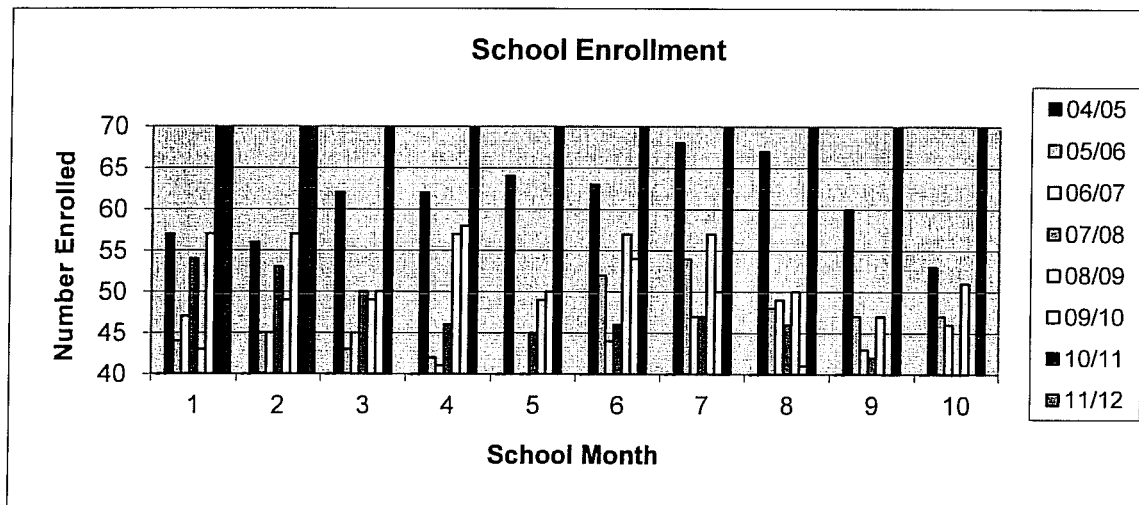
# PORTOLA-BUTLER CONTINUATION HIGH SCHOOL

Carolyn McCombs, Principal  
Monthly School Attendance Report  
School Year 2011-12  
Month #2

## 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		
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	103	97	

\*\* 04/05 - 09/10 Stats are from CBHS



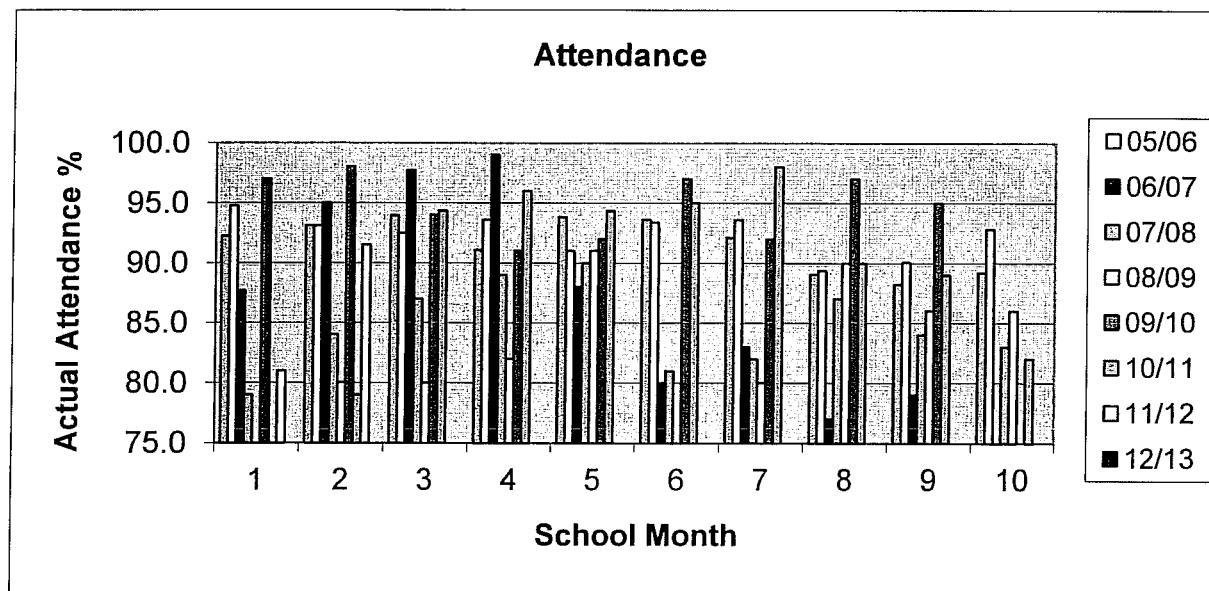
# PORTOLA-BUTLER CONTINUATION HIGH SCHOOL

Carolyn McCombs, Principal  
Monthly School Attendance Report  
School Year 2011-12  
Month #2

## 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		
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	89.00	86.25	

\*\* 04/05 - 09/10 Stats are from CBHS



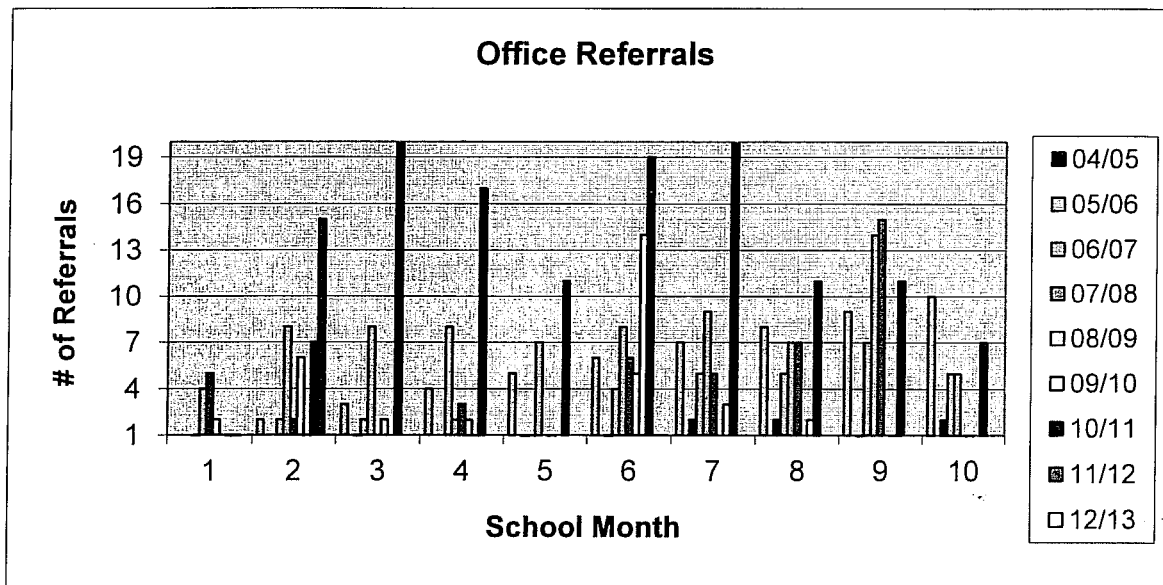
# PORTOLA-BUTLER CONTINUATION HIGH SCHOOL

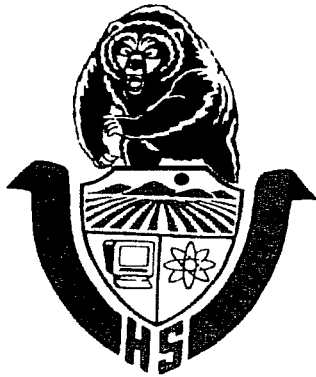
Carolyn McCombs, Principal  
Monthly School Attendance Report  
School Year 2011-12  
Month #2

## 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		
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	8	

\*\* 04/05 - 09/10 Stats are from CBHS





## GREENFIELD HIGH SCHOOL

James Goddard, Principal

Monthly School Statistics

September 2011

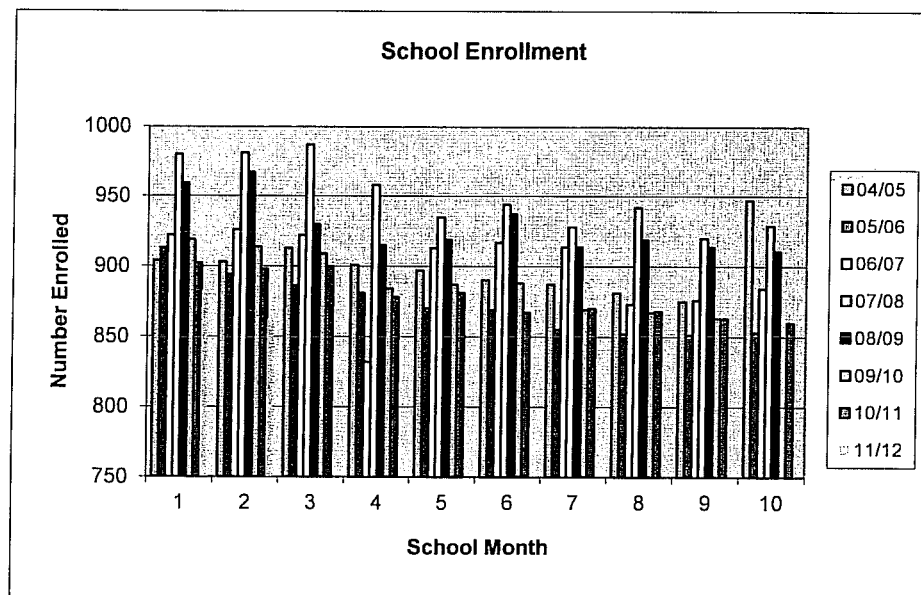
### School Enrollment

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	
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	
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# GREENFIELD HIGH SCHOOL

James Goddard, Principal  
Monthly School Statistics  
September 2011

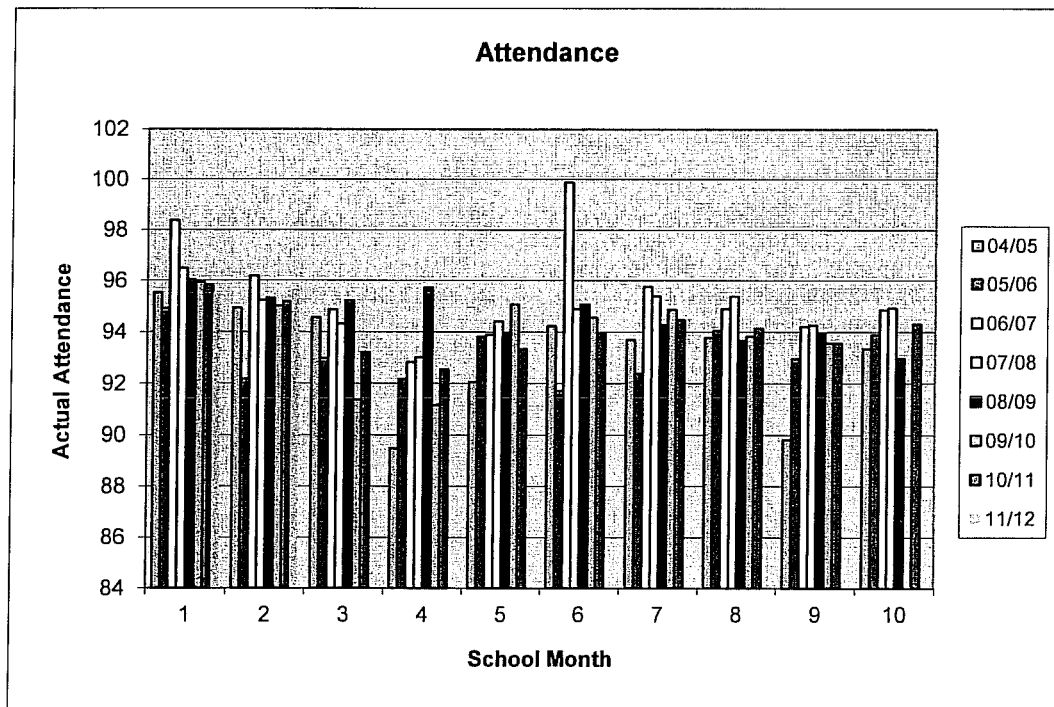
## School Attendance Percentages

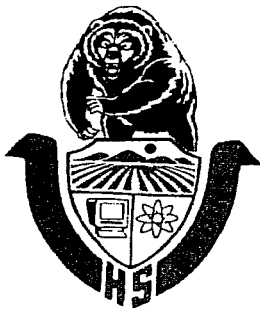
School Month

	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	95.7
3	94.55	92.98	94.86	94.31	95.21	91.37	93.21	
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	95.61
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# GREENFIELD HIGH SCHOOL

James Goddard, Principal

Monthly School Statistics

September 2011

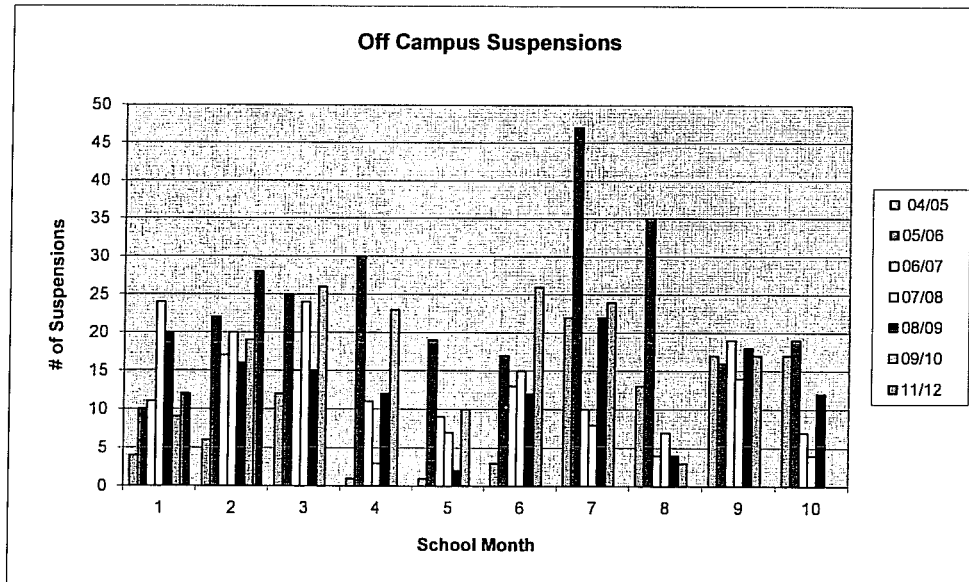
## Off Campus Suspensions

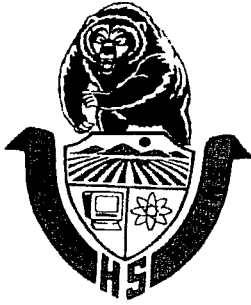
School Month

	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	
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	20
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## GREENFIELD HIGH SCHOOL

James Goddard, Principal

Monthly School Statistics

September 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	
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	
<b>Average</b>	28	48.4	50.3	133.7	159.9	120.222	67.1	45

