

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT
BOARD OF EDUCATION
REGULAR BOARD MEETING

Tuesday, November 13, 2012

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

BOARD OF EDUCATION

Mike Foster – President
Debra McAlahney-Dodson - Clerk
Paulette Bumbalough – Member
Raul Rodriguez – Member
Bob White – Member

STATE ADMINISTRATOR

Daniel Moirao, Ed.D.

STUDENT BOARD MEMBER

Sarah Rae Shepherd -KCHS
Adam Mann - GHS

OPEN SESSION: 5:25 PM

A. CALL TO ORDER

B. PUBLIC COMMENT

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

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

CLOSED SESSION: 5:30 PM

- A. Public Employment
- B. Employee Discipline/Dismissal Release
- C. Negotiations with Employee Organizations
- D. Threatened/Potential Litigation
- E. Student Matters – Transfers/Discipline
 - Recommendation to Expel Student #08:12/13
 - Recommendation to Expel Student #09:12/13
 - Recommendation to Expel Student #10:12/13
 - Recommendation to Expel Student #11:12/13
 - Recommendation to Expel Student #12:12/13

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 is asked to 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. For matters that are not listed on the agenda, the Board may refer the matter to the Superintendent or designee, or take it under advisement, but shall not take action at that time except as allowed by law.

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 pedir la forma que se le da a la comunidad pidiendo permiso antes de la junta, indicando si se desea hacer algún comentario sobre un tema de la agenda o algún otro asunto y presentarlo a la Secretaría de el Superintendente. Esta es una oportunidad de dirigirse a la Mesa Directiva de Educación cuando un asunto se esté 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 habrá un limite de 20 minutos en total para cada asunto. Para asuntos que no estén enlistados en la agenda, La Mesa Directiva podrá referir ese asunto al Superintendente o su designado o poner ese asunto en sobre aviso, pero no se tomara ninguna acción en ese momento excepto cuando la ley lo permita.

- F. REPORT FROM STATE ADMINISTRATOR
- G. STUDENT BOARD MEMBER REPORT
- H. RECOGNITION OF TEACHERS WHO HAVE COMPLETED THE CONSTRUCTING MEANING TRAINING
- I. BOARD MEMBERS COMMENTS
- J. EMPLOYEE ORGANIZATIONS
- K. CONSENT AGENDA
 - 1. Approval of Minutes: October 17, 2012 and October 24, 2012 (Pages 1-10)
 - 2. Approval of Personnel Report Dated November 13, 2012 (**Daniel Moirao, Ed.D., State Administrator**)
 - 3. Approval of Contract with Uretsky Security for Greenfield High School (**Daniel Moirao, Ed.D, State Administrator**) (Pages 11-20)
 - 4. Approval of KCHS Cheerleaders Attending Competition Outside of the County (**Nicole Garcia, KCHS Cheer Advisor/Coach**) (Page 21)
 - 5. Approval of GHS Prom: A Night in the Bay on April 27, 2013 (**Chrystene Allred, GHS Leadership Advisor**) (Pages 22-29)
 - 6. Approval of Contract with Tucci Learning Solutions (**Linda Grundhoffer, CBO**) (Pages 30-31)
- L. CONSENT ITEMS REMOVED FOR COMMENT/QUESTIONS
- M. INFORMATION ITEMS
 - 1. Cash Flow Report from July 1, 2012 through October 31, 2012 (**Linda Grundhoffer, CBO**) (Pages 32-33)
 - 2. Revenue and Expenditure Report from July 1, 2012 through October 31, 2012 (**Linda Grundhoffer, Interim CBO**) (Pages 34-53)
 - 3. Board Policies (First Reading) (**Daniel Moirao, Ed.D., State Administrator**) (Pages 54-232)
 - BP 3511.1 - Business and Noninstructional Operations; Integrated Waste Management
 - AR 3511.1 - Business and Noninstructional Operations; Integrated Waste Management
 - AR 3550 - Business and Noninstructional Operations; Food Service/Child Nutrition Program
 - BP 4111 4211, 4311 - Personnel; Recruitment and Selection
 - AR 4112.6 4212.6, 4312.6 - Personnel; Personnel Files

BP 4112.9 4212.9, 4312.9 - Personnel; Employee Notifications
E 4112.9 - Personnel; Employee Notifications
BP 4119.1 4219.1, 4319.1 - Personnel; Civil And Legal Rights
BP 4119.21 4219.21, 4319.21 - Personnel; Professional Standards
BP 4119.41 4219.41, 4319.41 - Personnel; Employees With Infectious Disease
BP 4121 - Personnel; Temporary/Substitute Personnel
AR 4121 - Personnel; Temporary/Substitute Personnel
BP 5030 - Students; Student Wellness
BP 5131 – Conduct
BP 5131.2 - Bullying
BP/AR 5144.1 – Suspension and Expulsion/Due Process
AR 5144.2 – Suspension and Expulsion/Due Process (Students with Disabilities)
E 5145.6 – Parental Notifications
BP/AR 5145.7– Sexual Harassment
BP 6145 – Extracurricular and Cocurricular Activities
AR 6159 – Individualized Education Program
BP 7214 – General Obligation Bonds

N. ACTION ITEMS

1. Approval of Greenfield High School Site Plan (*Lisa Mazza, Principal*) (Pages 233-304)
2. Approval of King City High School Site Plan (*Janet Sanchez-Matos, Principal*) (Pages 305-346)
3. Approval of Resolution 12:12/13 Biliteracy Seal (*Daniel Moirao, Ed.D., State Administrator*) (Pages 347-348)
4. Approval of Nominations for CSBA Delegate Assembly (*Daniel Moirao, Ed.D., State Administrator*) (Pages 349-350)

O. SCHOOL REPORTS/UPDATES (Pages 351-362)

1. Greenfield High School, Lisa Mazza, Principal
2. King City High School, Janet Sanchez-Matos, Principal
3. Alternative Education Programs, Carolyn McCombs, Interim Principal

P. FUTURE AGENDA ITEMS/MEETING DATES

December 12, 2012 – Regular Board Meeting at the District Office

Q. SIGNING OF PAPERS

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

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT
BOARD OF EDUCATION
REGULAR BOARD MEETING

Wednesday, October 17, 2012

Minutes

BOARD OF EDUCATION

Mike Foster – President – Excused Absence
Debra McAlahney-Dodson – Clerk - Present
Paulette Bumbalough – Member - Present
Raul Rodriguez – Member - Present
Bob White – Member - Present

STATE ADMINISTRATOR

Daniel Moirao, Ed.D.

STUDENT BOARD MEMBER

Sarah Rae Shepherd –KCHS - Present
Adam Mann - GHS

OPEN SESSION:

Call to Order

Debra McAlahney-Dodson called the meeting to order at 5:25 PM. There were not any comments from the public. The Board recessed to closed session.

Public Comment

There were not any comments from the public.

CLOSED SESSION:

- A. Public Employment
 - B. Employee Discipline/Dismissal Release
 - C. Negotiations with Employee Organizations
 - D. Threatened/Potential Litigation
 - E. Student Matters – Transfer/Discipline
- Recommendation to Expel Student #03:12/13

OPEN SESSION:

Call to Order

Debra McAlahney-Dodson called the meeting to order at 6:30 PM.

Flag Salute

Debra McAlahney-Dodson led in the flag salute.

Report of Closed Session Actions

Debra McAlahney-Dodson said the recommendation to expel Student #03:12/13 for the remainder of the school year was accepted.

Approval of Agenda

Dr. Moirao said he would like to move the report from King City High School after the State Administrator's report. Action items 2 and 3, (the site school site plans), are being pulled from the agenda. The addendum, Action Item 5 Approval of Resolution #11:12/13 Designation of Authorized Agent to Sign School Orders is added to the agenda.

Dr. Moirao approved the agenda with the changes.

Public Comment

There were not any comments from the public.

Report from State Administrator

Dr. Moirao said there was an incident last night in the Greenfield community. Several of the victims were relatives of staff members. Students were being allowed to only enter 2 gates; there was supervision at the gates. The SRO officer at KCHS was ill and there was only one officer on duty in the evening. The King City Police Department - 1 - provide an officer at KCHS for lunch coverage today. Dr. Moirao said he was greatly appreciative the police department provided coverage. There

in which students were distressed, the teacher facilitated a discussion with the students. There were not any incidents during the day on the GHS campus. Dr. Moirao acknowledged the GHS administration for their support to students. John Sims was also on the scene last night and provided Dr. Moirao information of the incident earlier in the day. The Greenfield Police Department feels this type of incident are gangs seeking jumpers, and want to get them off the streets, and are trying to display authority.

Dr. Moirao said he is working with 4 Cities 4 Peace which will bring intervention prevention to both schools.

Dr. Moirao acknowledged Raul Rodriguez for the article in the October 13 Salinas Californian newspaper featuring him as a small business owner. He congratulated Mr. Rodriguez for the recognition.

Dr. Moirao said both the Rotary in Greenfield and King City will be recognizing a high school students of the month. The students will have their picture in the paper; King City will feature their first student in November.

This is the third week the auditors have been in the district, FCMAT also arrived this week for their 2 week review. The areas reviewed this week were Community Relations/Governance and Personnel.

On Thursday, October 11, Dr. Moirao said he as well as the site administrators and Claudia Arellano, Human Resources Administrator traveled to Ontario, CA to learn more on Master Scheduling.

Dr. Moirao distributed badges to each Board member. When Board members are on campus or attending an event, they will be able to wear the badges and be identified.

Dr. Moirao said the Community Relations/Governance FCMAT team was looking for the parent satisfaction survey results. The information was available; he will be including it in this week's Friday Update to the Board.

King City High School

Janet Sanchez-Matos said the peer observations are taking place in the departments as well as outside in preparation for the WASC visit. Board members are welcomed to join in on the peer observations and student interviews any day this month.

She acknowledged FFA for receiving their trophy. The homecoming event was a great success with community support.

During half time at the October 26 football game, the community will be recognized for the \$35,000 donation which was made to refurbish the track at King City High School. Those being recognized are John Romans, Jerry Rava, David Gill, Wesley Beebe, Richard Benson, Debbie Benson, Mustang Bench, and Mustang and Bronco football teams. The school wants to say thank you to the community. They will be presented with a plaque.

All sports are being represented very well.

On October 26 the Spector Dance team will be performing Ocean during 4th period at the Stanton Theatre. Ms. Sanchez-Matos said everyone is invited to attend.

There is a dentist in town that would like to come and speak to students about the importance of dental hygiene. He will be providing all students with free samples.

The Great Shake Out Day is scheduled for October 18 at 10:18 AM, King City High School will be participating.

The Talent Search Filed trip will take place on Friday, October 26, they will be going to Santa Barbara. Carolina Sorio has coordinated this trip. She is also conducting workshops at KCHS every Wednesday after school to help students fill out college applications. Parents can also attend this workshop and be part of the application process.

There were 125 students targeted to attend Saturday School, 75 students attended. Funding for Saturday school is covered by Title I.

GEAR-Up will be coming to KCHS soon.

Student Board Member Report

Sarah Rae Shepherd said the first quarter finished on Friday. Seniors are also starting to submit applications to colleges. The deadline to submit applications is at the end of November. Workshops are being offered every Wednesday in the library to assist students. Credit recovery is being offered on Saturdays to students who need to make up classes. Teachers are also offering tutorials to students. They are planning for the Prom which will be held in Monterey in April 2013. A barbeque fundraiser was organized. There will be a Scary Movie Night. The Art Club has organized a "self-pride-week". There will be activities during noon time and students will be displaying their art work. They are organizing a community blood drive; this is being organized to give back to the community. The mums which were recently sold for homecoming raised \$1,500.

The Freshman won the week long decorating during homecoming week. Organized activities were held during homecoming week, which was a lot of fun.

The KCHS football team is 3-3 overall, with a 2-1 record in the Mission Trail Athletic League. There are 32 student athletes with Todd Sans and Jake Stephens being the top 2 athletes in the area, statistics wise. Todd is in the top ten for rushing and Jake for passing yards and touchdowns.

This Friday the football team will be playing at Soledad.

Cross country is doing very well. The JV Boys are undefeated and the Varsity Boys have lost 1 meet.

Volleyball is 9-0 in the league.

Two students from FFA presented a trophy they received for the best chapter in the section. Each officer attended a workshop for the purpose of being better informed. Nick Traini, a KCHS Ag teacher entered the lip sync contest, and won the contest. This is the first year FFA has awarded this perpetual trophy; they are hoping they will win next year so they will be able to keep the trophy. The winner is selected from a tally system and participation in public speaking.

Presentation from Portola-Butler Continuation High School Students

Paula Balekian said there has been an upswing in the last several years for students to make up credits and graduate. Since credit recovery was introduced it has allowed students to become more successful in graduating. Last year 54 students graduated. She felt the key was willingness on the part of the students and the teacher's attention to their needs. There will be 10 students returning to King City High School, 10 students will graduate early, and one student has already graduated. 25 students are on track right now to graduate in June 2013.

Ms. Balekian said Sylvia Pineda, who will be speaking this evening, has already completed over 55.2 units this year. These are all core subjects. The program can be customized for the student. Ms. Balekian thanked Dr. Moirao for allowing their classes to be kept at a maximum of 20 students.

Ms. Balekian said 4 students will be speaking this evening addressing how they got to Portola-Butler and how the credit recovery program is working for them.

Patrick Alvarado said he has earned 40 credits in this first quarter; he has worked on his own in the credit recovery program. He said the reason he is attending this school is because he was sick a lot, and has only one kidney. When he was 10 years old he caught a cold and was hospitalized for one to two months, he also had his appendix removed. At the comprehensive site he was behind on credits and asked the teachers to give him assignments, he said he is also a Special Ed student. He did not receive the attention or help he needed at the comprehensive sites. At Portola-Butler he can work on his own time, he is serious about earning the necessary credits to graduate. He feels Portola-Butler has helped him to be successful in reaching his goal to graduate.

Paulette Bumbalough said the fact he has already earned 40 units is amazing.

Gloria Morales said she wants to graduate. She got behind in credits because she lost her mother when she was 9 years old and had to help raise the family. She did not do homework when she was at the comprehensive site because she had to take care of her younger siblings. She said Portola-Butler works for her because the teachers listen and make time for her; the teachers are very strict but helpful. She goes to school 3 hours a day, which allows her to then take care of the family and do her homework.

Ms. Balekian said Gloria Morales puts in a lot of extra time. The average range for a student to earn credits in a semester is between 17.5 and 25. These 3 students have earned over 30 credits. Javier Aviles said he is attending Portola Butler because he had been home schooled, but that did not work for him. He was also expelled and locked up. He has now completed probation and is working hard to earn his credits at Portola-Butler. He has earned 37.5 credits and anticipates graduating in June 2014. He feels Portola-Butler is better for him because the focus is on the students.

Ms. Balekian said they are not being critical of the instruction at the comprehensive site; there is a big difference in having a classroom of 35 students compared to 20 students. She appreciated the hard work from the teachers at the comprehensive sites.

Sylvia Pineda said her parents work in the fields and migrate, therefore they moved a lot. She would attend school, but not finish a semester, and transcripts were never sent to her new school, therefore she lost units. She has worked hard to build up her units. She has not seen her mother for 2 years because of immigration issues. She knows she needs to graduate to be successful and has taken work home to complete.

Hortencia Lopez has sent transcripts ahead to her new school; therefore she will not lose units she has completed. She has earned 53 units this year.

Ms. Balekian said Ms. Lopez has been very supportive of students. Ms. McCombs has interviewed students to make sure they are correctly placed, and speakers are still giving presentation to students.

Recognition of Teachers Who Have Completed the Constructing Meaning Training

Dr. Moirao said a total of 29 teachers completed the training. Jennifer Beach, Debbie Benson, Miguel Silva, and Adriana Veysey were in attendance to receive their certificate of completion. The teachers have taken the information learned to their classroom and developed lesson plans to include strategies. He appreciated their commitment, it does make a difference.

Board Members Comments

Paulette Bumbalough said she finished the Masters in Governance training in 8 months, it was an excellent training.

Ms. Bumbalough commented, at Rotary today, Dr. Rouse, the Superintendent of the KCUSD presented their district STAR scores Board goals. Dr. Moirao said he will be giving that information to the Board in the Friday Update.

Hartnell is working with the high school as well as the middle school regarding their Robotics program.

Raul Rodriguez said API scores at Greenfield middle school have increased by 100 points. Their elementary school is the most improved in the county. Vista Verde had an increase of 53 and the district 33 overall. He said he is concerned about the scores at Greenfield High School. The API scores are available to the public, some parent's research school scores when they are considering relocating. He suggested it might be a good idea to submit a Board article to the local newspapers.

Mr. Rodriguez said he received several calls from the media regarding the shooting at Greenfield last night. He said the media was announcing authorities were being hampered, that was a misunderstanding. This is negative information which impacts the city and schools. Image is very important.

Debra McAlahney-Dodson said we are committed to our communication plan. She suggested a Board Study Session to review the results from the parent survey. Review what it means, results and what are we going to do with it. She said she informed FCMAT the plan needs to be worked on. The information can set precedence.

The Board felt the bad should not be hidden, but there should be balance with the good.

Ms. McAlahney-Dodson said the website needs to be updated, she felt this was an avenue for the district to shine and showcase.

Employee Organizations

There were not any comments from the employee organizations.

Consent Agenda

1. Approval of Minutes: September 12, 2012 and September 26, 2012, October 9, 2012
2. Approval of Personnel Report Dated October 17, 2012
3. Approval of First Quarter Williams Quarterly Report
4. Approval of Resolution #10:12/13 GANN Limit
5. Approval of Agreement Between California Property Record Systems (CPRS) and the SMCJUHSD
6. Approval of the Surplus of Adult Education ELS Textbooks
7. Approval of Agreement with Simpson University and the SMCJUHSD
8. Approval of Agreement with Clark Consulting Services and the SMCJUHSD
9. Approval of Amended License Agreement Between MetroPCS California LLC and the SMCJUHSD

Paulette Bumbalough said she would like items 6, 7, 8, and 9 removed for further discussion

A personnel report was not presented. Dr. Moirao approved the consent agenda excluding 2, 6, 7, 8, and 9.

Consent Items Removed for Comment/Questions

Paulette Bumbalough inquired what happens to books which are considered surplus. Dr. Moirao said when books are approved to be surplus, this allows the district to donate the books. Carolyn McCombs said there is a community group in King City who can use the books for ESL classes. This is adult ed material the district would not be using.

Dr. Moirao said once they are approved to be discarded, then we can give them to an organization which would have use for them.

Paulette Bumbalough said #7 for the Simpson University is like an MOU, she inquired if there was any cost to the district. Dr. Moirao said we do not pay for anything. It is just to place a student teacher if there are any. Dr. Moirao said the MOU did not have the correct name of the district or State Administrator. The university has been contacted and is expecting to submit a corrected MOU soon.

Ms. Bumbalough inquired about consent item 8. Dr. Moirao said it is professional development for teachers and administration, centered on ELD.

Bob White noted on page 25, the ending date for the contract was June 2012. Dr. Moirao clarified the date should be June 2013. A revision will be requested.

Paulette Bumbalough inquired where the Metro PCS towers were located; the response was the towers are on the KCHS campus. The district will be receiving a monthly payment from the company allowing them to have the towers on our property.

Dr. Moirao approved consent items 6, 7, 8 and 9

INFORMATION ITEMS

Cash Flow Report from July 1, 2012 through September 30, 2012

Dr. Moirao said Linda Grundhoffer was not in the office today. The cash flow is showing as negative because we have not received money from the state or the loan, we had to meet payroll. We are anticipating getting the money in January. He said Linda Grundhoffer is not worried at the present time. Debra McAlahney-Dodson asked if this was projected. Bob White said this indicates our cash flow, and is showing as negative only because the state has not given us the money. It just gives us a sense of how we are functioning.

Revenue and Expenditure Report from July 1, 2012 through September 30, 2012

Dr. Moirao said this report does not reflect any of the prior year carryover balances or changes in revenues and expenditures that might have changed as of September 2012. Linda Grundhoffer will be updating all of the changes in the First Interim report, which will reflect all changes as of October 31, 2012.

Board Policies (First Reading)

BP 3511.1 - Business and Noninstructional Operations; Integrated Waste Management
AR 3511.1 - Business and Noninstructional Operations; Integrated Waste Management
AR 3550 - Business and Noninstructional Operations; Food Service/Child Nutrition Program
BP 4111 4211, 4311 - Personnel; Recruitment and Selection
AR 4112.6 4212.6, 4312.6 - Personnel; Personnel Files
BP 4112.9 4212.9, 4312.9 - Personnel; Employee Notifications
E 4112.9 - Personnel; Employee Notifications
BP 4119.1 4219.1, 4319.1 - Personnel; Civil And Legal Rights
BP 4119.21 4219.21, 4319.21 - Personnel; Professional Standards
BP 4119.41 4219.41, 4319.41 - Personnel; Employees With Infectious Disease
BP 4121 - Personnel; Temporary/Substitute Personnel
AR 4121 - Personnel; Temporary/Substitute Personnel
BP 5030 - Students; Student Wellness

Dr. Moirao said the wording is how it comes from CSBA, it gives a sense of the change and why. Some policies had recently been approved, but new laws have now come into effect. Dr. Moirao asked the Board to suggest changes at the first reading, the second reading is for approval.

Debora McAlahney-Dodson proposed, when changes are being made in policies for the district to indicate the current policy so a comparison can be made with the new change.

Dr. Moirao said these first readings would be brought back as a first reading on the November board agenda.

ACTION ITEMS

Approval of Employment of Bernie Barge on the Basis of a Provisional Internship Permit

Dr. Moirao said we have the right to seek a temporary authorization, it allows the district to have Mr. Barge teach while he pursues full certification.

Approval of King City High School Site Plan

Dr. Moirao said the plan is being pulled. We were trying to get the information together before FCMAT arrived, but there are still things which need to be worked through.

Approval of Greenfield High School Site Plan

Dr. Moirao said this plan was being pulled for the same reason.

Board Policy (Second Reading)

BP 5131 – Conduct

BP 5131.2 - Bullying

BP/AR 5144.1 – Suspension and Expulsion/Due Process

AR 5144.2 – Suspension and Expulsion/Due Process (Students with Disabilities)

E 5145.6 – Parental Notifications

BP/AR 5145.7– Sexual Harassment

BP 6145 – Extracurricular and Cocurricular Activities

AR 6159 – Individualized Education Program

BP 7214 – General Obligation Bonds

Dr. Moirao said the second readings would be moved to the November board meeting.

Approval of Resolution #11:12/13 Designation of Authorized Agent to Sign School Orders

Dr. Moirao said, with the return of Linda Grundhoffer as the CBO, her name needs to be added to allow her to sign checks.

Dr. Moirao approved Resolution #11:12/13

SCHOOL REPORTS/UPDATES

Greenfield High School

Lisa Mazza said they are starting to review data and use PLC's. They are also looking at discipline data. The current student enrollment is between 900 and 904.

Ms. Mazza said the office referrals are up this year from last year. Changes have been made regarding referrals. They have put the wearing of no red policy in place and are enforcing the policy. The reason for stricter enforcement is because we want to keep students safe. A recent example is a student wore red sock and was told to remove them.

They are also enforcing school wide passes, discipline was an issue. There should be no reason why a student is out of class without a pass. The majority of tardiness is just before first period and right after lunch. The Assistant Principal and Campus Security are administering detention for the first tardy and Saturday school after that. These changes were put in place last week. A student is considered tardy when the second bell rings. The first day of this enforcement 49 students were issued detentions and 30 on the second day.

Additional noon supervision has been implemented. The green line has also been repainted to alert students of their boundaries. The first day students challenged the enforcement, but are now respecting the boundaries. It seems to be working well now; we want the campus to be safe. All students can now be seen from the quad area

Miguel Silva said the green line started in 2003.

Ms. Mazza said the AVID students went to the Carmel Arts and Ideas Festival. On November 2, Dr. Ramon Resa will be visiting GHS to speak to students. He was raised by his grandparents and worked in the fields. He went to college, got his doctorate degree and is now speaking to students and encouraging them to pursue their dreams.

Ms. Mazza reviewed data from the CDE website regarding the graduation rate, and the progress being made with the ELL students. After school classes are being offered on Monday and Tuesday for students who need assistance in math. Wednesday, Thursday, and Friday after school classes are being offered for students who need assistance in English language arts. The credit recover program is also available for students.

The Board said they would like to have a copy of the report. Dr. Moirao said this information is on the CDE website, there is a link to the county, then district and then the school.

Raul Rodriguez said he found the Board study session on test scores to be interesting and liked the action plan of what will be done.

Ms. Mazza said homecoming at GHS was last Friday. Everyone performed in a sportsman like manner.

The shooting which occurred last week did affect the students. She thanked Dr. Moirao and Angel Torres for their assistance on campus.

Ms. Mazza thanked Greenfield Rotary and Raul Rodriguez from La Plaza Bakery for their generous donation toward their music program.

Raul Rodriguez asked how many guitar classes are being offered. Ms. Mazza said there are 2 sections. Students can check guitars out to take home to practice.

Alternative Education Programs

Ms. McCombs said there were so few students at Portola-Butler who took the API test it was not an accurate sampling to make a determination of their success rate.

Future Agenda Items/Meeting Dates

November 13, 2012 – Regular Board Meeting at Greenfield High School

December 12, 2012 – Regular Board Meeting at the District Office

Dr. Moirao said a special board meeting will need to be scheduled soon for students who have been expelled from school.

Dr. Moirao said he will be suggesting dates for upcoming Board study sessions.

Signing of Papers

Dr. Moirao signed appropriate papers.

Adjournment

The meeting adjourned at 8:05 P.M.

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT
BOARD OF EDUCATION
SPECIAL BOARD MEETING

Wednesday, October 24, 2012

Minutes

BOARD OF EDUCATION

Mike Foster – Present
Debra McAlahney-Dodson – Excused Absence
Paulette Bumbalough – Excused Absence
Raul Rodriguez – Present
Bob White – Excused Absence

STATE ADMINISTRATOR

Daniel Moirao, Ed.D.

OPEN SESSION:

Call to Order

The meeting was called to order at 5:25 P.M.

Public Comment

There were not any comments from the public. The meeting was moved to closed session.

CLOSED SESSION:

- A. Public Employment
- B. Student Matters – Transfer/Discipline
 - Recommendation to Expel Student #04:12/13
 - Recommendation to Expel Student #05:12/13
 - Recommendation to Expel Student #06:12/13
 - Recommendation to Expel Student #07:12/13

OPEN SESSION: 6:00 PM

Call to Order

The meeting was called to order at 6:04 P.M.

Flag Salute

Mike Foster led in the flag salute.

Report of Closed Session Action

Mike Foster said the recommendation to expel students #04:12/13, #06:12/13, and #07:12/13 for the remainder of the school year was accepted. The recommendation to suspend the expulsion for student #05:12/13 was accepted.

Approval of Agenda

Dr. Moirao approved the agenda.

Public Comment

There were not any comments from the public.

CONSENT AGENDA

- 1. Approval of the KCHS Magic Mountain Grad Nite
- 2. Approval of the KCHS Prom at the Marriott in Santa Cruz
- 3. Personnel Report Dated October 24, 2012

The Board did not have any questions on items on the consent agenda. Dr. Moirao approved the consent agenda.

Adjournment

The meeting adjourned at 6:05 P.M.

Daniel R. Moirao, Ed.D., State Administrator

Date

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

SUBJECT: Approval of Contract with Uretsky Security for GHS **MEETING:** November 13, 2012

AGENDA SECTION:

☐ **ACTION**

☐ **INFORMATION**

XX ACTION/CONSENT

GOVERNING BOARD

Board Goals:

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

Greenfield High School has been without an SRO since the beginning of this school year, due to a medical condition of the assigned officer. For student safety the need to have a uniformed official on campus to assist with student discipline is imperative. This contract with Uretsky Security would provide that assistance and is a security firm recommended by the Greenfield Police Department.

Recommendation:

It is recommended that the Contract Agreement with Uretsky Security be approved.

Fiscal Impact:

Funding to provide this service will come from the budget item that would be used to pay the City of Greenfield for an SRO. There is no negative impact to the adopted budget.

Submitted By:



Daniel R. Moirao Ed.D.

Approved:



Daniel R. Moirao Ed.D.
State Administrator



PPO16659

URETSKY SECURITY

201 D Calle Del Oaks, Del Rey Oaks Ca 93940

Office: (831) 324-0687 / Fax (831) 646-0433

E-Mail: info@uretskysecurity.com

Web: www.Uretskysecurity.com

SECURITY SERVICE CONTRACT

BETWEEN

URETSKY
SECURITY

&

SOUTH MONTEREY COUNTY JOINT UNION
HIGH SCHOOL DISTRICT

SECURITY CONTRACT

This Contract is made and entered into as of October 31, 2012 between South Monterey County Joint Union High School District, located at 800 Broadway, King City, CA 93930, hereinafter referred to as "Client", and URETSKY SECURITY, a California corporation (hereinafter called Contractor).

RECITALS

WHEREAS, Uretsky Security is in the business of furnishing security officers to the customer at the time(s) and place(s) herein defined, and

WHEREAS, Client, requires unarmed, routine, stationary and patrolled security service for its property and special events; and,

IT IS MUTUALLY AGREED AS FOLLOWS;

1. URETSKY SECURITY agrees, pursuant to request of CLIENT, to furnish Security Officer service needed by CLIENT at the site(s) location indicated below.

2. LOCATION & TIMES OF SERVICE

CLIENT hereby authorizes and employs URETSKY SECURITY to provide security services described below for the period of time stated herein, and agrees to pay accordingly the sum stated below.

a. The premises to be served by URETSKY SECURITY are;

- o South Monterey County Joint Union High School District – Greenfield Campus, 225 El Camino Real, Greenfield, CA 93927

b. The Date & Time to be served by URETSKY SECURITY are;

- o Start Date: October 31, 2012
- o Service Days: Monday through Friday (when school is in session)
- o Service Times: 7:45 AM – 3:15 PM (school hours)

30 30

3. SCOPE OF SERVICE

a. URETSKY SECURITY will provide CLIENT with state licensed security personnel and render the following security services;

- o To prevent juvenile delinquency through close contact with student and school personnel
- o To provide security for special school events or functions
- o Access Control to Property - prevent non-authorized individuals on grounds
- o Crime Prevention – Prevent and /or report any criminal activity observed

b. CLIENT hereby consents to URETSKY SECURITY entering said property and/or premises to provide the services.

c. CLIENT agrees to furnish URETSKY SECURITY with a written list of names, titles, telephone numbers, and signature of all persons authorized to enter the premises of the CLIENTS during CLIENTS absence from the premises if requested by URETSKY SECURITY. All changes, revisions and modifications to the above shall be promptly supplied to URETSKY SECURITY in writing

- d. **URETSKY SECURITY** agrees to comply with all provisions furnished by the **CLIENT** which detail duty procedures and the **CLIENTS** requirements as to **URETSKY SECURITY** patrol officers standard of cleanliness, dress, conduct, and courtesy while the officers are on the **CLIENTS** premises.

4. **INSURANCE & EQUIPMENT**

- a. **URETSKY SECURITY** shall furnish, at **URETSKY SECURITY'S** own expense, all labor, materials, equipment, and other items necessary to carry out the terms of this agreement.
- b. **URETSKY SECURITY** carries workman's compensation insurance to the extent required by the appropriate statutes as well as Vehicle and Public Liability Insurance, including error and omissions in an amount satisfactory to the **CLIENT**. **URETSKY SECURITY** agrees to provide the **CLIENT** with the Certificate of Insurance upon request
- c. \$5,000,000 PL, PD liability insurance coverage per occurrence,
- o Any automobile or mobile equipment which is furnished by **URETSKY SECURITY** for use by **CLIENT** its agents or employees, shall be insured by **URETSKY SECURITY**.

5. **RATES AND PAYMENTS**

- a. **CLIENT** agrees to pay **URETSKY SECURITY** for the **security services** indicated above the sum of **\$21.00 per man-hour for each security officer**. The **CLIENT** may add additional hours at anytime during the contractual period at the above pay. These hours will remain in effect until the **CLIENT** no longer needs the additional coverage.
- b. Holiday, overtime, and emergency call out rates will be time and one half the regular rates (**\$31.50 per hour**). The law governing overtime as directed by the Department of Labor will prevail in this contract. **If courtroom testimony or deposition is required the fee will be \$31.50 per man-hour and 50 cents per mile** to and from the security guards home and location of testimony or deposition.
- c. Holiday rate will be time and one-half the regular rate of \$31.50 per man-hour. Holidays are as follows: *Christmas, New Year's Day, Memorial Day, Independence Day, Veteran's Day, Thanksgiving Day*
- d. Additional security officers will be provided by **URETSKY SECURITY** on request of the **CLIENT** for special events and/or additional security duties. The days and hours will be determined at the time of notice by the **CLIENT** and will be provided at the rate of \$21.00 per man-hour.
- o Requests by the **CLIENT** for special events or emergency security coverage to **URETSKY SECURITY** with twenty-four (24) hours notice or less will be provided at a rate of \$31.50 per man-hour. If, for any reason, **URETSKY SECURITY** is unable to meet the **CLIENTS** request for short notice security service, the **CLIENT** cannot hold **URETSKY SECURITY** liable.
- e. **CLIENT** hereby agrees that **URETSKY SECURITY** shall have the right to request a rate increase provided herein commencing after the expiration of one (1) year from the date hereof or expiration of signed contract, whichever comes first, up to 5%. If the increase is more than 5% the **CLIENT** will be given at least thirty (30) days prior written notice and may cancel the un-expired term of this Agreement, effective on the date of the proposed price increase, by notifying **URETSKY SECURITY** within thirty (30) days of the price increase notice.
- f. Billing for services rendered under this contract will be submitted to the **CLIENT** at the end of each billing month following completion of such services and shall be due no later than **fourteen days (14) days upon receipt of such bill**.

- g. Accounts are deemed delinquent thirty (30) days from statement date. If **payment is not received within 45 days of the billing date, the CLIENT shall pay URETSKY SECURITY** an additional sum of (.08%) of the overdue amount as a late charge. Interest on any account overdue more than forty-five (45) days shall accrue at the rate of .08% per month from the due date. Notwithstanding the forgoing, if the **CLIENT** fails to pay amounts owing hereunder within forty-five (45) days after the amount is due and payable, **URETSKY SECURITY** shall have the right to discontinue the service and recover from the **CLIENT** all sums **URETSKY SECURITY**, may be entitled to under the law.
- h. In the event it shall be necessary for **URETSKY SECURITY** to institute legal proceedings to collect the charges for provision of services or any other charges as set forth herein, then the prevailing party shall be entitled to recover its reasonable attorneys' fees and cost where permitted by law. The parties agree that any action or suit relating to the Agreement shall be instituted and tried in the Superior Monterey, California.
- i. In case of billing disputes, the **CLIENT** must submit a written statement of dispute within seven (7) days of the disputed invoice date; otherwise the **CLIENT** accepts such invoice as correct for services rendered.
- j. In case of any claim or potential claim arising out of any services rendered by **URETSKY SECURITY**, **CLIENT** shall give written notice to **URETSKY SECURITY** within 45 days following **CLIENT'S** first notice of such claim or potential claim. No action to recover any claim of **CLIENT** shall be instituted or maintained against **URETSKY SECURITY** unless **CLIENT** provides written notice of such claim to **URETSKY SECURITY** in the manner and form set forth in this Agreement
_____ **Initials.**

6. TERMS

- a. All security officers furnished to the **CLIENT** by **URETSKY SECURITY** are the employees of **URETSKY SECURITY**. **URETSKY SECURITY** will pay wages, taxes, including, but not limited to Social Security, Federal, and State Unemployment Taxes and other expenses relating to each of its employees.
- b. **URETSKY SECURITY** will hire, train, supervise, and controls its employees and will remove any security officer not acceptable to the **CLIENT** upon showing reasonable cause. **CLIENT** and **URETSKY SECURITY** agree that in the performance of this Agreement, there shall be no discrimination on account of race, religion, sex, age, or national origin and each shall comply with applicable federal, state, and local laws and regulations pertaining to fair employment practices. **URETSKY SECURITY** agrees that security officers furnished under this contract shall be performed by employees in conformity with practices current in the industry.
- c. The Security Officer furnished by **URETSKY SECURITY** shall perform such security related services as agreed upon by the **CLIENT** and **URETSKY SECURITY**. It is understood that the security officer shall be and remain an employee of **URETSKY SECURITY** and that **URETSKY SECURITY** shall be responsible for hiring, licensing, training, and supervising of all such security officers. However, notwithstanding the foregoing, if the **CLIENT** alters any written post instructions or directions given to the security officer by **URETSKY SECURITY**, or if the **CLIENT** assumes any supervision of said security officer, the **CLIENT** shall be solely liable for any and all consequences.
- d. During the term of this agreement, the **CLIENT** agrees to use exclusively personnel from **URETSKY SECURITY** at the sites described above, and **URETSKY SECURITY** agrees to furnish such number of security officers as required and defined by the **CLIENT** at the sites described above.

- e. **URETSKY SECURITY** is not an employment agency and the services it furnishes to the **CLIENT** are made possible only by substantial investment in advertising, recruiting, testing, and training of personnel. In consideration of the time and expense invested in providing these services, the **CLIENT** agrees not to hire any employee or former employee of **URETSKY SECURITY** directly or indirectly without permission from **URETSKY SECURITY**, regardless if the **CLIENT** or employee has terminated its relationship with **URETSKY SECURITY**. **CLIENT** agrees to pay a penalty fee of **\$25,000** for every employee of **URETSKY SECURITY** hired in breach of this paragraph.
- f. Neither **URETSKY SECURITY** nor **CLIENT** will be held responsible for any damages caused by delay or failure to perform the services due to fire, strike, act of God, any extreme emergency, a legal act of public authority, or any other cause beyond the reasonable control of either party.
- g. **URETSKY SECURITY** makes no guarantee or warranty that the services supplied will avert or prevent occurrences or the consequences here from which the services are designed to detect or avert.
- h. **CLIENT** understands and agrees that **URETSKY SECURITY** and **URETSKY SECURITY** employees are not employees of the **CLIENT** and are not entitled to benefits of any kind or nature normally provided employees of the **CLIENT** and/or to which **CLIENT** employees are normally entitled, including, but not limited to, Stated Unemployment Compensation or Workers' Compensation. **URETSKY SECURITY** shall assume full responsibility for payment of all Federal, State, and local taxes or contributions with respect to **URETSKY SECURITY** employees.
- i. In the performance of the work herein contemplated, **URETSKY SECURITY** is an independent contractor, with the authority to control and direct the performance of the details of the work, **CLIENT** being interested only in the results obtained.
- j. Neither party shall assign or delegate any part of this agreement without written consent of the other.
- k. The work completed herein must meet the approval of the **CLIENT** and shall be subject to the **CLIENTS** general right of inspection and supervision to secure the satisfactory completion thereof. **URETSKY SECURITY** agrees to comply with all Federal, State, Municipal and District laws, rules, and regulations that are now, or may in the future become applicable to **URETSKY SECURITY**, its business, equipment, and personnel engaged in operations covered by this agreement or accruing out of the performance of such operations.
- l. This Agreement shall be interpreted, enforced and governed in all respects by the laws of the State of California applicable to instruments, persons, transactions, entities, and subject matters, which have legal contracts and relationships solely within the State of California. The language of this Agreement shall be construed as though all parties have participated equally in its drafting and as a whole according to its fair meaning and not strictly for or against any of the parties. If any provision of this Agreement is determined by a court of competent jurisdiction to be illegal, invalid or unenforceable, then such provision shall be deemed severed and deleted from this Agreement as a whole and neither such provision nor its severance and deletion shall in any way affect the validity of the remaining provisions of this Agreement.
- m. This writing is intended by the parties as a final expression of their agreement and as a complete and exclusive statement of the terms thereof. This agreement supersedes all prior representations, understanding, or agreement of the parties and the parties rely only upon the content of this Agreement in executing it. This Agreement can only be modified by a writing signed by the parties or their duly authorized agent.

- n. Failure of **URETSKY SECURITY** to enforce any provision of this Agreement, or any of its rights under this Agreement shall not be considered a waiver of such provision or in any way affect the validity of this Agreement.
- o. In the event any of the terms or provisions of this Agreement shall be declared to be invalid or inoperative, all of the remaining terms and provisions shall remain in full force and effect.
- p. This contract may be terminated by either party at any time with no penalty. Notwithstanding this Agreement may be suspended or cancelled without notice at the option of **URETSKY SECURITY**, if **URETSKY SECURITY** or the **CLIENT'S** premises is destroyed by fire or other catastrophe, or so substantially damaged that it is impractical to continue service, or in the event **URETSKY SECURITY** is unable to render service due to circumstances beyond its reasonable control.

CLIENT understands and acknowledges he/she has read the entire contract and agrees to each of its provisions
IN WITNESS WHEREOFF, the parties have executed this agreement as of the date first written above.

URETSKY SECURITY
School District

Printed Name: **Nicholas Cina**

Signature: _____

Title: **Partner**

Date: _____

South Monterey County Joint Union High

Printed Name: DANIEL R. MOIRAO

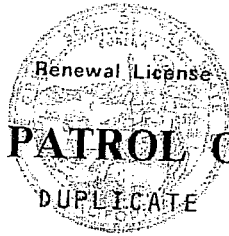
Signature: Daniel R. Moirao

Title: STATE ADMINISTRATOR

Date: Oct. 29, 2012



DEPARTMENT OF CONSUMER AFFAIRS



Bureau of Security and Investigative Services
P.O. BOX 989002
West Sacramento, CA 95798-9002
(916) 322-4000

PRIVATE PATROL OPERATOR

LICENSE NO. PPO 16659
RECEIPT NO. 21590501

VALID UNTIL JULY 31, 2014

URETSKY SECURITY
201 D CALLE DEL OAKS
DEL REY OAKS CA 93954

In accordance with the provisions of
Division 3, Chapter 11.5 of the Business
and Professions Code, the company
named hereon is issued a Private Patrol
Operator License Renewal.

----- NON-TRANSFERABLE --- POST IN PUBLIC VIEW -----

WPIPP0 02/29/08

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
3/22/2012

PRODUCER (831) 373-4925 FAX: (831) 373-6935

Monterey Insurance Agencies

P.O. Box MIA

401 Fremont Street, Suite 100

Monterey CA 93940-3263

INSURED

Uretsky Security

201 D Calle Del Oaks

Del Rey Oaks CA 93940

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE

NAIC #

INSURER A: Philadelphia Indemnity

18058

INSURER B: Zurich American Insurance

16535

INSURER C:

INSURER D:

INSURER E:

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR	ADD'L LTR	INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A			GENERAL LIABILITY	PHPK832537	2/24/2012	2/24/2013	EACH OCCURRENCE \$ 1,000,000
			<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY				DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000
			<input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR				MED EXP (Any one person) \$ 20,000
			GEN'L AGGREGATE LIMIT APPLIES PER:				PERSONAL & ADV INJURY \$ 1,000,000
			<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC				GENERAL AGGREGATE \$ 2,000,000
A			AUTOMOBILE LIABILITY	PHPK832537	2/24/2012	2/24/2013	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
			<input checked="" type="checkbox"/> ANY AUTO				BODILY INJURY (Per person) \$
			<input type="checkbox"/> ALL OWNED AUTOS				BODILY INJURY (Per accident) \$
			<input checked="" type="checkbox"/> SCHEDULED AUTOS				PROPERTY DAMAGE (Per accident) \$
			<input checked="" type="checkbox"/> HIRED AUTOS				
			<input checked="" type="checkbox"/> NON-OWNED AUTOS				
A			GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT \$
			<input type="checkbox"/> ANY AUTO				OTHER THAN EA ACC \$
							AUTO ONLY: AGG \$
A			EXCESS/UMBRELLA LIABILITY	PHUB374523	2/24/2012	2/24/2013	EACH OCCURRENCE \$ 4,000,000
			<input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE				AGGREGATE \$ 4,000,000
			<input type="checkbox"/> DEDUCTIBLE				
			<input checked="" type="checkbox"/> RETENTION \$ 10,000				
B			WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	WC9697486-00	2/24/2012	2/24/2013	<input checked="" type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER
			ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?				E.L. EACH ACCIDENT \$ 1,000,000
			If yes, describe under SPECIAL PROVISIONS below				E.L. DISEASE - EA EMPLOYEE \$ 1,000,000
			OTHER				E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

CERTIFICATE HOLDER

Proof of Insurance

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Paul Bystrowski/AMBER

Paul Bystrowski

CORD 25 (2001/08)

5025 (0108).08a

IMPORTANT

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

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

SUBJECT: Approval for KCHS Cheerleaders to Attend
Competition Outside of the County

MEETING: November 13, 2012

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 King City High School Varsity Cheerleaders (up to 20 members) would like to attend the USA (United Spirit Association) this school year. The request is being made for approval for the team to travel to the competitions.

Each squad member will pay for all competition fees and lodging. District approved drivers will transport and chaperone (1 chaperone per 4 students) our teams to and from competition using private vehicles

This is a list of all possible dates and locations:

December 2, 2012 – Stockton, CA
December 8, 2012 – Tracy, CA
January 5, 2013 – Elk Grove, CA
January 12, 2013 – Antioch, CA
March 15-17, 2013 – Anaheim, CA

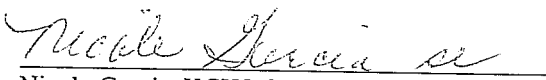
Recommendation:

The recommendation is to approve the trips.


Fiscal Impact:

All costs are paid by individual squad members.

Submitted By:


Nicole Garcia, KCHS Cheer Advisor/Coach

Approved:


Daniel R. Moirao, Ed.D.
State Administrator

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT
GOVERNING BOARD

SUBJECT: Approval of GHS Prom: A night in the Bay on April 27, 2013 **MEETING:** November 13, 2012

AGENDA SECTION:

☐ **ACTION**

☐ **INFORMATION**

☒ **ACTION/CONSENT**

Board Goals:

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

A group of 135 students and 10 chaperones will be departing from GHS April 27, 2013 to Mariner Square in Alameda, CA where students will then board a yacht, cruise the San Francisco Bay for four hours with dinner and dancing included. Cost will be \$160 per student.

Students will depart from GHS via Charter Bus at 4:00 pm and Return at 1:00am April 28, 2013

Recommendation:

The Recommendation is to approve the Prom.

Fiscal Impact:


The Prom will be fully funded by Leadership and the students attending the event. There will be no fiscal impact on the district.

Submitted By:



Chrystene Allred
GHS Leadership Advisor

Approved:



Daniel R. Moirao, Ed.D.
State Administrator



CommodoreEvents.com

2394 Mariner Square Drive Alameda, CA 94501
510.337.9000/373.5488 Fax

DATE: SATURDAY, APRIL 27, 2013

NAME: Greenfield HS Commodore Chrysi Allred

REP & SOURCE: Toby Proescher, ETTT

YACHT: PINOT NOIR COMMODORE

SITE: Mariner Square, Alameda

TIME: Boarding: 6:45 PM
Cruising: 7:00 PM - 11:00 PM

FEES PER GUEST: \$95 per student all inclusive

\$1000 refundable damage deposit

4 free chaperones/100 students

GUEST MIN: 100 **GUEST EXPECTED:** 100

DEPOSIT REC'D: \$1000 **DATE:** To Reserve

ADDITIONAL
DEPOSIT DUE: **DATE:**

BALANCE DUE: \$9500 + extras **DATE:** 4/27/13

MENU:

FLAGSHIP BUFFET DINNER

SALAD

Caesar Salad

San Francisco Sourdough Bread & Butter

ENTREES

Pasta Primavera

Champagne Chicken with Grapes & Mushrooms

ACCOMPANIMENTS

Rice Pilaf

Garden Vegetables du Jour

DESSERT BUFFET

Chef selection Assorted Desserts

BAR SERVICE: Unlimited soft drinks and juices. Italian Roast Coffee and a Selection of Teas

MARQUEE TO READ:

**GREENFIELD HS
PROM 2013
WELCOME ABOARD**

SCHEDULE:

6:30p.m. Arrive by motorcoach
6:45p.m. Boarding and bar open
7:00p.m. Underway when you direct, buffet opens
10:45p.m. Return to dock for disembarking

ENTERTAINMENT: DJ by Commodore

DECORATIONS: Standard yacht linens, Formal table settings

SEATING: Max seating 1st / 2nd deck.

SPECIAL NOTES:

- *You will provide your own security or chaperones
- ***NO** backpacks, gum or large bags allowed aboard
- *Have 1 table reserved for chaperones
- * Client booking own transportation

STAFF:

Captain:

SDH:

DHB:

Servers:

Cruise Director:

Events to the 'T' Inc.

Northern California's Largest School Event Planner

SFproms.com for everything you need!

INVOICE

Please make deposits payable and remit to:

Events To The 'T', Inc.

286 Brady St. Martinez, CA 94553

Client Name: Greenfield High School Event Date: 4/27/13
Event Location: Pinot Noir Commodore Event Type: Prom

Date Due	Description	Amount Due
Upon Receipt	Initial Deposit	\$1000.00
Total: \$		\$1000.00

ACCOMMODATION AGREEMENT

This agreement is made between:

Greenfield High School

"Client," and Commodore Cruises & Events of Alameda, CA, "Company," whereby Company agrees to waive its policy of requiring that deposits be increased to 50% of expected total fees within one hundred and twenty days of events. At times Company has multiple requests for a particular yacht and date. Your reservation guarantees your yacht & date.

Client recognizes and agrees that Company's business is its yachts and their available dates and that this agreement is an accommodation of Client by Company. This agreement recognizes that Client, i.e. a school or club, relies upon ticket purchases by those who will attend the function and that these purchases usually are made only shortly before the event takes place.

In the event of a cancellation, for whatever reason/reasons, Company, in order to remain viable, must retain the 50% deposit that has been collected as liquidated damages, unless another Client may be found for that yacht, date, and time. In the case at hand, Client agrees to pay this 50% of contracted fees, should it cancel the event, irrespective of the reason/reasons and irrespective of its lack of ticket sales. Your reservation removes a yacht from the market and compensation must be paid, at least in the amount of the agreed liquidated damages amount.

Client agrees to make payments towards charter fees as ticket sales progress. Should the event be cancelled, Client agrees to pay collection charges, should they be incurred.

Compendium 10/30/12
Client (date)

10/30/12
Company (date)



Going the
Distance
for Travelers

241-B Prado Road
San Luis Obispo, CA
Phone: 805-545-8400
Fax: 805-544-7675
Toll Free 800-781-4699
Website: www.silveradostages.com
Email: sales@silveradostages.com

Charter Contract

Christine Allread
Greenfield High School
2025 El Camino Real
Greenfield, CA 93927 USA

Group Name: **Mariner Square Prom**
Group Leader: **Chrystene Allred**
Destination: **Mariner Square, Alameda**

Leave Date: **Saturday, April 27, 2013**
Spot Time: **3:45 pm**
Leave Time: **4:00 pm**

Pickup **Greenfield High School**
Location: **225 S. El Camino Real**
Greenfield, CA. 93927

Contract Date: **10/31/12**

Charter No. : **54007**

Phone: **831-917-2523**
Fax: **831-674-2646**

Order Date **10/31/12**

SalesRep: **Lauri Seitz**

Coaches: **3**

Equipment: **2x48, 1x56 (10-15)yoa**

Return Date: **Sunday, April 28, 2013**

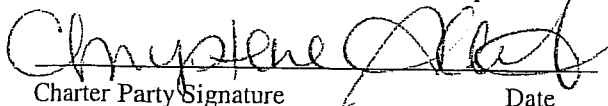
Retn\Drop Time: **1:00 am**

Destination **Mariner Square**
Details: **2227 Mariner Square Loop**
Alameda, CA. 94501

Line Item Description	# Coaches	Qty	Rate	Charge
56-Pax, 10-15 YOA, Live Miles	1	300.00	\$3.29	\$987.00
56-Pax, 10-15 YOA, Dead Miles	1	200.00	\$2.99	\$598.00
48-Pax, 10-15 YOA, Live Miles	2	300.00	\$3.19	\$1,914.00
48-Pax, 10-15 YOA, Dead Miles	2	200.00	\$2.99	\$1,196.00
Fuel Surcharge at Time of Booking (Per Mile)	3	500.00	\$0.30	\$450.00
Environmental fee per day	3	1.00	\$1.96	\$5.88
Hotel Charges	3	1.00	\$120.00	\$360.00
Driver Gratuity	3	1.00	\$100.00	\$300.00

<u>Due Dates</u>	<u>Description</u>	<u>Amount</u>	<u>Transport Charge:</u>	<u>\$5,810.88</u>
11/10/12	Contract			
11/10/12	Deposit \ Itinerary	\$1,800.00		
04/13/13	Final Payment	\$4,010.88		

PLEASE REMEMBER to send us a complete itinerary to insure the success of your trip.


Charter Party Signature Date



Going the
Distance
for Travelers

241-B Prado Road

San Luis Obispo, CA

Phone: 805-545-8400

Fax: 805-544-7675

Toll Free 800-781-4699

Website: www.silveradostages.com

Email: sales@silveradostages.com

Charter Terms and Conditions

Wednesday, October 31, 2012

Christine Allread
Greenfield High School
2025 El Camino Real
Greenfield, CA 93927 USA

Charter No. : 54007
Phone: 831-917-2523
Fax: 831-674-2646
Order Date 10/31/12
SalesRep: Lauri Seitz

The attached Charter 54007 in the amount of \$5,810.88 is forwarded for your review and approval. A signed copy of this contract is required to confirm your charter order. If correct, please sign, date and return this contract along with the required deposit. Please include the charter order number on all the checks.

RATES:

This quote is based on the original services requested and our current tariffs (which are subject to change). In the event of a tariff revision, you will be notified concerning rates in effect for your date of service. The total charges for your charter are subject to change in accordance with your actual itinerary which is due in this office no later than 21 days prior to the Leave Date. The dispatch office must check and approve all itineraries for compliance with the terms of this contract. Upon completion of the charter, additional hours or miles exceeding the agreed amount will be billed to you based on the tariffs in effect at the time of the charter. Rates are computed based on time or mileage from Silverado terminal. Any additional charges must be paid within 7 days of receipt of invoice. Unless written into this agreement, driver gratuities are not included in your costs. Customers are responsible (including booking and payment) for providing each driver with a single room on overnight trips and rooms may be required on 1-day charters that exceed 12 consecutive hours. Customers are responsible for payment of any tolls, parking fees, entry fees or other miscellaneous fees required to perform this trip unless written into this contract. Customers are responsible for the costs to repair any and all damages caused by Customer's party to the coach and for any additional cleaning fees for coaches returned in poor condition. Past due accounts will accrue interest at the rate of 1 1/2 per cent per month (18% annually).

DEPOSITS:

A deposit, as listed on your contract, of thirty percent (30%) of the total amount of the charter is due within seven days of receiving this contract in order to confirm your booking. Full payment is required no later than 14 days prior to the Leave Date. Silverado Stages, Inc. reserves the right to cancel this charter if payments are not received by the due dates.

CANCELLATIONS:

All cancellations must be submitted in writing. A change of departure date will be considered as a cancellation of the present Charter. Your deposit is refundable if your charter is canceled at least 30 days prior to your Leave Date. Cancellations received less than 30 days prior to the scheduled departure date are liable for a charge equal to 30% of the charter fee. No refunds will be made for cancellations 14 days or less prior to Leave Date. A minimum booking fee of \$50.00 will be charged on all cancellations.

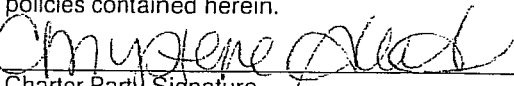
PROHIBITED SUBSTANCES:

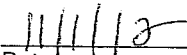
Smoking, drugs, and alcohol are prohibited on all coaches. Food and Drink not allowed without prior approval from the dispatch office. All animals except guide dogs are prohibited on the coaches.

DISCLAIMER:

Silverado Stages, Inc. is not liable for damage to or loss of baggage or other property. Baggage and all other property will be handled at the passenger's own risk and only in an amount that can be conveniently carried in the storage areas of the charter coach. Silverado Stages, Inc. shall not be liable for loss of time or monies due to mechanical failure, inclement weather or traffic. We strive to ensure the best operating condition of accessory systems, but due to unpredictable failure rates of accessory systems, we cannot guarantee the operation of radio/video/P/A systems, air-conditioning and restrooms. No refunds or adjustments are given for accessory systems failures or unavailability. We cannot guarantee the assignment of requested drivers or coaches and we reserve the right to substitute equipment leased from other carriers. Silverado Stages, Inc.'s performance of the services contained in this contract is contingent upon the company's ability to furnish the equipment and perform the services.

I, the undersigned, do hereby accept the Charter Terms and Conditions described above and agree to all adhere to all policies contained herein.


Charter Party Signature


Date 11/1/12



Silverado Stages
241 B Prado Road
San Luis Obispo, CA 93401
(805) 545-8400

Trip

Please provide a charter party contact for your upcoming charter. This person should be someone who will be the group leader and who will be on the trip. Please provide cell phone number only (no office numbers please).

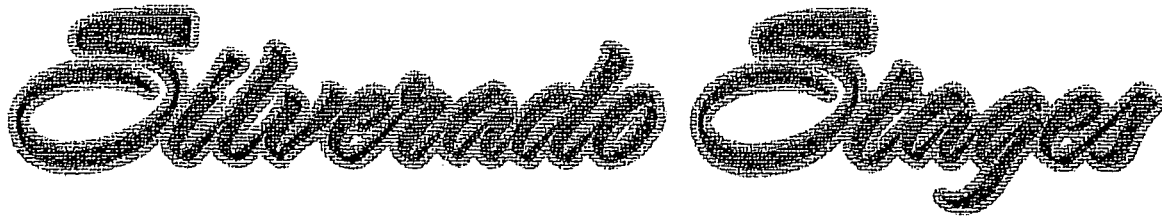
Name: Chrystene Allred

Cell #: 831-917-2523

Email Address: callred@kingcity.k12.ca.us

Special Instructions:

Thank You!
SILVERADO STAGES
WWW.SILVERADOSTAGES.COM



FUEL SURCHARGES

Corporate

241 -B Prado Road
San Luis Obispo, CA
93401
(805) 545-8400
(800) 781-4690
(805) 545-8404 Fax
CA PSC 9069
MC-230881
DOT 388417

To our valued customers,

Trip # _____

Rapidly changing fuel prices are forcing us to adjust our fuel surcharges more often than usual. The fuel surcharges in effect at the time of your order are reflected in your contract. Per the terms of the contract, any increase in fuel prices between the time the order was placed and the actual trip are computed immediately prior to the trip. Any increase in fuel surcharges must be paid prior to the trip.

In addition, there is a chance that the actual miles traveled on your trip may be more than those quoted. If so, you will see an adjusted invoice, prepared after your trip was completed, that reflects those extra miles and any associated fuel surcharge. We are alerting you to this situation so that you may better prepare for these possible extra charges.

Method of computing Fuel Surcharges

Unlike some companies that assess fuel surcharges as a percentage of your total contract, Silverado Stages assesses the surcharge only on the number of miles you travel on your trip.

The formula used to determine extra fuel costs passed through to our customers is: ("the price of fuel at the time the trip commenced" minus "the price of fuel at the time the trip was contracted") divided by "the miles per gallon at which the bus operates". The result is then multiplied by "the total number of miles of your trip" to determine any extra charge.

Example:

When the trip was contracted, the price of fuel was \$3.50 per gallon. When the trip occurred, the price of fuel was \$4.10 per gallon. The bus gets 5.6 miles per gallon. The trip covered 500 miles. The fuel surcharge formula would be:

$$\$4.10 - \$3.50 = \$0.60 \text{ per gallon increase} / 5.6 \text{ miles per gallon} = \$0.11 \text{ extra fuel cost per mile} \times 500 \text{ miles} = \$53.57 \text{ fuel surcharge.}$$

*Fuel prices used in the above formula are obtained from the U.S. Energy Information Administration (EIA) Independent Statistics and Analysis – Weekly Retail On-Highway Diesel Prices – California prices at their website:
www.eia.doe.gov/oog/info/wohdp/diesel_detail_report_combined.asp*

Silverado drivers receive training on ways to conserve fuel including: driving at speeds not to exceed the speed limit and avoiding fast starts and stops. Silverado also has strict rules prohibiting drivers from idling except when absolutely necessary. Anything you can do to assist in conserving fuel will be reflected back to you in lower fuel surcharges.

Please sign below and fax a copy to the office indicated above. Thank you for your business.

Fuel price at time of booking is: ~~\$3.50~~ ^{\$4.00} per gallon.

Customer signature

Date: 11/11/12

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

SUBJECT: Contract with Tucci Learning Solutions

MEETING: November 13, 2012

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 is for specific services to a Special Education student from August 20, 2012 through December 20, 2012. The master contract is between the Monterey County Office of Education and Tucci Learning Services which sets the rates that can be charged for the specific services

Recommendation:

Approve the contract with Tucci Learning Solutions

Fiscal Impact:

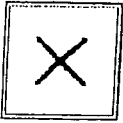
No estimate – Special Education funds

Submitted By:


Linda Grundhoffer, CBO

Approved:


Daniel Moirao, State Superintendent



TUCCI

Supplemental Service Hours

Tucci Learning Solutions, Inc. | 6 Hangar Way Ste A, Watsonville, CA 95076 | Phone (831) 786-0600 | Fax (831) 786-0644 | info@tuccionline.com

Name of Learner: [REDACTED]

D.O.B.: [REDACTED]

Address: [REDACTED]

So. Monterey Co
Joint Union HighDistrict of Residence: King City School DistrictBill To: SEED SMCJUHSDCurrent School Placement: HARTNELL JR. collegeTeacher: TESS MARTINUSStatus of Program: ExistingType of Supplemental Service: SCHOOLService Category: 3

School Year Effective Date of Service Hours:

From: 8/20/12To: 12/20/12

(Service Level)

(hours)

(Week / Month)

(Service Level)

(hours)

(Week / Month)

Behavior Analyst (BCBA) 10 PER MONTHCoach/Lead Therapist 16 hrs per WK

Behavior Specialist III

Behavior Specialist IIA

Coordinator of Services 3 hrs per week

Behavior Specialist II

FM
KPA

ESY Effective Date of Service Hours:

From: _____

To: _____

(Service Level)

(hours)

(Week / Month)

(Service Level)

(hours)

(Week / Month)

Behavior Analyst (BCBA)

Coach/Lead Therapist

Behavior Specialist III

Behavior Specialist IIA

Coordinator of Services

Behavior Specialist II

Recommended By: JOE POTTER / Colleen DavisDate: 8/14/12Recommended To: JO QuinnDate: 8/14/12

Recommendation Approvals:

Approved By: JO Quinn / JO Quinn
(Print & Sign)Date: 8/14/12

Additional Approvals if Required

District LEA: _____
(Print & Sign)

Date: _____

Service Provider LEA: (MCOE) _____
(Print & Sign)

Date: _____

Comments:

For Internal Use Only:

FD-RE-P-GO-FN-OB-SI-L2-MA

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

GOVERNING BOARD

SUBJECT: Monthly Cash Flow Report

MEETING: November 13, 2012

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:

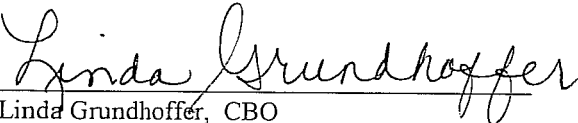
The attached Cash Flow as of the end of October, 2012 indicates a negative cash balance of \$263,537.68. As the district has approximately \$2,500,000 in Fund 17, Special Reserve there was no need to transfer funds at this time. A complete projected Cash Flow through June will be presented with the First Interim Report.

Recommendation:

Information only.

Fiscal Impact:

Submitted By:


Linda Grundhoffer, CBO

Approved:


Daniel Moirao, State Administrator

Cash Flow Report

Fund:01 - General Fund

July 2012 through October 2012

	July	August	September	October	November	December	January
A. BEGINNING CASH	394,427.80	524,989.14	-692,367.12	-24,394.50	-263,537.68	-263,537.68	-263,537.68
B. RECEIPTS							
Property Tax 8020-8079	0.00	-74,012.57	7,184.08	17,816.45	0.00	0.00	0.00
Principal Apportionment 8010-8019	-87,423.00	-62,026.00	1,207,829.00	1,309,464.00	0.00	0.00	0.00
Miscellaneous Funds 8080-8099	1,649.88	2,487.11	2,512.22	2,332.94	0.00	0.00	0.00
Federal Revenues 8100-8299	-37,354.00	1,371.00	96,574.00	51,333.63	0.00	0.00	0.00
Other State Revenue 8300-8599	0.00	18,600.00	326,180.00	527,497.00	0.00	0.00	0.00
Other Local Revenue 8600-8799	4,538.67	14,430.83	40,944.33	151,826.31	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	0.00	0.00	0.00	0.00	0.00
Other Receipts/Non Revenue	89,797.40	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL RECEIPTS	-28,791.05	-99,149.63	1,681,223.63	2,009,293.65	0.00	0.00	0.00
C. DISBURSEMENTS							
Certificated Salaries 1000-1999	105,759.31	627,811.06	656,310.74	714,326.97	0.00	0.00	0.00
Classified Salaries 2000-2999	114,495.82	188,470.73	178,870.49	174,183.50	0.00	0.00	0.00
Employee Benefits 3000-3999	95,444.77	363,904.23	352,041.26	347,457.43	0.00	0.00	0.00
Books, Supplies and Services 4000-5999	126,377.35	257,229.40	149,210.56	464,981.19	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	0.00	38,148.73	0.00	905,299.44	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	-10,008.22	-6,339.94	635,923.00	-204,785.76	0.00	0.00	0.00
TOTAL DISBURSEMENTS	432,069.03	1,469,224.21	1,972,356.05	2,401,462.77	0.00	0.00	0.00
NET INCREASE/DECREASE (B - C)	-460,860.08	-1,568,373.84	-291,132.42	-392,169.12	0.00	0.00	0.00
D. PRIOR YEAR TRANSACTIONS							
Accounts Receivable 9200	919,611.02	582,451.00	999,220.69	153,054.36	0.00	0.00	0.00
Accounts Payable 9500	328,189.60	231,433.42	40,115.65	28.42	0.00	0.00	0.00
TOTAL PRIOR YEAR TRANSACTIONS	591,421.42	351,017.58	959,105.04	153,025.94	0.00	0.00	0.00
NET INCREASE/DECREASE (B - C + D)	130,561.34	-1,217,356.26	667,972.62	-239,143.18	0.00	0.00	0.00
ENDING CASH (A + E)	524,989.14	-692,367.12	-24,394.50	-263,537.68	-263,537.68	-263,537.68	-263,537.68

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

SUBJECT: Monthly Board Report of Revenues and Expenditures

MEETING: November 13, 2012

AGENDA SECTION:

☐ ACTION

☒ INFORMATION

☐ ACTION/CONSENT

Board Goals:

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

Summary:


The Board Report of Revenues and Expenditures is provided monthly for the Board's information. This report does reflect known changes in revenues and expenditures as of October 23, 2012. The First Interim board report will be updated to reflect all known changes through October 31, 2012.

Recommendation:

Information Only

Fiscal Impact:

Submitted By:


Linda Grundhoffer, CBO

Approved:


Daniel Moirao, State Administrator

Approved	Working	Expended		Encumbered	Unencumbered Balance	%
		Current	Year To Date			
\$2,252,973.95	\$2,925,192.47	\$2,925,192.27	\$2,925,192.27	\$0.00	\$0.20	0.00
\$5,317,067.00	\$5,317,067.00	\$2,618,928.00	\$2,618,928.00	\$0.00	\$2,698,139.00	50.74
\$0.00	\$0.00	(\$251,084.00)	(\$251,084.00)	\$0.00	\$251,084.00	0.00
\$26,000.00	\$26,000.00	\$0.00	\$0.00	\$0.00	\$26,000.00	100.00
\$4,397,809.00	\$4,397,809.00	\$0.00	\$0.00	\$0.00	\$4,397,809.00	100.00
\$165,000.00	\$165,000.00	\$0.00	\$0.00	\$0.00	\$165,000.00	100.00
\$160,000.00	\$160,000.00	(\$38,727.77)	(\$38,727.77)	\$0.00	\$198,727.77	124.20
\$25,000.00	\$25,000.00	\$0.00	\$0.00	\$0.00	\$25,000.00	100.00
\$28,309.00	\$28,309.00	\$0.00	\$0.00	\$0.00	\$28,309.00	100.00
\$0.00	\$0.00	(\$10,284.27)	(\$10,284.27)	\$0.00	\$10,284.27	0.00
\$17,843.00	\$17,843.00	\$8,982.15	\$8,982.15	\$0.00	\$8,860.85	49.66
\$389,076.00	\$389,076.00	\$0.00	\$0.00	\$0.00	\$389,076.00	100.00
\$533,820.00	\$724,420.00	\$111,924.63	\$111,924.63	\$0.00	\$612,495.37	84.55
\$632,827.00	\$632,827.00	\$147,974.00	\$147,974.00	\$0.00	\$484,853.00	76.62
\$0.00	\$0.00	\$933.00	\$933.00	\$0.00	(\$933.00)	0.00
\$283,649.00	\$283,649.00	\$0.00	\$0.00	\$0.00	\$283,649.00	100.00
\$1,675,369.00	\$1,673,227.00	\$723,370.00	\$723,370.00	\$0.00	\$949,857.00	56.77
\$26,700.00	\$26,700.00	\$0.00	\$0.00	\$0.00	\$26,700.00	100.00
\$22,000.00	\$22,000.00	\$5,599.42	\$5,599.42	\$0.00	\$16,400.58	74.55
\$5,400.00	\$5,400.00	\$6,309.05	\$6,309.05	\$0.00	(\$909.05)	(16.83)
\$99,200.00	\$99,362.07	\$58,947.67	\$58,947.67	\$0.00	\$40,414.40	40.67
\$500,000.00	\$500,000.00	\$140,884.00	\$140,884.00	\$0.00	\$359,116.00	71.82
\$1,500,000.00	\$1,500,000.00	\$0.00	\$0.00	\$0.00	\$1,500,000.00	100.00
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00

Board Report

From 7/1/2012 thru 10/31/2012

11/8/2012 12:00:01PM

	Approved	Working	Expended		Encumbered	Unencumbered Balance	%
			Current	Year To Date			
**** 8000 Totals	\$15,805,069.00	\$15,993,689.07	\$3,523,755.88	\$3,523,755.88	\$0.00	\$12,469,933.19	77.97
**** Total Income & Beginning Balance	\$18,058,042.95	\$18,918,881.54	\$6,448,948.15	\$6,448,948.15	\$0.00	\$12,469,933.39	65.91
10000 Teachers' Salaries	\$5,411,772.42	\$5,418,339.58	\$1,656,069.36	\$1,656,069.36	\$0.00	\$3,762,270.22	69.44
10010 Substitute Teachers	\$182,000.00	\$182,540.00	\$39,233.34	\$39,233.34	\$0.00	\$143,306.66	78.51
10030 Teachers Salaries - Hourly	\$91,540.00	\$91,280.00	\$10,398.76	\$10,398.76	\$0.00	\$80,881.24	88.61
10060 Teachers Salaries - Stipends	\$28,000.00	\$28,000.00	(\$5,399.73)	(\$5,399.73)	\$0.00	\$33,399.73	119.28
20000 Certificated Pupil Support Salaries	\$263,003.00	\$263,003.00	\$129,643.34	\$129,643.34	\$0.00	\$133,359.66	50.71
20030 Certificated Pupil Support Salaries - Hourly	\$0.00	\$0.00	\$664.16	\$664.16	\$0.00	(\$664.16)	0.00
30000 Certificated Supervisors' and Administrators' Salaries	\$854,695.00	\$824,695.00	\$225,618.17	\$225,618.17	\$0.00	\$599,076.83	72.64
30010 Certificated Supervisor and Administrator Salaries-Su	\$0.00	\$30,000.00	\$16,290.68	\$16,290.68	\$0.00	\$13,709.32	45.70
30060 Certificated Supervisors and Administrators Salaries-	\$4,500.00	\$4,500.00	\$0.00	\$0.00	\$0.00	\$4,500.00	100.00
90000 Other Certificated Salaries	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
90020 Other Certificated Salaries - Other	\$36,500.00	\$36,500.00	\$2,920.00	\$2,920.00	\$0.00	\$33,580.00	92.00
90030 Other Certificated Salaries - Hourly	\$2,000.00	\$2,000.00	\$25,170.00	\$25,170.00	\$0.00	(\$23,170.00)	1,158.50)
90060 Other Certificated Salaries - Stipend	\$12,000.00	\$12,000.00	\$3,600.00	\$3,600.00	\$0.00	\$8,400.00	70.00
**** 1000 Totals	\$6,886,010.42	\$6,892,857.58	\$2,104,208.08	\$2,104,208.08	\$0.00	\$4,788,649.50	69.47

10000 Instructional Aides' Salaries	\$246,037.20	\$256,479.20	\$83,450.53	\$83,450.53	\$0.00	\$173,028.67	67.46
10010 Instructional Aides- Substitute	\$3,000.00	\$3,000.00	\$5,695.20	\$5,695.20	\$0.00	(\$2,695.20)	(89.84)
10030 Instructional Aides Salaries - Hourly	\$3,000.00	\$3,000.00	\$4,699.58	\$4,699.58	\$0.00	(\$1,699.58)	(56.65)
20000 Classified Support Salaries	\$761,819.52	\$797,350.52	\$238,514.51	\$238,514.51	\$0.00	\$558,836.01	70.09
20010 Substitute Classified Support Salaries	\$9,000.00	\$9,000.00	\$10,160.32	\$10,160.32	\$0.00	(\$1,160.32)	(12.89)
20030 Classified Support Salaries - Hourly	\$29,110.00	\$29,110.00	\$6,674.90	\$6,674.90	\$0.00	\$22,435.10	77.07
20050 Classified Support Salaries - Overtime	\$34,200.00	\$34,200.00	\$9,524.11	\$9,524.11	\$0.00	\$24,675.89	72.15
30000 Classified Supervisors' and Administrators' Salaries	\$489,339.00	\$489,339.00	\$157,086.90	\$157,086.90	\$0.00	\$332,252.10	67.90

und: 01 General Fund

Board Report

From 7/1/2012 thru 10/31/2012

11/8/2012 12:00:01PM

	Approved	Working	Expended		Encumbered	Unencumbered
			Current	Year To Date		Balance %
440000 Clerical & Office Salaries	\$406,771.00	\$403,079.00	\$133,283.26	\$133,283.26	\$0.00	\$269,795.74 66.93
440030 Clerical and Office Salaries - Hourly	\$2,000.00	\$20,000.00	\$3,216.26	\$3,216.26	\$0.00	\$16,783.74 83.92
440050 Clerical and Office Salaries - Overtime	\$0.00	\$0.00	\$214.97	\$214.97	\$0.00	(\$214.97) 0.00
900020 Other Classified Salaries - Other	\$129,500.00	\$129,500.00	\$3,500.00	\$3,500.00	\$0.00	\$126,000.00 97.30
**** 2000 Totals	\$2,113,776.72	\$2,174,057.72	\$656,020.54	\$656,020.54	\$0.00	\$1,518,037.18 69.83
10100 State Teachers' Retirement System. certificated	\$571,208.52	\$576,774.62	\$171,768.65	\$171,768.65	\$0.00	\$405,005.97 70.22
11100 STRS. certificated. stipend	\$2,769.00	\$2,769.00	\$0.00	\$0.00	\$0.00	\$2,769.00 100.00
11100 State Teachers' Retirement System. classified	\$0.00	\$0.00	\$469.85	\$469.85	\$0.00	(\$469.85) 0.00
20200 Public Employees' Retirement System. classified	\$238,275.00	\$239,545.00	\$70,402.32	\$70,402.32	\$0.00	\$169,142.68 70.61
30100 Social Security/Medicare/Alternative. certificated	\$99,768.85	\$100,749.00	\$28,526.22	\$28,526.22	\$0.00	\$72,222.78 71.69
30160 Soc Sec/Medicare/Alt Retire. certificated. stipend	\$476.00	\$476.00	\$0.00	\$0.00	\$0.00	\$476.00 100.00
30200 Social Security/Medicare/Alternative. classified	\$174,973.00	\$175,594.00	\$48,009.11	\$48,009.11	\$0.00	\$127,584.89 72.66
40100 Health & Welfare Benefits. certificated	\$867,438.75	\$880,733.25	\$429,160.41	\$429,160.41	\$0.00	\$451,572.84 51.27
40200 Health & Welfare Benefits. classified	\$531,522.00	\$519,509.00	\$148,489.46	\$148,489.46	\$0.00	\$371,019.54 71.42
50100 State Unemployment Insurance. certificated	\$75,901.42	\$76,941.00	\$22,562.99	\$22,562.99	\$0.00	\$54,378.01 70.67
50160 SUI. certificated. stipend	\$248.00	\$248.00	\$0.00	\$0.00	\$0.00	\$248.00 100.00
50200 State Unemployment Insurance. classified	\$27,750.00	\$27,390.00	\$6,954.08	\$6,954.08	\$0.00	\$20,435.92 74.61
50100 Worker's Compensation Insurance. certificated	\$146,874.67	\$148,346.13	\$45,356.58	\$45,356.58	\$0.00	\$102,989.55 69.43
50160 WC. certificated. stipend	\$803.00	\$803.00	\$0.00	\$0.00	\$0.00	\$803.00 100.00
50200 Worker's Compensation Insurance. classified	\$51,383.00	\$51,561.00	\$13,960.60	\$13,960.60	\$0.00	\$37,600.40 72.92
60100 Retiree Benefits. certificated	\$54,096.00	\$54,096.00	\$19,581.67	\$19,581.67	\$0.00	\$34,514.33 63.80
60200 Retiree Benefits. classified	\$69,504.00	\$69,504.00	\$16,123.58	\$16,123.58	\$0.00	\$53,380.42 76.80
60200 PERS Reduction. Classified	\$17,843.00	\$17,854.00	\$8,982.15	\$8,982.15	\$0.00	\$8,871.85 49.69
60100 Other Benefits. certificated	\$150,000.00	\$150,000.00	\$128,500.02	\$128,500.02	\$0.00	\$21,499.98 14.33

nd: 01 General Fund

Board Report

From 7/1/2012 thru 10/31/2012

11/8/2012 12:00:01PM

	Approved	Working	Current	Expended Year To Date	Encumbered	Unencumbered Balance
**** 3000 Totals	\$3,080,834.21	\$3,092,893.00	\$1,158,847.69	\$1,158,847.69	\$0.00	\$1,934,045.31
10000 Approved Textbooks and Core Curricula Materials	\$49,275.00	\$131,071.00	\$90,312.19	\$90,312.19	\$2,444.23	\$38,314.58
20000 Books and Reference Materials	\$9,855.63	\$12,954.63	\$3,086.89	\$3,086.89	\$0.00	\$9,867.74
30000 Materials and Supplies	\$631,813.24	\$526,454.31	\$116,701.03	\$116,701.03	\$96,535.68	\$313,217.60
30010 Materials and Supplies - Gasoline/Fuel	\$98,577.00	\$99,096.00	\$24,769.77	\$24,769.77	\$70,728.03	\$3,598.20
30011 Materials and Supplies - Tires	\$12,000.00	\$12,000.00	\$20.00	\$20.00	\$4,980.00	\$7,000.00
40000 Noncapitalized Equipment	\$57,870.00	\$91,128.00	\$58,390.33	\$58,390.33	\$13,222.90	\$19,514.77
**** 4000 Totals	\$859,390.87	\$872,703.94	\$293,280.21	\$293,280.21	\$187,910.84	\$391,512.89
10000 Contracted Services	\$200,000.00	\$200,000.00	\$19,412.50	\$19,412.50	\$75,272.50	\$105,315.00
20000 Travel and Conferences	\$59,612.00	\$84,964.00	\$17,232.85	\$17,232.85	\$3,310.04	\$64,421.11
20010 Travel and Conference - Stipends	\$0.00	\$27,600.00	\$9,200.00	\$9,200.00	\$0.00	\$18,400.00
30000 Dues and Memberships	\$24,313.00	\$19,507.00	\$3,111.07	\$3,111.07	\$0.00	\$16,395.93
40000 Insurance	\$11,000.00	\$11,000.00	\$0.00	\$0.00	\$0.00	\$11,000.00
45000 Other Insurance	\$120,000.00	\$120,000.00	\$132,049.00	\$132,049.00	\$0.00	(\$12,049.00)
50010 Gas	\$38,850.00	\$38,850.00	\$2,190.44	\$2,190.44	\$36,659.56	\$0.00
50020 Electricity	\$273,800.00	\$279,300.00	\$91,113.60	\$91,113.60	\$176,584.46	\$11,601.94
50030 Water	\$11,750.00	\$14,300.00	\$6,565.15	\$6,565.15	\$7,734.85	\$0.00
50040 Sewer	\$19,512.00	\$19,450.00	\$2,207.67	\$2,207.67	\$17,058.29	\$184.04
50050 Garbage	\$64,500.00	\$64,641.00	\$15,038.97	\$15,038.97	\$49,601.51	\$0.52
50070 Pest Control	\$300.00	\$100.00	\$0.00	\$0.00	\$0.00	\$100.00
50010 Maintenance Agreements	\$18,575.00	\$17,892.00	\$0.00	\$0.00	\$0.00	\$17,892.00
50020 Repairs	\$85,750.00	\$84,926.00	\$19,718.42	\$19,718.42	\$24,733.12	\$40,474.46

Board Report

From 7/1/2012 thru 10/31/2012

11/8/2012 12:00:01PM

und: 01 General Fund

	Approved	Working	Expended		Encumbered	Unencumbered
			Current	Year To Date		Balance %
660030 Leases and Rentals	\$48,100.00	\$66,369.00	\$26,910.74	\$26,910.74	\$27,143.87	\$12,314.39 18.55
771035 Direct Costs for Transfer of Services - Motor Pool	\$0.00	\$0.00	(\$100.00)	(\$100.00)	\$0.00	\$100.00 0.00
800000 Professional/Consulting Services and Operating Expe	\$861,022.85	\$1,105,087.85	\$255,529.16	\$255,529.16	\$315,061.22	\$534,497.47 48.37
800010 Prof. Services & Operating Expenses- Legal	\$30,000.00	\$80,444.00	\$52,071.47	\$52,071.47	\$26,372.53	\$2,000.00 2.49
800020 Prof. Services & Operating Expenses - Transportatio	\$800.00	\$800.00	\$0.00	\$0.00	\$0.00	\$800.00 100.00
800040 Prof. Services & Operating Expenses - Advertising	\$1,160.00	\$2,059.00	\$900.00	\$900.00	\$0.00	\$1,159.00 56.29
800050 Prof Services & Operating Expenses-Software Licens	\$36,500.00	\$43,337.00	\$16,951.20	\$16,951.20	\$11,385.80	\$15,000.00 34.61
800060 Prof Services and Operating Expenses - Fingerprinti/	\$2,000.00	\$1,736.00	\$480.00	\$480.00	\$820.00	\$436.00 25.12
900000 Communications - Telephone	\$3,300.00	\$5,780.00	\$2,607.35	\$2,607.35	\$3,172.65	\$0.00 0.00
900030 Communications - Postage	\$30,010.00	\$30,155.00	\$28,353.50	\$28,353.50	\$1,791.08	\$10.42 0.03
900040 Communications - Cellular Phones	\$12,080.00	\$11,170.00	\$2,975.20	\$2,975.20	\$1,184.80	\$7,010.00 62.76
**** 5000 Totals	\$1,952,934.85	\$2,329,467.85	\$704,518.29	\$704,518.29	\$777,886.28	\$847,063.28 36.36
**** 1000 - 5000	\$14,892,947.07	\$15,361,980.09	\$4,916,874.81	\$4,916,874.81	\$965,797.12	\$9,479,308.16 61.71
13000 State Special Schools	\$13,930.00	\$13,930.00	\$0.00	\$0.00	\$0.00	\$13,930.00 100.00
14200 Other Tuition. Excess Costs. and/or Deficits Payment	\$350,000.00	\$292,879.90	\$63,991.42	\$63,991.42	\$0.00	\$228,888.48 78.15
28200 All Other Transfers to Countv Offices	\$27,560.00	\$27,560.00	\$0.00	\$0.00	\$0.00	\$27,560.00 100.00
31000 Transfers of Indirect Costs	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00 0.00
43800 Debt Service Interest	\$717,344.00	\$717,344.00	\$359,456.75	\$359,456.75	\$0.00	\$357,887.25 49.89
43900 Other Debt Service Payments	\$520,000.00	\$520,000.00	\$520,000.00	\$520,000.00	\$0.00	\$0.00 0.00
**** 7000 Totals	\$1,628,834.00	\$1,571,713.90	\$943,448.17	\$943,448.17	\$0.00	\$628,265.73 39.97
**** 1000 - 7000	\$16,521,781.07	\$16,933,693.99	\$5,860,322.98	\$5,860,322.98	\$965,797.12	\$10,107,573.89 59.69

Board Report

From 7/1/2012 thru 10/31/2012

	Approved	Working	Expended		Encumbered	Unencumbered
			Current	Year To Date		Balance %
Total: Beginning Balance	\$2,252,973.95	\$2,925,192.47	\$2,925,192.27	\$2,925,192.27	\$0.00	\$0.20
Total: Income Current Year	\$15,805,069.00	\$15,993,689.07	\$3,523,755.88	\$3,523,755.88	\$0.00	\$12,469,933.19
Total: 1000 - 5000	\$14,892,947.07	\$15,361,980.09	\$4,916,874.81	\$4,916,874.81	\$965,797.12	\$9,479,308.16
Total: 1000 - 6000	\$14,892,947.07	\$15,361,980.09	\$4,916,874.81	\$4,916,874.81	\$965,797.12	\$9,479,308.16
Total: 1000 - 7000	\$16,521,781.07	\$16,933,693.99	\$5,860,322.98	\$5,860,322.98	\$965,797.12	\$10,107,573.89
Total: 9710 - 9719	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total: 9770 - 9780	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total: Estimated Fund Balance (9790)	\$1,536,261.88	\$1,985,187.55	\$588,625.17	\$588,625.17	(\$965,797.12)	\$2,362,359.50

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Total Income & Beginning Balance
Total Expenditures & Ending Balance

\$18,058,042.95	\$18,918,881.54	\$6,448,948.15	\$6,448,948.15	\$0.00	\$12,469,933.39	65.91
\$18,058,042.95	\$18,918,881.54	\$6,448,948.15	\$6,448,948.15	\$0.00	\$12,469,933.39	65.91

Board Report

From 7/1/2012 thru 10/31/2012

nd: 09 Charter Schools Fund

	Approved	Working	Expend Current	Year To Date	Encumbered	Unencumbered Balance %
**** Total Adjusted Beginning Balance	\$383,086.51	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00 0.00
01500 Charter Schools Gen Purpose Entitlement-State Aid	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00 0.00
01900 Revenue Limit State Aid - Prior Years	\$0.00	\$0.00	\$744.00	\$744.00	\$0.00	(\$744.00) 0.00
59000 All Other State Revenues	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00 0.00
**** 8000 Totals	\$0.00	\$0.00	\$744.00	\$744.00	\$0.00	(\$744.00) 0.00
**** Total Income & Beginning Balance	\$383,086.51	\$0.00	\$744.00	\$744.00	\$0.00	(\$744.00) 0.00
41 Clerical & Office Salaries	\$0.00	\$0.00	\$770.00	\$770.00	\$0.00	(\$770.00) 0.00
**** 2000 Totals	\$0.00	\$0.00	\$770.00	\$770.00	\$0.00	(\$770.00) 0.00
0200 Public Employees' Retirement Svstem. classified	\$0.00	\$0.00	\$87.91	\$87.91	\$0.00	(\$87.91) 0.00
0200 Social Security/Medicare/Alternative. classified	\$0.00	\$0.00	\$58.91	\$58.91	\$0.00	(\$58.91) 0.00
0200 State Unemployment Insurance. classified	\$0.00	\$0.00	\$8.47	\$8.47	\$0.00	(\$8.47) 0.00
0200 Worker's Compensation Insurance. classified	\$0.00	\$0.00	\$17.00	\$17.00	\$0.00	(\$17.00) 0.00
**** 3000 Totals	\$0.00	\$0.00	\$172.29	\$172.29	\$0.00	(\$172.29) 0.00
**** 1000 - 5000	\$0.00	\$0.00	\$942.29	\$942.29	\$0.00	(\$942.29) 0.00

Board Report

From 7/1/2012 thru 10/31/2012

	Approved	Working	Expended		Encumbered	Unencumbered Balance	%
			Current	Year To Date			
Total: Beginning Balance	\$383,086.51	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: Income Current Year	\$0.00	\$0.00	\$744.00	\$744.00	\$0.00	(\$744.00)	0.00
Total: 1000 - 5000	\$0.00	\$0.00	\$942.29	\$942.29	\$0.00	(\$942.29)	0.00
Total: 1000 - 6000	\$0.00	\$0.00	\$942.29	\$942.29	\$0.00	(\$942.29)	0.00
Total: 1000 - 7000	\$0.00	\$0.00	\$942.29	\$942.29	\$0.00	(\$942.29)	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)	\$383,086.51	\$0.00	(\$198.29)	(\$198.29)	\$0.00	\$198.29	0.00
- 42 -							
Total: Total Income & Beginning Balance	\$383,086.51	\$0.00	\$744.00	\$744.00	\$0.00	(\$744.00)	0.00
Total Expenditures & Ending Balance	\$383,086.51	\$0.00	\$744.00	\$744.00	\$0.00	(\$744.00)	0.00

Fund: 13 Cafeteria Fund

Board Report

From 7/1/2012 thru 10/31/2012

	Approved	Working	Expend Current	Year To Date	Encumbered	Unencumbered Balance	%
**** Total Adjusted Beginning Balance	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
822000 Child Nutrition Programs	\$332,000.00	\$332,000.00	\$34,138.70	\$34,138.70	\$0.00	\$297,861.30	89.72
852000 Child Nutrition	\$25,000.00	\$25,000.00	\$2,696.78	\$2,696.78	\$0.00	\$22,303.22	89.21
863400 Food Services Sales	\$65,000.00	\$65,000.00	\$0.00	\$0.00	\$0.00	\$65,000.00	100.00
**** 8000 Totals	\$422,000.00	\$422,000.00	\$36,835.48	\$36,835.48	\$0.00	\$385,164.52	91.27
**** Total Income & Beginning Balance	\$422,000.00	\$422,000.00	\$36,835.48	\$36,835.48	\$0.00	\$385,164.52	91.27
22100 Classified Support Salaries	\$75,000.00	\$75,000.00	\$21,494.78	\$21,494.78	\$0.00	\$53,505.22	71.34
22100 Classified Supervisors' and Administrators' Salaries	\$45,886.00	\$45,886.00	\$15,218.28	\$15,218.28	\$0.00	\$30,667.72	66.83
**** 2000 Totals	\$120,886.00	\$120,886.00	\$36,713.06	\$36,713.06	\$0.00	\$84,172.94	69.63
220200 Public Employees' Retirement Svstem. classified	\$7,150.00	\$7,150.00	\$2,119.21	\$2,119.21	\$0.00	\$5,030.79	70.36
330200 Social Security/Medicare/Alternative. classified	\$9,300.00	\$9,300.00	\$2,808.55	\$2,808.55	\$0.00	\$6,491.45	69.80
440200 Health & Welfare Benefits. classified	\$9,100.00	\$9,100.00	\$2,760.77	\$2,760.77	\$0.00	\$6,339.23	69.66
50200 State Unemployment Insurance. classified	\$1,950.00	\$1,950.00	\$403.85	\$403.85	\$0.00	\$1,546.15	79.29
60200 Worker's Compensation Insurance. classified	\$2,950.00	\$2,950.00	\$810.60	\$810.60	\$0.00	\$2,139.40	72.52
**** 3000 Totals	\$30,450.00	\$30,450.00	\$8,902.98	\$8,902.98	\$0.00	\$21,547.02	70.76
30000 Materials and Supplies	\$2,700.00	\$2,367.00	\$400.75	\$400.75	\$999.25	\$967.00	40.85
70000 Food	\$261,764.00	\$261,764.00	\$111,769.06	\$111,769.06	\$147,311.62	\$2,683.32	1.03
**** 4000 Totals	\$264,464.00	\$264,131.00	\$112,169.81	\$112,169.81	\$148,310.87	\$3,650.32	1.38
20000 Travel and Conferences	\$1,200.00	\$1,200.00	\$210.90	\$210.90	\$0.00	\$989.10	82.43
60000 Rentals. Leases and Repairs	\$500.00	\$1,300.00	\$832.97	\$832.97	\$420.00	\$47.03	3.62

Board Report

From 7/1/2012 thru 10/31/2012

11/8/2012 12:00:01PM

und: 13 Cafeteria Fund

	Approved	Working	Expended		Encumbered	Unencumbered	
			Current	Year To Date		Balance	%
80000 Professional/Consulting Services and Operating Expe	\$4,500.00	\$4,033.00	\$726.26	\$726.26	\$1,454.07	\$1,852.67	45.94
**** 5000 Totals	\$6,200.00	\$6,533.00	\$1,770.13	\$1,770.13	\$1,874.07	\$2,888.80	44.22
**** 1000 - 5000	\$422,000.00	\$422,000.00	\$159,555.98	\$159,555.98	\$150,184.94	\$112,259.08	26.60

Board Report

From 7/1/2012 thru 10/31/2012

11/8/2012 12:00:01PM

und: 13 Cafeteria Fund

	Approved	Working	Expended		Encumbered	Unencumbered	
			Current	Year To Date		Balance	%
Total: Beginning Balance	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: Income Current Year	\$422,000.00	\$422,000.00	\$36,835.48	\$36,835.48	\$0.00	\$385,164.52	91.27
Total: 1000 - 5000	\$422,000.00	\$422,000.00	\$159,555.98	\$159,555.98	\$150,184.94	\$112,259.08	26.60
Total: 1000 - 6000	\$422,000.00	\$422,000.00	\$159,555.98	\$159,555.98	\$150,184.94	\$112,259.08	26.60
Total: 1000 - 7000	\$422,000.00	\$422,000.00	\$159,555.98	\$159,555.98	\$150,184.94	\$112,259.08	26.60
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	\$0.00	(\$122,720.50)	(\$122,720.50)	(\$150,184.94)	\$272,905.44	0.00
Total Income & Beginning Balance	\$422,000.00	\$422,000.00	\$36,835.48	\$36,835.48	\$0.00	\$385,164.52	91.27
Total Expenditures & Ending Balance	\$422,000.00	\$422,000.00	\$36,835.48	\$36,835.48	\$0.00	\$385,164.52	91.27

Board Report

From 7/1/2012 thru 10/31/2012

11/8/2012 12:00:01PM

Fund: 14 Deferred Maintenance Fund

	Approved	Working	Expended		Encumbered	Unencumbered Balance	%
			Current	Year To Date			
**** Total Adjusted Beginning Balance	\$562.67	\$2,687.20	\$2,687.20	\$2,687.20	\$0.00	\$0.00	0.00
669900 All Other Local Revenues	\$0.00	\$35,000.00	\$35,000.00	\$35,000.00	\$0.00	\$0.00	0.00
**** 8000 Totals	\$0.00	\$35,000.00	\$35,000.00	\$35,000.00	\$0.00	\$0.00	0.00
**** Total Income & Beginning Balance	\$562.67	\$37,687.20	\$37,687.20	\$37,687.20	\$0.00	\$0.00	0.00
660020 Repairs	\$0.00	\$35,000.00	\$35,000.00	\$35,000.00	\$0.00	\$0.00	0.00
**** 5000 Totals	\$0.00	\$35,000.00	\$35,000.00	\$35,000.00	\$0.00	\$0.00	0.00
**** 1000 - 5000	\$0.00	\$35,000.00	\$35,000.00	\$35,000.00	\$0.00	\$0.00	0.00
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Board Report

From 7/1/2012 thru 10/31/2012

11/8/2012 12:00:01PM

Fund: 14 Deferred Maintenance Fund

	Approved	Working	Expended		Encumbered	Unencumbered Balance %
			Current	Year To Date		
Total: Beginning Balance	\$562.67	\$2,687.20	\$2,687.20	\$2,687.20	\$0.00	0.00
Total: Income Current Year	\$0.00	\$35,000.00	\$35,000.00	\$35,000.00	\$0.00	0.00
Total: 1000 - 5000	\$0.00	\$35,000.00	\$35,000.00	\$35,000.00	\$0.00	0.00
Total: 1000 - 6000	\$0.00	\$35,000.00	\$35,000.00	\$35,000.00	\$0.00	0.00
Total: 1000 - 7000	\$0.00	\$35,000.00	\$35,000.00	\$35,000.00	\$0.00	0.00
Total: 9710 - 9719	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: 9770 - 9780	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: Estimated Fund Balance (9790)	\$562.67	\$2,687.20	\$2,687.20	\$2,687.20	\$0.00	(0.01)
Total Income & Beginning Balance	\$562.67	\$37,687.20	\$37,687.20	\$37,687.20	\$0.00	0.00
Total Expenditures & Ending Balance	\$562.67	\$37,687.20	\$37,687.20	\$37,687.20	\$0.00	0.00

Board Report

From 7/1/2012 thru 10/31/2012

nd: 17 Special Reserve Fund for Other than

	Approved	Working	Expended		Encumbered	Unencumbered Balance
			Current	Year To Date		
**** Total Adjusted Beginning Balance	\$7,759,205.38	\$4,252,143.60	\$4,252,143.60	\$4,252,143.60	\$0.00	\$0.00
	\$7,759,205.38	\$4,252,143.60	\$4,252,143.60	\$4,252,143.60	\$0.00	\$0.00
61200 Between General Fund and Special Reserve Fund	\$1,500,000.00	\$1,500,000.00	\$0.00	\$0.00	\$0.00	\$1,500,000.00
**** 7000 Totals	\$1,500,000.00	\$1,500,000.00	\$0.00	\$0.00	\$0.00	\$1,500,000.00
**** 1000 - 7000	\$1,500,000.00	\$1,500,000.00	\$0.00	\$0.00	\$0.00	\$1,500,000.00

Board Report

From 7/1/2012 thru 10/31/2012

11/8/2012 12:00:01PM

und: 17 Special Reserve Fund for Other than

	Approved	Working	Expended Current	Year To Date	Encumbered	Unencumbered Balance	%
Total: Beginning Balance	\$7,759,205.38	\$4,252,143.60	\$4,252,143.60	\$4,252,143.60	\$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	\$1,500,000.00	\$1,500,000.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: 9710 - 9719	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,500,000.00	100.00
Total: 9770 - 9780	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: Estimated Fund Balance (9790)	\$6,259,205.38	\$2,752,143.60	\$4,252,143.60	\$4,252,143.60	\$0.00	\$0.00	0.00
					\$0.00	(\$1,500,000.00)	(54.50)
Total Income & Beginning Balance	\$7,759,205.38	\$4,252,143.60	\$4,252,143.60	\$4,252,143.60	\$0.00	\$0.00	0.00
Total Expenditures & Ending Balance	\$7,759,205.38	\$4,252,143.60	\$4,252,143.60	\$4,252,143.60	\$0.00	\$0.00	0.00

Board Report

From 7/1/2012 thru 10/31/2012

	Approved	Working	Current	Expended Year To Date	Encumbered	Unencumbered Balance	%
**** Total Adjusted Beginning Balance	\$407,847.12	\$456,422.12	\$456,422.12	\$456,422.12	\$0.00	\$0.00	0.00
68100 Mitigation/Developer Fees	\$5,000.00	\$5,000.00	\$7,875.48	\$7,875.48	\$0.00	(\$2,875.48)	(57.51)
59900 All Other Local Revenues	\$2,000.00	\$2,000.00	\$0.00	\$0.00	\$0.00	\$2,000.00	100.00
**** 8000 Totals	\$7,000.00	\$7,000.00	\$7,875.48	\$7,875.48	\$0.00	(\$875.48)	(12.51)
**** Total Income & Beginning Balance	\$414,847.12	\$463,422.12	\$464,297.60	\$464,297.60	\$0.00	(\$875.48)	(0.19)
43800 Debt Service Interest	\$23,694.00	\$23,694.00	\$0.00	\$0.00	\$0.00	\$23,694.00	100.00
Other Debt Service Payments	\$80,979.00	\$84,979.00	\$4,000.00	\$4,000.00	\$0.00	\$80,979.00	95.29
**** 7000 Totals	\$104,673.00	\$108,673.00	\$4,000.00	\$4,000.00	\$0.00	\$104,673.00	96.32
**** 1000 - 7000	\$104,673.00	\$108,673.00	\$4,000.00	\$4,000.00	\$0.00	\$104,673.00	96.32

Board Report

From 7/1/2012 thru 10/31/2012

11/8/2012 12:00:01PM

Fund: 25 Capital Facilities Fund

	Approved	Working	Current	Expended Year To Date	Encumbered	Unencumbered Balance	%
Total: Beginning Balance	\$407,847.12	\$456,422.12	\$456,422.12	\$456,422.12	\$0.00	\$0.00	0.00
Total: Income Current Year	\$7,000.00	\$7,000.00	\$7,875.48	\$7,875.48	\$0.00	(\$875.48)	(12.51)
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	\$104,673.00	\$108,673.00	\$4,000.00	\$4,000.00	\$0.00	\$104,673.00	96.32
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)	\$310,174.12	\$354,749.12	\$460,297.60	\$460,297.60	\$0.00	(\$105,548.48)	(29.75)
Total Income & Beginning Balance	\$414,847.12	\$463,422.12	\$464,297.60	\$464,297.60	\$0.00	(\$875.48)	(0.19)
Total Expenditures & Ending Balance	\$414,847.12	\$463,422.12	\$464,297.60	\$464,297.60	\$0.00	(\$875.48)	(0.19)

Board Report

From 7/1/2012 thru 10/31/2012

und: 35 School Facility Program (Regular)

	Approved	Working	Expended		Encumbered	Unencumbered Balance	%
			Current	Year To Date			
**** Total Adjusted Beginning Balance	\$2,699,961.51	\$1,848,328.47	\$1,848,328.47	\$1,848,328.47	\$0.00	\$0.00	0.00
866000 Interest							
**** 8000 Totals	\$7,000.00	\$7,000.00	\$0.00	\$0.00	\$0.00	\$7,000.00	100.00
**** Total Income & Beginning Balance	\$2,706,961.51	\$1,855,328.47	\$1,848,328.47	\$1,848,328.47	\$0.00	\$7,000.00	100.00
880000 Professional/Consulting Services and Operating Expe	\$50,000.00	\$50,000.00	\$11,600.00	\$11,600.00	\$10,100.00	\$28,300.00	56.60
**** 5000 Totals	\$50,000.00	\$50,000.00	\$11,600.00	\$11,600.00	\$10,100.00	\$28,300.00	56.60
**** 1000 - 5000	\$50,000.00	\$50,000.00	\$11,600.00	\$11,600.00	\$10,100.00	\$28,300.00	56.60
220000 Buildings and Improvement of Buildings	\$2,607,967.00	\$1,805,328.47	\$1,237,481.21	\$1,237,481.21	\$8,150.00	\$559,697.26	31.00
**** 6000 Totals	\$2,607,967.00	\$1,805,328.47	\$1,237,481.21	\$1,237,481.21	\$8,150.00	\$559,697.26	31.00
**** 1000 - 6000	\$2,657,967.00	\$1,855,328.47	\$1,249,081.21	\$1,249,081.21	\$18,250.00	\$587,997.26	31.69

Board Report

From 7/1/2012 thru 10/31/2012

11/8/2012 12:00:01PM

Fund: 35 School Facility Program (Regular)

	Approved	Working	Current	Expended	Year To Date	Encumbered	Unencumbered
							Balance
Total: Beginning Balance	\$2,699,961.51	\$1,848,328.47	\$1,848,328.47	\$1,848,328.47	\$1,848,328.47	\$0.00	\$0.00
Total: Income Current Year	\$7,000.00	\$7,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$7,000.00
Total: 1000 - 5000	\$50,000.00	\$50,000.00	\$11,600.00	\$11,600.00	\$11,600.00	\$10,100.00	\$28,300.00
Total: 1000 - 6000	\$2,657,967.00	\$1,855,328.47	\$1,249,081.21	\$1,249,081.21	\$1,249,081.21	\$18,250.00	\$587,997.26
Total: 1000 - 7000	\$2,657,967.00	\$1,855,328.47	\$1,249,081.21	\$1,249,081.21	\$1,249,081.21	\$18,250.00	\$587,997.26
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)	\$48,994.51	\$0.00	\$599,247.26	\$599,247.26	\$599,247.26	(\$18,250.00)	(\$580,997.26)
Total Income & Beginning Balance	\$2,706,961.51	\$1,855,328.47	\$1,848,328.47	\$1,848,328.47	\$1,848,328.47	\$0.00	\$7,000.00
Total Expenditures & Ending Balance	\$2,706,961.51	\$1,855,328.47	\$1,848,328.47	\$1,848,328.47	\$1,848,328.47	\$0.00	\$7,000.00
							0.38
							0.38

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

SUBJECT: Board Policies – First Readings

MEETING: November 13, 2012

AGENDA SECTION:

☐ **ACTION**

XX INFORMATION

☐ **ACTION/CONSENT**

GOVERNING BOARD

Board Goals:

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

Summary:

At the October 12, 2012 meeting of the board, it was requested that there be a comparison of the policies being reviewed for an update with what has been adopted previously. The following policies have been reviewed and compared for a first reading to the Board.

- BP3511.1 Business and Noninstructional Operations: Integrated Waste Management (11/13/91)
- AR3511.1 Business and Noninstructional Operations Integrated Waste Management (11/13/91)
- AR3550 Business and Noninstructional Operations Food Service Child Nutrition Program (1/11/12)
- BP4111 Personnel: Recruitment and Selection (10/13/10)
- AR4112.6 Personnel: Personnel Files (6/8/11)
- BP4112.9 Personnel: Employee Notification (8/11/91)
- E4112.9 Personnel: Employee Notification (new)
- BP4119.1 Personnel: Civil and Legal Rights (2/18/12)
- BP4119.21 Personnel: Professional Standards (9/8/10)
- BP4119.41 Personnel: Employee with Infectious Disease (9/8/10)
- BP4121 Personnel: Temporary Substitute Personnel (new)
- AR4121 Personnel: Temporary Substitute Personnel (8/31/94)
- BP5030 Students: Student Wellness (6/13/12)
- BP5131 Students: Conduct (9/14/11)
- BP5131.2 Students: Bullying (new)
- BP5144.1 Students Suspension and Expulsion Due Process (12/13/11)
- AR5144.1 Students: Suspension and Expulsion Due Process (12/13/11)
- AR5144.2 Students: Suspension and Expulsion Due Process (Students with Disabilities) (1/11/12)
- E5145.6 Students Parental Notification (1/11/12)
- BP5145.7 Students: Sexual Harassment (11/10/10)
- AR5145.7 Students: Sexual Harassment (11/10/10)
- BP6145 Instruction: Extracurricular and Co Curricular Activities (1/12/11)
- AR6159 Instruction Individualized Education Program (12/13/11)
- BP7214 General Obligation Bonds (9/14/11)

[Recipient Name]
November 7, 2012
Page 2

Recommendation:

It is recommended that the board review these documents, suggest modifications so they can be approved at the next regular meeting of the board.

Fiscal Impact:

No fiscal impact

Submitted By:



Daniel R. Moirao Ed.D.
State Administrator

Approved:



Daniel R. Moirao Ed.D.
State Administrator

BP 3511.1 Business and Noninstructional Operations

Integrated Waste Management

~~***Note: The following optional policy may be revised to reflect district practice. Pursuant to Public Resources Code 42630, schools are encouraged to assist cities and counties in meeting the solid waste diversion goals set by Public Resources Code 41780. In addition, pursuant to Public Resources Code 42649.2, as added by AB 341 (Ch. 476, Statutes of 2011), businesses, including schools, that generate more than four cubic yards of solid waste per week are required to arrange for recycling services in accordance with law. Useful resources such as specific waste management strategies, available funding sources, and other publications, including resources for developing and implementing integrated education programs that link instruction on integrated waste management and environmental concepts with student action projects at school sites, may be obtained from the California Department of Resources Recycling and Recovery (CalRecycle).***~~

The Governing Board believes that the conservation of natural resources and the protection of the environment are connected to the district's educational mission and are essential to the health and well-being of the community. The Superintendent or designee shall develop and/or implement a cost-effective, integrated waste management program that incorporates the principles of green school operations.

(cf. 0100 - Philosophy)
(cf. 3510 - Green School Operations)
(cf. 3511 - Energy and Water Management)
(cf. 3514 - Environmental Safety)
(cf. 3514.2 - Integrated Pest Management)

The district's program shall include strategies designed to help the district reduce solid and hazardous waste generation, improve efficiency in its use of natural resources, and minimize the impact of such use on the environment. The program shall address all areas of the district's operations, including, but not limited to, procurement, resource utilization, and facilities management practices.

(cf. 3300 - Expenditures and Purchases)
(cf. 3517 - Facilities Inspection)

The Superintendent or designee may collaborate with city, county, and state agencies and other public or private agencies in developing and implementing the district's integrated waste management program.

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 7131 - Relations with Local Agencies)

~~***Note: CalRecycle provides grants and related information to eligible schools for developing and implementing integrated waste management programs. For more information, see CalRecycle's web site.***~~

The Superintendent or designee shall make every effort to identify funding opportunities for the district's integrated waste management program including applying for available grants or other cost-reduction incentives.

To the extent that funding permits, the Superintendent or designee shall provide appropriate educational and training opportunities to students and staff regarding the benefits and methods of conserving natural resources and protecting the environment.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)
(cf. 6142.5 - Environmental Education)
(cf. 6142.93 - Science Instruction)

The Superintendent or designee shall regularly monitor all aspects of the district's integrated waste management program and shall provide an update to the Board on its effectiveness as necessary.

Legal Reference:

EDUCATION CODE

8700-8707 Environmental education

17070.96 Leroy F. Greene School Facilities Act of 1996, consideration of high performance standards

17072.35 New construction grants; use for designs and materials for high performance schools

32370-32376 Recycling paper

33541 Environmental education

PUBLIC RESOURCES CODE

25410-25421 Energy conservation assistance

40050-40063 Waste management; integrated waste management

41780 Waste diversion

42620-42622 Source reduction and recycling programs

42630-42647 School site source reduction and recycling

42649-42649.7 Recycling of commercial solid waste

CODE OF REGULATIONS, TITLE 14

17225.12 Commercial solid waste

Management Resources:

WEB SITES

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

California Department of Resources Recycling and Recovery:

<http://www.calrecycle.ca.gov/ReduceWaste/Schools>

California Division of State Architect: <http://www.dgs.ca.gov/dsa>

California Energy Commission: <http://www.energy.ca.gov>

California Environmental Protection Agency: <http://www.calepa.ca.gov>

U.S. Environmental Protection Agency: <http://www.epa.gov>

(11/01) 7/12

Policy SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

First Reading: November 13, 2012

Adopted:

King City, CA

AR 3511.1 Business and Noninstructional Operations

Integrated Waste Management

~~***Note: The following administrative regulation is optional and may be revised to reflect district practice.***~~

For all applicable areas of district operations, the Superintendent or designee shall design an integrated waste management program that minimizes the generation of waste, encourages the recovery and diversion of reusable materials from the waste stream, improves efficiency in the utilization of natural and material resources, and protects the environment. The program shall implement measures and/or practices to:

1. Reduce the consumption of disposable materials, increase the composting of organic materials, and fully utilize all materials prior to disposal

(cf. 3510 - Green School Operations)

2. Recycle materials such as paper, glass, plastic, and aluminum

~~***Note: Pursuant to Public Resources Code 42649.2, as added by AB 341 (Ch. 476, Statutes of 2011), any business, including a school, which generates more than four cubic yards of commercial solid waste per week (approximately the size of a 72-inch length, 51-inch width, and 56-inch rear height dumpster) is required to arrange for recycling services, to the extent that such services are available from a local provider, as stated in items a and b below. Commercial solid waste, as defined in 14 CCR 17225.12, means any type of solid waste generated by stores, offices, or other commercial sources.***~~

Any school site or district facility which generates more than four cubic yards of commercial solid waste per week shall take at least one of the following actions: (Public Resources Code 42649.2; 14 CCR 17225.12)

- a. Source separate recyclable materials from solid waste and subscribe to a basic level of recycling service that may include collection, self-hauling, or other arrangement for the pickup of the recyclable materials
- b. Subscribe to a recycling service that may include mixed waste processing that yields diversion results comparable to source separation

~~***Note: Pursuant to Public Resources Code 42642, the California Department of Resources-Recycling and Recovery maintains on its web site a list of recycled and environmentally preferable products that may be used in the construction and modernization of school facilities.***~~

3. Prefer recycled and other environmentally preferable products when procuring materials for use in district schools and buildings or contracting for the construction or modernization of any district building

(cf. 3300 - Expenditures and Purchases)

(cf. 3311 - Bids)

(cf. 3312 - Contracts)

(cf. 7110 - Facilities Master Plan)

4. Work with city, county, or other government agencies to locate markets for the district's reusable and recyclable materials

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

(cf. 7131 - Relations with Local Agencies)

5. Minimize the use of nonbiodegradable materials and work with vendors and contractors to use packaging and delivery materials that generate less waste

(11/01) 7/12

Regulation SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

First Reading: November 13, 2012

Adopted:

King City, CA

AR 3550 Business and Noninstructional Operations

Food Service/Child Nutrition Program

~~***Note: The following optional administrative regulation applies to food sales through the district's food service program, including the National School Lunch Program (42 USC 1751-1769j), School Breakfast Program (42 USC 1773), and Special Milk Program (42 USC 1772). The district should select all sections below that apply to programs offered by the district.***~~

~~***Note: See BP/AR 3552—Summer Meal Program, AR 5148—Child Care and Development, and AR 5148.2—Before/After School Programs for nutrition requirements pertaining to those programs. For food sales outside the district's food service program (e.g., by student and adult organizations, through vending machines, or at student stores), see BP/AR 3554—Other Food Sales.***~~

Nutrition Standards for School Meals

~~***Note: Item #1 below is for use by all districts. Education Code 49550 requires all schools to provide at least one nutritionally adequate meal each school day to students who meet federal eligibility criteria for free and reduced price meals, regardless of whether the school receives reimbursements through the National School Lunch Program (42 USC 1751-1769j), School Breakfast Program (42 USC 1773), and/or State Meal Program (Education Code 49490-49494) or receives no funding support for school meals; see BP/AR 3553—Free and Reduced Price Meals. Education Code 49553 defines a "nutritionally adequate meal" as one that qualifies for reimbursement under federal child nutrition program regulations. 42 USC 1758 and 1773 require schools participating in the National School Lunch and/or Breakfast Program to extend meal service to all students enrolled in the school.***~~

~~***Note: The Healthy, Hunger Free Kids Act of 2010 (42 USC 1753) required the U.S. Department of Agriculture (USDA) to develop regulations to align meal patterns and nutrition standards for the National School Lunch and Breakfast Programs with the Dietary Guidelines for Americans. These updated meal requirements are contained in 7 CFR 210.10, 220.8, and 220.23, as amended by 77 Fed. Reg. 17 pages 4088-4167. Requirements for the National School Lunch Program (7 CFR 210.10) are effective July 1, 2012. 7 CFR 220.23 contains requirements for the School Breakfast Program which are applicable through the 2013-14 school year; these will be superseded by the requirements in 7 CFR 220.8 after the 2013-14 school year.***~~

~~***Note: The alternative method of meeting the required nutrition standards in California, the menu planning option of the Shaping Health as Partners in Education (SHAPE) program, has been disallowed by the USDA. Thus, effective July 1, 2012, all schools participating in the National School Lunch program must comply with the food-based menu planning approach and USDA standards.***~~

Meals, food items, and beverages provided through the district's food services program shall:
(Education Code 49531, 49553; 42 USC 1758, 1773)

1. Comply with National School Lunch and/or Breakfast Program standards for meal patterns, nutrient levels, and calorie requirements for the ages/grade levels served, as specified in 7 CFR 210.10, 220.8, or 220.23 as applicable

~~***Note: Item #2 below reflects an additional requirement for (1) districts participating in the National School Lunch and/or Breakfast Program which choose to apply for state reimbursements for free and reduced price meals in addition to their base reimbursement and (2) districts participating in the State Meal Program. Pursuant to Education Code 49430.7, such districts may not provide foods that are deep fried, par fried, or flash fried. Other districts may delete or use this item at their discretion.***~~

~~***Note: In addition, Education Code 49430.7 requires that foods provided by such districts not contain artificial trans fat. 7 CFR 210.10 and 220.8, as amended by 77 Fed. Reg. 17, added the same requirement to the nutrition standards for the National School Lunch and Breakfast Programs applicable to all districts; thus, the prohibition against trans fat is covered by item #1 above.***~~

2. Not be deep fried, par fried, or flash fried, as defined in Education Code 49430 and 49430.7

3. Not contain artificial trans fat as defined in Education code 49430.7.

(cf. 3552 - Summer Meal Program)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 3554 - Other Food Sales)

(cf. 5030 - Student Wellness)

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

Drinking Water

~~***Note: The following section is for use by all districts. Pursuant to 42 USC 1758, schools participating in the National School Lunch Program are required to make free drinking water available for consumption at locations where meals are served during meal service. In addition, Education Code 38086 requires all California schools to make free drinking water available during school meal times. Pursuant to Education Code 38086, a district may be exempted from this requirement only if the Governing Board adopts a resolution, publicly noticed on at least two consecutive meeting agendas, demonstrating that the district is unable to comply due to fiscal constraints or health or safety concerns. Any district whose Board has adopted such a resolution should delete this section.***~~

~~***Note: Pursuant to Education Code 38086, schools may satisfy this requirement by, among~~

~~other means, providing cups and containers of water or soliciting or receiving donated water. Recommendations on the California Department of Education's web site include providing chilled water, ensuring that all water fountains are clean and operational, and encouraging water consumption through marketing and advertising.***~~

The district shall provide access to free, fresh drinking water during meal times in food service areas at all district schools, including, but not limited to, areas where reimbursable meals under the National School Lunch or Breakfast Program are served or consumed. (Education Code 38086; 42 USC 1758)

Special Milk Program

~~***Note: The following section is optional. The Special Milk Program (42 USC 1772; 7 CFR 215.1-215.18) is a federally funded program which assists in providing milk at reasonable prices to students in schools that do not participate in the National School Lunch or Breakfast Program. Pursuant to 7 CFR 215.1 and 215.7, districts may choose to provide milk at no charge to students who qualify for free and reduced price meals; see BP 3553—Free and Reduced Price Meals.***~~

Any school that does not participate in the National School Lunch or Breakfast Program may participate in the Special Milk Program to provide all enrolled students with reasonably priced milk. (7 CFR 215.1)

Food Safety

~~***Note: Pursuant to Health and Safety Code 113789, school cafeterias are among food facilities subject to the California Retail Food Code.***~~

The Superintendent or designee shall ensure that the district's food service program meets the applicable sanitation and safety requirements of the California Retail Food Code as set forth in Health and Safety Code 113700-114437.

~~***Note: The remainder of this section is for use by any district participating in the National School Lunch and/or Breakfast Program and may be used or revised by other districts at their discretion. 42 USC 1758 requires such districts to implement a food safety program applicable to any facility or part of a facility in which food is stored, prepared, or served. Pursuant to 42 USC 1758 and 7 CFR 210.13 and 220.7, the food safety program must comply with Hazard Analysis and Critical Control Point (HACCP) principles, which include establishing measures needed to prevent hazards at each stage of food production. Pursuant to 7 CFR 210.13, districts may implement either the "traditional" HACCP system or the simplified "process approach." Under the process approach, foods are grouped together according to preparation process and the same control measure is applied to all menu items within the group, rather than developing an HACCP plan for each item. These principles are described in the USDA's Guidance for School Food Authorities: Developing a School Food Safety Program Based on the Process Approach to HACCP Principles.***~~

For all district schools participating in the National School Lunch and/or School Breakfast Program, the Superintendent or designee shall implement a written food safety program for the storage, preparation, and service of school meals which complies with the national Hazard Analysis and Critical Control Point (HACCP) system. The district's HACCP plan shall include, but is not limited to, a determination of critical control points and critical limits at each stage of food production, monitoring procedures, corrective actions, and recordkeeping procedures. (42 USC 1758; 7 CFR 210.13, 220.7)

~~***Note: The following paragraph is optional. The USDA's Guidance for School Food Authorities: Developing a School Food Safety Program Based on the Process Approach to HACCP Principles recommends that proper staff training is a necessary component of an effective food safety program.***~~

The Superintendent or designee shall provide ongoing staff development on food safety to food service managers and employees. Each new employee, including a substitute, or volunteer shall complete initial food safety training prior to handling food. The Superintendent or designee shall document the date, trainer, and subject of each training.

(cf. 4231 - Staff Development)

~~***Note: The following paragraph is optional. The USDA's Guidance for School Food Authorities: Developing a School Food Safety Program Based on the Process Approach to HACCP Principles states that districts should maintain the following types of records in order to periodically review the food safety program and, in the event of a foodborne illness, to document that reasonable care was exercised in the operation of the school's food service program.***~~

~~The Superintendent or designee shall assign staff to maintain records and logs documenting food safety activities, including, but not limited to, records of food deliveries, time and temperature monitoring during food production, equipment temperature (freezer, cooler, thermometer calibration), corrective actions, verification or review of safety efforts, and staff training.~~

Inspection of Food Facilities

~~***Note: Health and Safety Code 113725-113725.3 require all food facilities in California to be inspected by the county environmental health agency in accordance with the timelines and procedures established in county regulations. The inspections cover all food service areas, including cafeterias, vending machines, and mobile food carts. Health and Safety Code 113725- specifies findings that would be considered violations, including (1) improper holding temperatures, improper cooling, or inadequate cooking of potentially hazardous foods (i.e., foods that require temperature control); (2) poor personal hygiene of food service employees; (3) contaminated equipment; and (4) food from unapproved sources.***~~

All food preparation and service areas shall be inspected in accordance with Health and Safety Code 113725-113725.1 and applicable county regulations.

~~***Note: The following paragraph is for use by districts participating in the National School Lunch and/or Breakfast Program. Notwithstanding the requirements of county regulations, districts participating in these programs must obtain at least two safety inspections each school year.***~~

Each school participating in the National School Lunch and/or Breakfast Program shall, during each school year, obtain a minimum of two food safety inspections conducted by the county environmental health agency. (42 USC 1758; 7 CFR 210.13, 220.7)

The Superintendent or designee shall retain records from the most recent food safety inspection. All schools shall post a notice indicating that the most recent inspection report is available to any interested person upon request. (Health and Safety Code 113725.1; 42 USC 1758; 7 CFR 210.13, 210.15, 220.7)

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

(11/07 3/11) 7/12

Regulation SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

First Reading: November 13, 2012

Adopted:

King City, CA

BP 4111, 4211, 4311 Personnel

Recruitment And Selection

~~Cautionary Notice: As added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009), ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), and SB 70 (Ch. 7, Statutes of 2011), Education Code 42605 grants districts flexibility in "Tier 3" categorical programs and provides that districts are deemed in compliance with the program and funding requirements for these programs for the 2008-09 through 2014-15 fiscal years. As a result of this flexibility, the district may choose to temporarily suspend certain provisions of the following policy or administrative regulation that reflect those requirements. However, this flexibility does not affect or alter any existing contract or bargaining agreement that the district may have in place. Thus, districts should examine the terms of those contracts and agreements and consult with district legal counsel for additional guidance. Also see BP 2210—Administrative Discretion Regarding Board Policy.~~

~~***Note: The following optional policy may be modified to reflect district practice. The Governing Board should ensure that district hiring procedures are designed to eliminate, or at least minimize, the possibility of hiring unsuitable or undesirable individuals to avoid liability for negligent hiring. In C.A. v. William S. Hart Union High School District, the California Supreme Court held that defendant district could be vicariously liable for negligence of its administrators and supervisors in the hiring, retention, and supervision of a counselor who sexually harassed and/or abused a student.***~~

The Governing Board is committed to employing suitable, qualified individuals to carry out the district's mission to provide high-quality education to its students and to ensure the efficient running of district operations.

(cf. 0100 - Goals for the School District)
(cf. 4000 - Concepts and Roles)
(cf. 4100 - Certificated Personnel)
(cf. 4200 - Classified Personnel)
(cf. 4300 - Administrative and Supervisory Personnel)
(cf. 9000 - Role of the Board)

The Superintendent shall develop fair, open, and transparent recruitment and selection processes and procedures which ensure that employees are selected based on demonstrated knowledge, skills, and competence and not on any bias, personal preference, or unlawful discrimination.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 4030 - Nondiscrimination in Employment)
(cf. 4031 - Complaints Concerning Discrimination in Employment)
(cf. 4032 - Reasonable Accommodation)
(cf. 4111.2/4211.2/4311.2 - Legal Status Requirement)

When a vacancy occurs, the Superintendent or designee shall review the job description for the position to ensure that it accurately describes the major functions and duties of the position. He/she also shall disseminate job announcements to ensure a wide range of candidates.

The district's selection procedures shall include screening processes, interviews, observations, and recommendations from previous employers as necessary to identify the best possible candidate for a position. The Superintendent or designee may establish an interview committee, as appropriate, to rank candidates and recommend finalists. All discussions and recommendations shall be confidential in accordance with law.

During job interviews, applicants may be asked to describe or demonstrate how they will be able to perform the duties of the job. No inquiry shall be made with regard to any category of discrimination prohibited by state or federal law.

~~***Note: The following paragraph should be modified to reflect district practice.***~~

For each position, the Superintendent or designee shall present to the Board one candidate who meets all qualifications established by law and the Board for the position. No person shall be employed by the Board without the recommendation or endorsement of the Superintendent or designee.

(cf. 4112 - Appointment and Conditions of Employment)

(cf. 4112.2 - Certification)

(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)

(cf. 4212 - Appointment and Conditions of Employment)

(cf. 4312.1 - Contracts)

Recruitment Incentives for Teachers

~~***Note: The following optional paragraph reflects the purposes of the Teaching as a Priority (TAP) block grant program established by Education Code 44735. The goal of the program is to recruit credentialed teachers for high priority schools, defined as schools ranking in the bottom half of the Academic Performance Index. The following paragraph may be revised to reflect incentives approved by the Board.***~~

Contingent upon available funding, the Superintendent or designee may provide incentives to recruit credentialed teachers to teach in any district school ranked in the bottom half of the state Academic Performance Index. Such incentives may include, but are not limited to, signing bonuses, improved work conditions, teacher compensation, or housing subsidies. (Education Code 44735)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

44066 Limitations on certification requirement

44259 Teaching credential; exception; designated subjects; minimum requirements

44735 Incentive grants for recruiting teachers for low-performing schools

44740-44741 Personnel management assistance teams

44750 Teacher recruitment resource center

44830-44831 Employment of certificated persons

44858 Age or marital status in certificated positions

44859 Prohibition against certain rules and regulations re residency

45103-45139 Employment (classified employees)

49406 Examination for tuberculosis

52051 Academic Performance Index

GOVERNMENT CODE

815.2 Liability of public entities and public employees

12900-12996 Fair Employment and Housing Act, including:

12940-12956 Discrimination prohibited; unlawful practices

UNITED STATES CODE, TITLE 8

1324a Unlawful employment of aliens

1324b Unfair immigration related practices

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

2000h-2-2000h-6 Title IX, 1972 Education Act Amendments

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

COURT DECISIONS

C.A. v William S. Hart Union High School District et al., (2012) 138 Cal.Rptr.3d 1

Management Resources:

WEB SITES

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

Education Job Opportunities Information Network: <http://www.edjoin.org>

Teach USA: <http://www.calteach.org>

U.S. Equal Employment Opportunity Commission: <http://www.eeoc.gov>

(7/03) 7/12

Policy SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

First Reading: November 13, 2012

Adopted:

King City, CA

AR 4112.6, 4212.6, 4312.6 Personnel

Personnel Files

~~***Note: The following optional administrative regulation should be revised to reflect district practice and any related provisions of negotiated agreements.***~~

~~The superintendent or designee shall maintain personnel files for all current employees. All personnel files are confidential and shall be available only to the employee, persons authorized by the employee and those authorized by the Superintendent or designee. Official employee files shall be maintained at the district's central office. The superintendent or designee shall determine the types of information to be included and shall process all material to be placed in a personnel file.~~

The Superintendent or designee shall maintain personnel files for all current employees at the district's central office or at the location where the employee works.

The Superintendent or designee shall determine the types of information to be included in personnel files, including, but not limited to, records required by law, and shall process all material to be placed in such files.

~~The contents of all personnel files shall be kept in strict confidence by any authorized reviewer.~~

~~***Note: The following paragraph is for use by districts that maintain their own police or security department; see BP/AR 3515.3 District Police/Security Department.***~~

~~Personnel files for district police or security officers shall be maintained and accessed in accordance with Government Code 3305 3306.5 and AR 3515.3 District Police/Security Department.~~

~~(cf. 3515.3 District Police/Security Department)~~

~~***Note: Pursuant to 5 CCR 16023, personnel records pertaining to the employment, assignment, amounts and dates of service rendered, termination or dismissal of an employee, sick leave, rate of compensation, salaries or wages paid, and deductions or withholdings made and the person or agency to whom such amounts were paid are Class 1 (permanent) records which must be retained indefinitely unless microfilmed or part of a summary payroll record; see AR 3580 District Records.***~~

Personnel records for current and former employees shall be retained in accordance with 5 CCR 16023.

(cf. 3580 - District Records)

Placement of Material in Personnel Files

~~Any supervisor or administrator who places written material or drafts written material for placement in an employee's file shall sign the material and indicate the date of the placement.~~

~~When an employee is asked to sign any material that is to be placed in his/her file, he/she shall be informed that the signature only signifies that he/she has read the material and does not necessarily indicate that he/she agrees with its contents.~~

~~Any request by an employee to include materials in his/her personnel file must be approved by the Superintendent or designee.~~

Any supervisor or administrator who places written material or drafts written material for placement in an employee's file shall sign the material and indicate the date of the placement.

When an employee is asked to sign any material that is to be placed in his/her file, he/she shall be informed that the signature only signifies that he/she has read the material and does not necessarily indicate that he/she agrees with its contents.

~~***Note: Pursuant to Education Code 44663, certificated employees have the right to provide a written reaction to their evaluation and this response becomes a permanent attachment to their personnel file. The following paragraph extends this right to all employees and may be revised to reflect district practice.***~~

~~A certificated employee may initiate a written reaction or response to his/her performance evaluation and that response shall become permanent attachment to the employee's personnel file (Education Code 44663)~~

An employee may initiate a written reaction or response to his/her performance evaluation. The response shall be permanently attached to the evaluation and placed in the employee's personnel file.

Any request by an employee to include materials in his/her personnel file must be approved by the Superintendent or designee

(cf. 4115 - Evaluation/Supervision)

(cf. 4215 - Evaluation/Supervision)

(cf. 4315 - Evaluation/Supervision)

Derogatory Information

~~***Note: Education Code 44031 requires that an employee be given an opportunity to review and comment on any derogatory information before such information is placed in the employee's personnel file, as provided below. Pursuant to 5 CCR 16023, derogatory information must be~~

~~retained as a Class 1 (permanent) record only when the time for filing a grievance has passed or the document has been sustained by the grievance process; see AR 3580 - District Records.***~~

Information of a derogatory nature shall not be entered into an employee's personnel file unless and until the employee is given notice and an opportunity to review and comment on that information. Such a review shall take place during normal business hours. ~~The employee shall be released from duty for this purpose without a salary reduction.~~ The employee may enter his/her own comments and have them attached to the derogatory statement. (Education Code 44031)

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 4112.9 - Employee Notifications)

(cf. 4117.4 - Dismissal)

(cf. 4118 - Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

Persons with Authorized Access

~~***Note: The following section should be revised to reflect district practice. Pursuant to Government Code 6254, districts may refuse to disclose personnel records when such disclosure would constitute an unwarranted invasion of personal privacy, although such disclosure is not prohibited. In Marken v. Santa Monica Malibu Unified School District, the court, relying on Bakersfield City School District v. Superior Ct., held that "if a complaint is of a substantial nature and there is reasonable cause to believe the complaint or charge of misconduct is well founded," then the public's right to know outweighs the employee's right to privacy. The ruling emphasized that balancing the public's right to know with the employee's privacy rights must be determined on a case by case basis. Districts should consult legal counsel prior to disclosing an individual's personnel records.***~~

The Superintendent or designee shall maintain the confidentiality of any personnel records which, if inappropriately disclosed, would constitute an unwarranted invasion of the employee's privacy.

Access to an employee's personnel file shall be granted only to the employee, persons authorized by the employee, district personnel, and others with a valid "right to know" or "need to know" who are authorized access by the Superintendent or designee.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

~~***Note: The following optional paragraph is consistent with BB 9005 - Governance Standards and BB 9200 - Limits of Board Member Authority which reflect an understanding that the Governing Board's authority rests with the Board as a whole and not with individual Board members.***~~

Individual Governing Board members shall not be allowed to access personnel files, but the Board may request pertinent information from an employee's file in cases of personnel action.

**(cf. 9011 - Disclosure of Confidential/Privileged Information)
(cf. 9321 - Closed Session Purposes and Agendas)
(cf. 9321.1 - Closed Session Actions and Reports)**

Any authorized reviewer shall maintain strict confidence of the contents of a personnel file. Personnel files shall be reviewed and replaced within the shortest time possible. In no case shall a personnel file be left unattended or left unsecured overnight.

File Review by Employee

~~The contents of personnel records relating to the employee's performance or to any grievance concerning the employee shall be made available to the employee at reasonable intervals and at reasonable times. The superintendent or designee shall not be required to make such records available at a time when the employee is required to render services to the district, unless the employee is required to view the file where it is store. (Labor Code 1198.5; Education Code 449031)~~

Any employee wishing to inspect his/her personnel record shall contact the Superintendent or designee.

With the exceptions noted below, all personnel records related to the employee's performance or to any grievance concerning the employee shall be made available for inspection by the employee. Non-credentialed employees shall have access to any numerical scores obtained as a result of written examinations. (Education Code 44031; Labor Code 1198.5)

The Superintendent or designee shall not be required to make available to the employee: (Education Code 44031; Labor Code 1198.5)

- 1. Records related to the investigation of a possible criminal offense**
- 2. Letters of reference**
- 3. Ratings, reports, or records that were obtained prior to the employee's employment, prepared by identifiable examination committee members, or obtained in connection with a promotional examination**

**(cf. 4112.41/4212.41/4312.41 - Employee Drug Testing)
(cf. 4112.62/4212.62/4312.62 - Maintenance of Criminal Offender Records)**

~~***Note: Education Code 44031 and Labor Code 1198.5 require districts to make the contents of personnel files available to an employee at reasonable intervals and at reasonable times, as specified below. The law does not define the term "reasonable interval" or "reasonable time." If questions arise, districts should consult with legal counsel as appropriate.***~~

Personnel records related to the employee's job performance or to any grievance concerning him/her shall be made available to the employee at reasonable intervals and at reasonable times. The Superintendent or designee shall not be required to make such records available at a time when the employee is required to render services to the district, unless the employee is required to view the file where it is stored. (Education Code 44031; Labor Code 1198.5)

The Superintendent or designee shall do one of the following: (Labor Code 1198.5)

1. Keep a copy of each employee's personnel records at the place where the employee reports to work
2. Make the employee's personnel records available at the place where the employee reports to work within a reasonable period of time following the employee's request
3. Permit the employee to inspect the personnel records at the location where the district stores the personnel records, with no loss of compensation to the employee

~~***Note: The remainder of this regulation is optional and may be revised to reflect district practice.***~~

Any employee wishing to inspect his/her personnel record shall contact the superintendent or designee.

The employee may be accompanied by a representative of his/her choice while reviewing his/her personnel records.

Inspection shall take place in the presence of the Superintendent or designee. The Superintendent or designee shall keep a record of the date and time the file was reviewed and the name and title of the person(s) present during the review.

In no instance shall any material be removed from the records. Requests for copies of material in a personnel record must be made in writing.

Legal Reference:

EDUCATION CODE

35253 Regulations to destroy records

44031 Personnel file contents and inspection

44663 Performance appraisals and related materials

GOVERNMENT CODE

3305-3306.5 District police officers; personnel files

6250-6270 California Public Records Act, especially:

6254 Exemption for personnel records if invasion of personal privacy

6254.3 Disclosure of home address and phone number

LABOR CODE

1198.5 Inspection of personnel files

PENAL CODE

11165.14 Report of investigation of child abuse complaint

CODE OF REGULATIONS, TITLE 5

16020-16022 Records, general provisions

16023-16027 Retention of records

COURT DECISIONS

Marken v. Santa Monica-Malibu Unified School District, (2012) 202 Cal.App.4th 1250

Bakersfield City School District v. Superior Ct. (2004) 118 Cal.App.4th 1041

ATTORNEY GENERAL OPINIONS

Cal. Atty. Gen., Indexed Letter, no. IL 75-73 (June 6, 1975)

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Regulation SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

First Reading: November 13, 2012

Adopted:

King City, CA

BP 4112.9 4212.9, 4312.9 Personnel

Employee Notifications

The Governing Board believes that providing clear communications to staff is essential to establishing a professional, positive work environment and enhancing their job performance. The Superintendent or designee shall provide district employees all notifications required by law and any other notifications he/she believes will promote staff knowledge of the district's policies, programs, activities, and operations.

When required by law, Board policy, or administrative regulation, district employees shall be asked to sign an acknowledgment indicating receipt of the notification. Such acknowledgments shall be retained in each employee's personnel file.

(cf. 3580 - District Records)

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

Legal Reference:

EDUCATION CODE

- 231.5 Sexual harassment policy
- 17612 Notification of pesticide use
- 22455.5 STRS information to potential members
- 22461 Postretirement compensation limitation
- 35031 Nonreelection of superintendent, assistant superintendent, or manager of classified services
- 35171 Notice of regulations pertaining to certificated employee evaluations
- 37616 Notice of public hearing on year-round schedule
- 44031 Personnel file contents, inspection
- 44663-44664 Evaluation of certificated employees
- 44842 Reemployment notices, certificated employees
- 44896 Transfer of administrator or supervisor to teaching position
- 44916 Written statement of employment status
- 44929.21 Reelection or nonreelection of probationary employee after second year
- 44934 Notice of disciplinary action for cause
- 44938 Notice of unprofessional conduct and opportunity to correct
- 44940.5-44941 Notification of suspension and intent to dismiss
- 44948.3-44948.5 Dismissal of probationary employees
- 44949 Cause, notice and right to hearing
- 44951 Continuation in position unless notified, administrative or supervisory personnel
- 44954 Nonreelection of temporary employees
- 44955 Reduction in number of employees
- 45113 Notification of charges, classified employees

45117 Notice of layoff, classified employees
45169 Employee salary data, classified employees
45192 Industrial and accident leave
45195 Additional leave
46162 Notice of public hearing on block schedule
49079 Notification to teacher; student who has engaged in acts re: grounds suspension or expulsion

GOVERNMENT CODE

1126 Incompatible activities of employees
3100-3109 Oath or affirmation of allegiance
8355 Certification of drug-free workplace, including notification
12950 Sexual harassment
54957 Complaints against employees; right to open session
54963 Unauthorized disclosure of confidential information

HEALTH AND SAFETY CODE

104420 Tobacco-free schools
120875 Information on AIDS, AIDS-related conditions, and hepatitis B
120880 Notification to employees re AIDS, AIDS-related conditions, and hepatitis B

LABOR CODE

2800.2 Notification of availability of continuation health coverage
3550-3553 Notifications re: workers' compensation benefits
5401 Workers' compensation; claim form and notice of potential eligibility

PENAL CODE

11165.7 Child Abuse and Neglect Reporting Act; notification requirement
11166.5 Employment; statement of knowledge of duty to report child abuse or neglect

UNEMPLOYMENT INSURANCE CODE

2613 Disability insurance; notice of rights and benefits

CODE OF REGULATIONS, TITLE 2

7288.0 Sexual harassment training, provision of district policy

CODE OF REGULATIONS, TITLE 5

4622 Uniform complaint procedures

80303 Reports of change in employment status, alleged misconduct

CODE OF REGULATIONS, TITLE 8

3204 Employees exposed to bloodborne pathogens, access to exposure and medical records

5193 California bloodborne pathogens standard

UNITED STATES CODE, TITLE 38

4344 Uniformed Services Employment and Reemployment Rights Act, notice requirement

UNITED STATES CODE, TITLE 41

8101-8106 Drug-Free Workplace Act

CODE OF FEDERAL REGULATIONS, TITLE 29

825.300 Family and Medical Leave Act; notice requirement

CODE OF FEDERAL REGULATIONS, TITLE 34

104.8 Nondiscrimination

106.9 Dissemination of policy, nondiscrimination on basis of sex

BP 4112.9, 4212.9, 4312.9 (c)

CODE OF FEDERAL REGULATIONS, TITLE 40

763.84 Asbestos inspections, response actions and post-response actions

763.93 Asbestos management plans

CODE OF FEDERAL REGULATIONS, TITLE 49

382.601 Controlled substance and alcohol use and testing notifications

(6/94 2/95) 7/12

Policy SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

First Reading: November 13, 2012

Adopted:

King City, CA

Personnel

Employee Notifications

~~***Note: The following exhibit lists notices which the law requires be provided to employees. Unless otherwise indicated, code numbers below refer to Education Code sections.***~~

I. To All Employees

When/Whom to Notify: At the beginning of school year or upon employment

Legal Code: Education Code 231.5, Government Code 12950, 2 CCR 7288.0

Board Policy/Administrative Regulation #: AR 4119.11/4219.11/4319.11

Subject: The district's policy on sexual harassment, legal remedies, complaints

When/Whom to Notify: Annually to all employees

Legal Code: Education Code 17612

Board Policy/Administrative Regulation #: AR 3514.2

Subject: Use of pesticide product, active ingredients, Internet address to access information

When/Whom to Notify: To all employees, prior to

Legal Code: Education Code 37616

Board Policy/Administrative Regulation #: AR 6112

Subject: Public hearing on year-round implementing year-round program schedule

When/Whom to Notify: To all employees, prior to

Legal Code: Education Code 46162

Board Policy/Administrative Regulation #: AR 6112

Subject: Public hearing on block implementing block schedule schedule

When/Whom to Notify: To all employees

Legal Code: Government Code 1126

Board Policy/Administrative Regulation #: BP 4136/4236/4336

Subject: Prohibition of activities that are inconsistent, incompatible, in conflict with, or inimical to duties; discipline; appeal

When/Whom to Notify: Prior to beginning employment

Legal Code: Government Code 3102

Board Policy/Administrative Regulation #: AR 4112.3/4212.3/4312.3

Subject: Oath or affirmation of allegiance required of public employees

When/Whom to Notify: To all employees

Legal Code: Government Code 8355; 41 USC 8102

Board Policy/Administrative Regulation #: BP 4020, BP 4159/4259/4359

Subject: District's drug- and alcohol-free workplace; actions that will be taken if violated;

available employee assistance programs

When/Whom to Notify: To all employees, if the district receives Tobacco-Use Prevention Education funds

Legal Code: Health and Safety Code 104420

Board Policy/Administrative Regulation #: AR 3513.3

Subject: District's tobacco-free schools policy and enforcement procedures

When/Whom to Notify: Annually to all employees

Legal Code: Health and Safety Code 120875, 120880

Board Policy/Administrative Regulation #: AR 4119.43/4219.43/4319.43

Subject: AIDS and hepatitis B, methods to prevent exposure

When/Whom to Notify: To covered employees and former employees

Legal Code: Labor Code 2800.2

Board Policy/Administrative Regulation #: AR 4154/4254/4354

Subject: Availability of COBRA/Cal-COBRA continuation and conversion coverage; statement encouraging careful examination of options before declining coverage

When/Whom to Notify: Upon employment or by end of first pay period

Legal Code: Labor Code 3551

Board Policy/Administrative Regulation #: BP 4157.1/4257.1/ 4357.1

Subject: Workers' compensation benefits, how to obtain medical care, role of primary physician, form for reporting personal physician/chiropractor

When/Whom to Notify: Prior to beginning employment

Legal Code: Penal Code 11165.7, 11166.5

Board Policy/Administrative Regulation #: AR 5141.4

Subject: Status as a mandated reporter of child abuse, reporting obligations, confidentiality rights, copy of law

When/Whom to Notify: Upon employment, and when employee goes on leave for specified reasons

Legal Code: Unemployment Insurance Code 2613

Board Policy/Administrative Regulation #: AR 4154/4254/4354

Subject: Disability insurance rights and benefits

When/Whom to Notify: Annually to all employees

Legal Code: 5 CCR 4622

Board Policy/Administrative Regulation #: AR 1312.3

Subject: Uniform complaint procedures, available appeals, civil law remedies, identity of coordinator

When/Whom to Notify: To all employees via employee handbook, or to each new employee

Legal Code: 29 CFR 825.300

Board Policy/Administrative Regulation #: AR 4161.8/4261.8/4361.8
Subject: Benefits through Family and Medical Leave Act

When/Whom to Notify: To all employees and job applicants
Legal Code: 34 CFR 104.8, 106.
Board Policy/Administrative Regulation #: BP 0410, BP 4030
Subject: District's policy on nondiscrimination and related complaint procedures

When/Whom to Notify: Annually to all employees
Legal Code: 40 CFR 763.84, 763.93
Board Policy/Administrative Regulation #: AR3514
Subject: Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress

II. To Certificated Employees

When/Whom to Notify: To eligible certificated employees in a timely manner, and to part-time and substitute certificated employees within 30 days of hire
Legal Code: Education Code 22455.5
Board Policy/Administrative Regulation #: AR 4121
Subject: Criteria for membership in retirement system; right to elect membership at any time

When/Whom to Notify: Upon employment of a retired certificated individual
Legal Code: Education Code 22461
Board Policy/Administrative Regulation #: AR 4117.14/4317.14
Subject: Postretirement compensation limitation

When/Whom to Notify: To certificated employees
Legal Code: Education Code 35171
Board Policy/Administrative Regulation #: AR 4115, BP 4315
Subject: District regulations related to performance evaluations

When/Whom to Notify: 30 days before last day of school year for instructional staff, or by June 30 for noninstructional certificated staff, in any year in which employee is evaluated
Legal Code: Education Code 44663
Board Policy/Administrative Regulation #: AR 4115
Subject: Copy of employee's evaluation

When/Whom to Notify: To a certificated employee with unsatisfactory evaluation
Legal Code: Education Code 44664
Board Policy/Administrative Regulation #: AR 4115
Subject: Notice and description of the unsatisfactory performance

When/Whom to Notify: By May 30, if district elects to issue reemployment notices to certificated employees

Legal Code: Education Code 44842

Board Policy/Administrative Regulation #: AR 4112.1

Subject: Request to notify district of intent to remain in service for the following school year; copy of law

When/Whom to Notify: To certificated employees upon employment

Legal Code: Education Code 44916

Board Policy/Administrative Regulation #: AR 4112.1, AR 4121

Subject: Employment status and salary

When/Whom to Notify: To probationary employees in district with ADA of 250 or more, by March 15 of employee's second consecutive year of employment

Legal Code: Education Code 44929.21

Board Policy/Administrative Regulation #: AR 4117.6

Subject: Whether or not employee is reelected for next school year

When/Whom to Notify: When certificated employee is subject to disciplinary action for cause

Legal Code: Education Code 4493

Board Policy/Administrative Regulation #: AR 4117.4, AR 4118

Subject: Notice of charges, procedures, and employee rights; intent to dismiss or suspend 30 days after notice

When/Whom to Notify: To certificated employee charged with unprofessional conduct

Legal Code: Education Code 44938

Board Policy/Administrative Regulation #: AR 4118

Subject: Notice of deficiency and opportunity to correct

When/Whom to Notify: To certificated employee charged with mandatory leave of absence offense, within 10 days of entry of judgment in proceedings

Legal Code: Education Code 44940.5

Board Policy/Administrative Regulation #: AR 4118

Subject: Notice of intent to dismiss 30 days from notice

When/Whom to Notify: To probationary employees 30 days prior to dismissal, or not later than March 15 for second- year probationary employees

Legal Code: Education Code 44948.3

Board Policy/Administrative Regulation #: AR 4117.4

Subject: Reasons for dismissal and opportunity to appeal

When/Whom to Notify: To probationary employees in districts with less than 250 ADA, before notice of nonreelection but no later than March 15, with final notice by May 15

Legal Code: Education Code 44948.5

Board Policy/Administrative Regulation #: AR 4117.4

Subject: Recommendation of nonreelection notice for reason other than personnel reduction; statement of reasons upon request

When/Whom to Notify: By March 15 when necessary to reduce certificated personnel, with final notice by May 15

Legal Code: Education Code 44949, 44955

Board Policy/Administrative Regulation #: BP 4117.3

Subject: Reasons for personnel reduction and employees' right to hearing; final notice of Board decision re: termination

When/Whom to Notify: On or before June 30, to temporary employee who served 75 percent of school year but will be released

Legal Code: Education Code 44954

Board Policy/Administrative Regulation #: BP 4121

Subject: District's decision not to reelect employee for following school year

When/Whom to Notify: To teacher, when student engages in or is reasonably suspected of specified acts

Legal Code: Education Code 49079

Board Policy/Administrative Regulation #: AR 4158/4258/4358

Subject: Student has committed specified act that constitutes ground for suspension or expulsion

When/Whom to Notify: To certificated employee upon change in employment status due to alleged misconduct

Legal Code: 5 CCR 80303

Board Policy/Administrative Regulation #: AR 4117.7

Subject: Contents of state regulation re: report to Commission on Teacher Credentialing

III. To Classified Employees

When/Whom to Notify: To classified employee charged with mandatory leave of absence offense, in merit system district

Legal Code: Education Code 44940.5

Board Policy/Administrative Regulation #: AR 4218

Subject: Notice of intent to dismiss in 30 days

When/Whom to Notify: When classified employee is subject to disciplinary action for cause, in nonmerit district

Legal Code: Education Code 45113

Board Policy/Administrative Regulation #: AR 4218

Subject: Notice of charges, procedures, and employee rights

When/Whom to Notify: To classified employees, at least 45 days prior to layoff, or by April 29 if specially funded program is expiring

Legal Code: Education Code 45117

Board Policy/Administrative Regulation #: AR 4217.3

Subject: Notice of layoff and reemployment rights

When/Whom to Notify: To classified employees upon employment and upon each change in classification

Legal Code: Education Code 45169

Board Policy/Administrative Regulation #: AR 4212

Subject: Employee's class specification, salary data, assignment or work location, duty hours, prescribed workweek

When/Whom to Notify: To classified permanent employee whose leave is exhausted

Legal Code: Education Code 45192, 45195

Board Policy/Administrative Regulation #: AR 4261.1, AR 4261.11

Subject: Exhaustion of leave, opportunity to request additional leave

When/Whom to Notify: To school bus drivers, prior to district drug testing program and thereafter upon employment Legal Code: 49 CFR 382.601

Board Policy/Administrative Regulation #: BP 4112.42/4212.42/4312.42

Subject: Explanation of federal requirements for drug testing program and district's policy

IV. To Administrative/Supervisory Personnel

When/Whom to Notify: To deputy, associate, or assistant superintendent or senior manager of classified service, at least 45 days before expiration of contract

Legal Code: Education Code 35031

Board Policy/Administrative Regulation #: BP 4312.1

Subject: Decision not to reelect or reemploy upon expiration of contract or term

When/Whom to Notify: Upon request by administrative or supervisory employee transferred to teaching position

Legal Code: Education Code 44896

Board Policy/Administrative Regulation #: AR 4313.2

Subject: Statement of the reasons for the release or reassignment

When/Whom to Notify: By March 15 to employee who may be released/reassigned the following school year

Legal Code: Education Code 44951

Board Policy/Administrative Regulation #: AR 4313.2

Subject: Notice that employee may be released or reassigned the following school year

V. To Individual Employees Under Special Circumstances

When/Whom to Notify: Prior to placing derogatory information in personnel file

Legal Code: Education Code 44031

Board Policy/Administrative Regulation #: AR 4112.6/4212.6 /4312.6

Subject: Notice of derogatory information, opportunity to review and comment

When/Whom to Notify: 24 hours before Board meets in closed session to hear complaints or charges against employee

Legal Code: Government Code 54957

Board Policy/Administrative Regulation #: BB 9321

Subject: Employee's right to have complaints/charges heard in open session

When/Whom to Notify: Notice or training to employee with access to confidential information

Legal Code: Government Code 54963

Board Policy/Administrative Regulation #: BP 4119.23/4219.23/4319.23

Subject: Law prohibiting disclosure of confidential information obtained in closed session

When/Whom to Notify: Within one working day of work-related injury or victimization of crime at workplace

Legal Code: Labor Code 3553, 5401

Board Policy/Administrative Regulation #: BP 4157.1/4257.1/4357.1

Subject: Potential eligibility for workers' compensation benefits, claim form

When/Whom to Notify: To any employee with exposure to bloodborne pathogens, upon initial employment and at least annually thereafter

Legal Code: 8 CCR 3204, 5193

Board Policy/Administrative Regulation #: AR 4119.42/4219.42/4319.42

Subject: The existence, location, and availability of exposure and medical records; person responsible for maintaining and providing access to records; right to access records

When/Whom to Notify: To employee eligible for military leave

Legal Code: 38 USC 4334

Board Policy/Administrative Regulation #: AR 4161.5/4261.5/4361.5

Subject: Notice of rights, benefits, and obligations under military leave

When/Whom to Notify: Within five days of employee's request for family care and medical leave

Legal Code: 29 CFR 825.300

Board Policy/Administrative Regulation #: AR 4161.8/4261.8/4361.8

Subject: Whether or not employee is eligible for FMLA leave, rights and obligations; consequences of failure to meet obligations

7/12

Exhibit SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

First Reading: November 13, 2012

Adopted:

King City, CA

BP 4119.1 4219.1, 4319.1 Personnel

Civil And Legal Rights

~~***Note: The following policy is optional and may be revised to reflect district practice. — Though employees have the same constitutional and statutory rights as other citizens, there are situations in which the district may limit some of those rights. — In Johnson v. Poway Unified School District, the federal court of appeals ruled that a district's action controlling the speech of its employee did not violate the employee's First Amendment rights.***~~

The Governing Board believes that the personal life of an employee is not an appropriate concern of the district, except as it may directly relate to the employee's performance of his/her duties.

~~An employee's personal beliefs and activities, or lack thereof, shall be grounds for any discrimination or disciplinary action by the district, provided that these activities do not violate law, Board policy, or administrative regulation.—~~

An employee's personal beliefs and activities, including religious, political, cultural, social, or other beliefs or activities, or lack thereof, shall not be grounds for disciplinary action against the employee, provided that the beliefs or activities do not violate law, Board policy, or administrative regulation.

(cf. 4030 - Nondiscrimination in Employment)

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

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

~~***Note: The following optional paragraph provides for district employees' right to privacy pursuant to Article I, Section 1 of the California Constitution. — In addition, Education Code 49091.24 allows teachers the right to refuse to submit to district surveys or evaluations concerning certain personal beliefs as stated below. — Specific limits regarding applicability of privacy rights of employees require complex analysis of law, so district legal counsel should be consulted when such questions arise.***~~

The district shall make no inquiry concerning the personal values, attitudes, and beliefs of district employees or their sexual orientation or political or religious affiliations, beliefs, or opinions except when authorized by law. In addition, no district employee shall be required to provide critical appraisals of other individuals with whom the employee has a familial relationship. However, the district reserves the right to access any publicly available information about any employee.

~~***Note: Education Code 48907 gives students the right to exercise freedom of speech and of the press and mandates districts to adopt reasonable rules and regulations concerning the time, place, and manner for students to engage in those activities; see BP/AR 5145.2 Freedom of~~

~~Speech/Expression.—In addition, Education Code 48950 prohibits a district from disciplining any high school student solely for his/her speech or other communication which would be protected by either the U.S. or California Constitution if engaged in outside of school campus. Both these provisions prohibit the disciplining of any employee who acts to protect a student engaged in any conduct authorized under these provisions.***~~

No employee shall be disciplined or retaliated against solely for acting to protect a student engaged in conduct authorized under Education Code 48907 or 48950.

~~***Note:—When investigating an allegation of employee misconduct, the district may need to consider whether a search of the employee's desk, files, or other district-provided equipment, such as a computer or cell phone, is warranted. The determination of whether a search is legally justified is complex and depends on whether the employee has a reasonable expectation of privacy in the items to be searched and whether the search is reasonable at its inception.—Given the legal complexities, it is recommended that district legal counsel be consulted prior to a search and that employees conducting searches receive appropriate instruction as to how the search is to be conducted.***~~

~~A teacher shall have the right to refuse to submit to any evaluation or survey conducted by the district concerning personal values, attitudes, and beliefs: sexual orientation; political affiliations or opinions; critical appraisals of other individuals with whom the teacher has a family relationship; or religious affiliations or beliefs (Education Code 49091.24)~~

~~Employees do not have a reasonable expectation of privacy with regards to district property under an employee's control including, but not limited to, desks, classrooms, offices, file cabinets, computers, or phones. As necessary to protect the health, welfare, or safety of students and staff, school officials may search such items in order to uncover evidence that the employee is violating the law, Board policy, administrative regulation, or other rules of the district or school.~~

When necessary to protect the health, welfare, or safety of students and staff, school officials may search district property under an employee's control.

(cf. 3515 - Campus Security)

(cf. 4040 - Employee Use of Technology)

Whistleblower Protection

~~***Note: Education Code 44110-44114, the Reporting by School Employees of Improper Governmental Activities Act, and Labor Code 1102.5 provide "whistleblower protection" to employees who refuse to be a party to, or who report, noncompliance with a state or federal law or regulation.—This protection does not cover employees when they speak out within their employment setting on matters related to their official duties.—In Garcetti v. Ceballos, the U.S. Supreme Court held that when public employees speak out in the workplace about work-related~~

~~issues, they may be subject to employee discipline since they are not speaking as citizens for First Amendment purposes. However, employees have the right to speak out as concerned citizens outside of the work environment. In addition, to the extent that the employee's speech is on an issue subject to whistleblower protection, then the protections provided to employees by the whistleblower statutes would be applicable.***~~

An employee shall have the right to disclose to a Board member, a school administrator, a member of the County Board of Education, County Superintendent of Schools, or the Superintendent of Public Instruction any improper governmental activity by the district or a district employee that violates state or federal law, is economically wasteful, or involves gross misconduct, incompetency, or inefficiency. When the employee has reasonable cause to believe that the information discloses a violation of state or federal statute or a violation of or noncompliance with a state or federal rule or regulation, he/she has the right to disclose such information to a government or law enforcement agency or to refuse to participate in any such activity. (Education Code 44112, 44113; Labor Code 1102.5)

The Superintendent or designee shall prominently display in lettering larger than size 14 point type a list of employees' rights and responsibilities under the whistleblower laws, including the telephone number of the whistleblower hotline maintained by the office of the California Attorney General. (Labor Code 1102.8)

No employee shall use or attempt to use his/her official authority or influence to intimidate, threaten, coerce, or command another employee for the purpose of interfering with that employee's right to disclose improper governmental activity. (Education Code 44113)

(cf. 4118 - Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

~~***Note: An employee may be liable for an action in civil damages for interfering with the right of another employee to disclose an improper governmental action. In Hartnett v. Crosier, a California appellate court ruled that "management employees" could also be held liable for their acts of retaliation committed when acting in a supervisory role.***~~

An employee who has disclosed improper governmental activity and believes that he/she has subsequently been subjected to acts or attempted acts of reprisal shall file a written complaint in accordance with the district's complaint procedures. After filing a complaint with the district, the employee may also file a copy of the complaint with local law enforcement ~~in accordance with Education Code 44114.~~ **and/or seek civil law remedies against the supervisor or administrator who retaliated or attempted to retaliate against him/her, in accordance with Education Code 44114.**

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 4144/4244/4344 - Complaints)

Protection Against Liability

~~***Note: 20 USC 6731-6738 limit the liability of teachers, principals, and other school personnel who maintain discipline and/or ensure safety when harm is caused while they are acting within the scope of their employment. The law also applies to Governing Board members; see BB 9260 - Legal Protection. The following section is made applicable to all employees; however, any district that wishes to apply the section only to teachers should modify the section accordingly.***~~

No employee shall be liable for harm caused by his/her act or omission when **he/she is** acting within the scope of employment or district responsibilities; when the employee's act or omission is in conformity with federal or state law, district policy, or administrative regulation; or when the employee's act or omission is in furtherance of an effort to control, discipline, expel, or suspend a student or to maintain order or control in the classroom or school. ~~For the protection against liability to apply, the act or omission must be in conformity with federal, state, and local laws and must be in furtherance of an effort to control, discipline, expel, or suspend a student, or to maintain order or control in the classroom or school. (20 USC 6736)~~

(cf. 3320 - Claims and Actions Against the District)
(cf. 9260 - Legal Protection)

The protection against liability shall not apply when:

1. The employee acted with willful or criminal misconduct, gross negligence, recklessness, or a conscious, flagrant indifference to ~~the harmed person's right to safety~~ rights or safety of the individual harmed.
2. The employee caused harm by operating a motor vehicle or other vehicle requiring license or insurance.
3. The employee was not properly licensed, if required, by state law for such activities.
4. The employee was found by a court to have violated a federal or state civil rights law.
5. The employee 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 employee has been convicted in a court.
7. The misconduct involved a sexual offense for which the employee has been convicted in a court.

8. The misconduct occurred during background investigations, or other actions, involved in the employee's hiring.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

7050-7058 Political activities of school officers and employees

44040 Discrimination based on employee's appearance before certain boards or committees

44110-44114 Reporting by school employees of improper governmental activity

48907 Student freedom of expression; employee's protection of student rights

48950 Speech and other communication

49091.24 Teacher rights to refuse evaluation/survey of personal life

CIVIL CODE

51 Unruh Civil Rights Act

GOVERNMENT CODE

815.3 Intentional torts

820-823 Tort claims act

825.6 Indemnification of public entity

3540.1 Public employment definitions

3543.5 Interference with employee's rights prohibited

12650-12656 False claims actions

12940-12951 Discrimination prohibited; unlawful practices

LABOR CODE

1102.5-1106 Whistleblower protections

UNITED STATES CODE, TITLE 18

16 Crime of violence defined

UNITED STATES CODE, TITLE 20

6731-6738 Teacher liability protection

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act

2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

2000h-2000h-6 Title IX, 1972 Education Act Amendments

12101-12213 Americans with Disabilities Act

COURT DECISIONS

Hartnett v. Crosier, (2012) 205 Cal.App.4th 685

Johnson v. Poway Unified School District, (2011) 658 F.3d 954

Ohton v. CSU San Diego, (2007) 56 Cal.Rptr.3d 111

Garcetti v. Ceballos, (2006) 543 U.S. 1186

O'Conner v. Ortega, (1987) 480 U.S. 709

New Jersey v. T.L.O., (1985) 468 U.S. 325

BP 4119.1, 4219.1, 4319.1 (f)

Management Resources:

WEB SITES

California Attorney General: <http://www.oag.ca.gov>

(3/04 7/07) 7/12

Policy SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

First Reading: November 13, 2012

Adopted:

King City, CA

BP 4119.21, 4219.21, 4319.21 Personnel

Professional Standards

~~***Note: The following optional policy should be revised to reflect district practice and/or any related provisions of collective bargaining agreements.***~~

The Governing Board expects district employees to maintain the highest ethical standards, exhibit professional behavior, follow district policies and regulations, abide by state and federal laws, and exercise good judgment when interacting with students and other members of the school community. Employee conduct should enhance the integrity of the district, advance the goals of the district's educational programs, and contribute to a positive school climate.

(cf. 0200 - Goals for the School District)
(cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)
(cf. 5131 - Conduct)
(cf. 5137 - Positive School Climate)

~~***Note: The following optional paragraph encourages district employees to abide by standards developed by their professional associations. These standards are reproduced at E-4119.21 (certificated personnel), E 4219.21 (classified personnel), and E 4319.21 (administrative and supervisory personnel).***~~

The Board encourages district employees to accept as guiding principles the professional standards and codes of ethics adopted by educational or professional associations to which they may belong.

(cf. 2111 - Superintendent Governance Standards)
(cf. 9005 - Governance Standards)

Each employee should make a commitment to acquire the knowledge and skills necessary to fulfill his/her responsibilities and should focus on his/her contribution to the learning and achievement of district students.

(cf. 4112.2 - Certification)
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

Inappropriate employee conduct includes, but is not limited to:

1. Engaging in any conduct that endangers students, staff, or others, including, but not limited to, physical violence, threats of violence, or possession of a firearm or other weapon

(cf. 0450 - Comprehensive Safety Plan)
(cf. 4158/4258/4358 - Employee Security)

~~***Note: Education Code 234.1, as amended by AB 9 (Ch. 723, Statutes of 2011), requires school personnel who witness acts of discrimination, harassment, intimidation, and bullying based on specified characteristics to take immediate steps to intervene when safe to do so; see BP 5145.3 Nondiscrimination/Harassment.***~~

2. Engaging in harassing or discriminatory behavior towards students, parents/guardians, staff, or community members, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)
(cf. 5131.2 - Bullying)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)

3. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child

4. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student

5. Possessing or viewing any pornography on school grounds, or possessing or viewing child pornography or other imagery portraying children in a sexualized manner at any time

6. Using profane, obscene, or abusive language against students, parents/guardians, staff, or community members

7. Willfully disrupting district or school operations by loud or unreasonable noise or other action

8. Using tobacco, alcohol, or an illegal or unauthorized substance, or possessing or distributing any controlled substance, while in the workplace or at a school-sponsored activity

(cf. 3513.3 - Tobacco-Free Schools)
(cf. 4020 - Drug and Alcohol Free Workplace)
(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)

9. Dishonesty with students, parents/guardians, staff, or members of the public, including, but not limited to, falsification of information in employment records or other school records

10. Divulging confidential information about students, district employees, or district operations to persons not authorized to receive the information

(cf. 3580 - District Records)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

11. Using district equipment or other district resources for the employee's own commercial purposes or for political activities

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

12. Using district equipment or communications devices for personal purposes while on duty, except in an emergency, during scheduled work breaks, or for personal necessity

Employees shall be notified that computer files and all electronic communications, including, but not limited to, email and voice mail, are not private. To ensure proper use, the Superintendent or designee may monitor employee usage of district technological resources at any time without the employee's consent.

(cf. 4040 - Employee Use of Technology)

13. Causing damage to or engaging in theft of property belonging to students, staff, or the district

14. Wearing inappropriate attire

(cf. 4119.22/4219.22/4319.22 - Dress and Grooming)

An employee who observes or has evidence of another employee's inappropriate conduct shall immediately report such conduct to the principal or Superintendent or designee. An employee who has knowledge of or suspects child abuse or neglect shall file a report pursuant to the district's child abuse reporting procedures as detailed in AR 5141.4 - Child Abuse Prevention and Reporting.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

~~***Note: Discipline of employees is a subject of collective bargaining. For information about the range of disciplinary actions that may be taken, see AR 4117.4 - Dismissal, BP 4118 - Suspension/Disciplinary Action, and AR 4218 - Dismissal/Suspension/Disciplinary Action.***~~

~~***Note: Education Code 44242.5 and 5 CCR 80303 require that, when the status of a certificated employee changes as a result of alleged misconduct, the Superintendent is required to notify the Commission on Teacher Credentialing (CTC). Although "alleged misconduct" is not defined in the law, the CTC states that conduct affecting classroom safety, student safety, or the integrity of the school environment is the type of misconduct that must be reported. See AR-4117.7 Employment Status Reports.***~~

Any reports of employee misconduct shall be promptly investigated. Any employee who is found to have engaged in inappropriate conduct in violation of law or Board policy shall be subject to disciplinary action and, in the case of a certificated employee, may be subject to a report to the Commission on Teacher Credentialing. The Superintendent or designee shall notify local law enforcement as appropriate.

(cf. 4117.4 - Dismissal)
(cf. 4117.7 - Employment Status Reports)
(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

An employee who has knowledge of but fails to report inappropriate employee conduct may also be subject to discipline.

The district prohibits retaliation against anyone who files a complaint against an employee or reports an employee's inappropriate conduct. Any employee who retaliates against any such complainant, reporter, or other participant in the district's complaint process shall be subject to discipline.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

44242.5 Reports and review of alleged misconduct

PENAL CODE

11164-11174.4 Child Abuse and Neglect Reporting Act

CODE OF REGULATIONS, TITLE 5

80303 Reports of dismissal, resignation and other terminations for alleged misconduct

80331-80338 Rules of conduct for professional educators

Management Resources:

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

California Standards for the Teaching Profession, 2009

COUNCIL OF CHIEF STATE SCHOOL OFFICERS PUBLICATIONS

Educational Leadership Policy Standards: ISLLC 2008, 2008

NATIONAL EDUCATION ASSOCIATION PUBLICATIONS

Code of Ethics of the Education Profession, 1975

WESTED PUBLICATIONS

Moving Leadership Standards into Everyday Work: Descriptions of Practice, 2003

WESTED AND ASSOCIATION OF CALIFORNIA SCHOOL ADMINISTRATORS
PUBLICATIONS

California Professional Standards for Educational Leaders, 2001

WEB SITES

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

Association of California School Administrators: <http://www.acsa.org>

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

California Federation of Teachers: <http://www.cft.org>

California School Employees Association: <http://www.csea.com>

California Teachers Association: <http://www.cta.org>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

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

WestEd: <http://www.WestEd.org>

(11/01 7/09) 7/12

Policy SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

First Reading: November 13, 2012

Adopted:

King City, CA

Personnel BP 4119.41, 4219.41, 4319.41

Employees With Infectious Disease

~~***Note: The following optional policy may be revised to reflect district practice. Because infectious diseases may be either highly communicable (e.g., influenza, chicken pox) or not casually transmitted (e.g., HIV/AIDs, hepatitis B, hepatitis C), the district's response to an employee with infectious disease should be dependent on any legal protections established for employees and take into consideration the potential risk to students, staff, and others.***~~

The Governing Board desires to promote the health of district students and staff in order to reduce absenteeism and enhance employee and student performance. The Superintendent or designee shall develop strategies to prevent the outbreak or spread of infectious diseases at district schools.

(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)

(cf. 4261.1 - Personal Illness/Injury Leave)

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

~~***Note: The following definitions reflect information from the Centers for Disease Control and Prevention (CDC) web site.***~~

An infectious disease is one that is caused by a microorganism and is potentially transmittable to another individual, whether through airborne transmission, bloodborne transmission, skin-to-skin contact, foodborne transmission, or other casual or noncasual means. A communicable infectious disease, such as influenza or chicken pox, is contagious and can be readily transmitted by infectious bacteria or viral organisms.

~~***Note: Pursuant to Education Code 49406, prior to beginning employment in a classified or certificated position, an applicant must provide evidence that he/she has taken an approved tuberculin test and is free of active tuberculosis. In addition, when the district is filling a certificated position with an applicant who has not previously been employed in a certificated position in California or a retirant who has not previously been employed as a retirant, Education Code 44839 and 44839.5 require the applicant or retirant to provide a medical certification that he/she is free from any disabling disease that renders him/her unfit to instruct children or associate with them. The sample medical certificate provided in 5 CCR 5504 includes an assessment of whether there is evidence of infectious disease in a communicable stage. For further information, see AR 4112.4/4212.4/4312.4 Health Examinations.***~~

In accordance with law, job applicants shall be required to provide evidence that they are free of tuberculosis or any other communicable infectious disease prior to beginning employment.

(cf. 4112.4/4212.4/4312.4 - Health Examinations)

To prevent the outbreak or spread of infectious diseases, the Superintendent or designee may provide infection prevention supplies and information to employees, including information about recommended vaccinations. Employees also shall observe universal precautions to avoid contact with potentially infectious blood or other bodily fluids.

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

~~***Note: CDC recommends that districts develop contingency plans for dealing with an infectious disease outbreak. These contingency plans may be developed with the involvement of local health agencies and/or health care providers and should be incorporated into the district's emergency and disaster preparedness plan. See BP 5141.22 - Infectious Diseases and AR 3516 - Emergencies and Disaster Preparedness Plan as well as CSBA's fact sheets on Pandemic Influenza and H1N1 Influenza (Swine Flu).***~~

Plans for addressing a communicable infectious disease outbreak, including, but not limited to, plans for addressing employee shortages during such an outbreak, shall be included in the district's emergency preparedness plan.

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

(cf. 5112.2 - Exclusions from Attendance)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.31 - Immunizations)

~~***Note: For the protection of the public health, 17 CCR 2500 and 2508 require specified persons to report communicable diseases to the local health officer, as provided below. The list of reportable diseases is available on the California Department of Public Health's (CDPH) web site. Local health departments may establish additional reporting requirements.***~~

The Superintendent or designee shall immediately report to the local health officer the presence or suspected presence of any communicable infectious disease. In addition, a school nurse or other health care provider who knows of or is in attendance on a case or suspected case of any of the diseases or conditions listed in 17 CCR 2500 shall make a report to the local health officer. If no health care provider is in attendance, any individual having knowledge of a person who is suspected to be suffering from one of the specified diseases or conditions may make a report to the local health officer. (17 CCR 2500, 2508)

(cf. 5141.6 - School Health Services)

Nondiscrimination/Reasonable Accommodation

~~***Note: The Americans with Disabilities Act (ADA) (42 USC 12101-12213) and California Fair Employment and Housing Act (FEHA) (Government Code 12900-12996) prohibit discrimination in employment on the basis of disability. Under the ADA and FEHA, an individual is considered to be disabled if he/she has a physical or mental impairment that limits one or more major life activities, has a record of such impairment, or is regarded as having such an impairment. According to the CDPH publication California HIV/AIDS Laws, 2009, individuals with clinical HIV disease or AIDS meet the definition of disabled. Court opinions have conflicted as to whether persons with asymptomatic HIV infection meet this definition and districts should consult legal counsel as necessary.***~~

~~***Note: In addition, Section 504 of the Federal Rehabilitation Act of 1973 provides that no otherwise qualified person may, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. In School Board of Nassau County, Florida v. Arline, the U.S. Supreme Court extended this law's protection to employees significantly impaired by infectious diseases.***~~

The district shall not discriminate against any employee or job applicant who has an infectious disease that meets the federal or state definition of a disability under the Americans with Disabilities Act, California Fair Employment and Housing Act, or Section 504 of the Federal Rehabilitation Act. (Government Code 12900-12996; 29 USC 794; 42 USC 12101-12213)

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4031 - Complaints Concerning Discrimination in Employment)

~~***Note: Both the ADA (42 USC 12101-12213) and FEHA (Government Code 12900-12996) require employers to reasonably accommodate employees and job applicants with known disabilities; see AR 4032 - Reasonable Accommodation.***~~

Upon request, any qualified person with a disability shall be provided reasonable accommodation to perform the essential duties of his/her position in accordance with the criteria and processes described in AR 4032 - Reasonable Accommodation.

(cf. 4032 - Reasonable Accommodation)

Legal Reference:

EDUCATION CODE

44839 Medical certificate; periodic medical examination

44839.5 Requirements for employment of retirant

49406 Examination for tuberculosis (employees)

CIVIL CODE

56-56.37 Confidentiality of medical information

GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act

HEALTH AND SAFETY CODE

120975-121020 Mandated blood testing and confidentiality to protect public health

CODE OF REGULATIONS, TITLE 2

7293.5-7294.2 Discrimination based on disability

CODE OF REGULATIONS, TITLE 5

5502-5504 Medical certification

CODE OF REGULATIONS, TITLE 17

2500 Reportable diseases and conditions

2508 Reporting of communicable diseases; duty of schools

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

COURT DECISIONS

Chevron USA v. Echazabal, (2002) 536 U.S. 73, 122 S.Ct. 2045

School Board of Nassau County, Florida v. Arline, (1987) 408 U.S. 273

Management Resources:

CSBA PUBLICATIONS

H1N1 Influenza (Swine Flu), Fact Sheet, April 2009

Pandemic Influenza, Fact Sheet, September 2007

CALIFORNIA DEPARTMENT OF PUBLIC HEALTH PUBLICATIONS

California HIV/AIDS Laws, 2009, January 2010

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS

Enforcement Guidance: Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act, October 2002

WEB SITES

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

California Department of Public Health: <http://www.cdph.ca.gov>

California School Nurses Organization: <http://www.csno.org>

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

Equal Employment Opportunity Commission: <http://www.eeoc.gov>

U.S. Department of Health and Human Services: <http://www.hhs.gov>

(6/88 12/91) 7/12

Policy SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

First Reading: November 13, 2012

Adopted:

King City, CA

BP 4121 Personnel

Temporary/Substitute Personnel

The Governing Board recognizes that substitute and temporary personnel perform an essential role in promoting student achievement and desires to employ highly qualified, appropriately credentialed employees to fill such positions.

(cf. 4112.2 - Certification)

Hiring

The Superintendent or designee shall recommend candidates for substitute or temporary positions for Board approval, and shall ensure that all substitute and temporary employees are assigned in accordance with law and the authorizations specified in their credential.

(cf. 4113 - Assignment)

Substitute personnel may be employed on an on-call, day-to-day basis.

In addition, after September 1 of any school year, the Board may employ substitute personnel for the remainder of the school year for positions for which no regular employee is available. The district shall first demonstrate to the Commission on Teacher Credentialing the inability to acquire the services of a qualified regular employee. (Education Code 44917)

(cf. 4117.14/4317.14 - Postretirement Employment)

~~***Note: Education Code 44956 and 44957 require that districts offer employees who are laid off pursuant to Education Code 44955 opportunities for substitute service during the period of preferred right to reemployment. The period of preferred right to reemployment is 39 months for laid-off permanent employees and 24 months for probationary employees; see BP 4117.3— Personnel Reduction.***~~

~~***Note: Pursuant to Education Code 44956, if a laid-off permanent employee serves as a substitute in any position requiring certification for any 21 days or more within a period of 60 school days, he/she is entitled to compensation not less than the amount the employee would receive if he/she were being reappointed and retroactive to the first day of the substitute service. Education Code 44957 does not contain similar provisions for probationary employees; such employees are paid according to the salary schedule for substitute employees adopted by the Governing Board, regardless of the number of days worked as a substitute.***~~

Permanent or probationary certificated employees who were laid off pursuant to Education Code 44955 and who have a preferred right of reappointment shall be given priority for substitute service in the order of their original employment. (Education Code 44956, 44957)

(cf. 4117.3 - Personnel Reduction)

Classification

~~***Note: A certificated employee's classification as a substitute, temporary, probationary, or permanent employee governs the statutory job protections to which he/she is entitled and the procedures that apply if he/she is not reelected; see section below entitled "Release from Employment/Dismissal." Districts are encouraged to consult legal counsel when questions arise regarding such classification.***~~

At the time of initial employment and each July thereafter, the Board shall classify substitute and temporary employees as such. (Education Code 44915, 44916)

The Board may classify as substitute personnel a teacher hired to fill the position of a regularly employed person who is absent from service. (Education Code 44917)

~~***Note: The following two paragraphs describe circumstances under which the Education Code expressly defines a position as temporary. In both Bakersfield Elementary Teachers Association v. Bakersfield City School District and California Teachers Association v. Vallejo City Unified School District, the courts determined that it was inappropriate to classify employees as temporary on the basis that they did not yet possess a preliminary or clear credential (e.g., those serving under an internship credential, pre-intern certificate, emergency teaching permit, or credential waiver). According to the courts, districts may classify as temporary employees only those persons who are specified to be temporary employees in the Education Code. All other certificated employees who cannot be properly classified as substitute or permanent employees must be classified as probationary employees.***~~

~~***Note: One circumstance under which a teacher may be classified as a temporary employee is when the district needs an additional teacher for a period of one semester to one year because of teacher absence due to leaves or long-term illness, as authorized in Education Code 44920. As provided below, Education Code 44920 requires the Board to determine the number of temporary employees who may be hired under these circumstances. In McIntyre v. Sonoma Valley Unified School District, the court clarified that a district's ability to classify an employee as temporary pursuant to Education Code 44920 is not dependent upon a one-to-one match of temporary employees to employees on leave. Rather, all that is required is that the number of temporary teachers not exceed the total number of employees on leave at any one time.***~~

The Board may classify as a temporary employee a teacher who is employed for at least one semester and up to one complete school year based on the need for additional certificated employees when regular employees are absent due to leaves or long-term illness. Any person whose service begins in the second semester and before March 15 may be classified as a temporary employee even if employed for less than a semester. The Board shall determine the number of persons who shall be so employed, which shall not exceed the identified need based on the absence of regular employees. (Education Code 44920)

The Board also shall classify as temporary employees those certificated persons, other than substitute employees, who are employed to:

1. Serve from day-to-day during the first three months of any school term to teach temporary classes which shall not exist after that time, or perform any other duties which do not last longer than the first three months of any school term (Education Code 44919)
2. Teach in special day and evening classes for adults or in schools of migratory population for not more than four months of any school term (Education Code 44919)
3. Serve in a limited assignment supervising student athletic activities provided such assignments have first been made available to teachers presently employed in the district (Education Code 44919)

(cf. 4127/4227/4327 - Temporary Athletic Team Coaches)

4. Serve in a position for a period not to exceed 20 working days in order to prevent the stoppage of district business during an emergency when persons are not immediately available for probationary classification (Education Code 44919)

~~***Note: Item #5 below applies only to high school and unified districts.***~~

5. Serve only for the first semester because the district expects a reduction in student enrollment during the second semester due to midyear graduations (Education Code 44921)

For purposes of classifying employees pursuant to item #1 or 2 above, the school year shall not be divided into more than two school terms. (Education Code 44919)

~~***Note: Education Code 44909 authorizes districts to employ certificated employees in programs and projects conducted under contract with public or private agencies or through categorically funded projects which are not required by federal or state statutes, and provides that such persons may be employed for periods less than a full school year. Pursuant to Education Code 44909, such persons may be terminated at the expiration of the contract or specially funded project without regard to termination procedures required for probationary or permanent employees. In Stockton Teachers Association v. Stockton Unified School District, the court of appeals clarified that "the expiration of the contract" refers to the contract between the district and the agency providing categorical funds, not a contract between the district and employee. Thus, the district may not hire a person for more or less than the term of the contract or project and treat such a person as a temporary employee. Districts should consult legal counsel as necessary regarding the classification or termination of employees hired pursuant to Education Code 44909. Also, it is recommended that districts use a separate employment agreement tailored to these employees.***~~

Any employee hired to provide services in a categorically funded program or project may be

employed for a period less than a full school year. He/she may be classified as a temporary employee if the period of employment will end at the expiration of that program or project. (Education Code 44909)

Salary and Benefits

The Board shall adopt and make public a salary schedule setting the daily or pay period rate(s) for substitute employees for all categories or classes of certificated employees of the district. (Education Code 44977, 45030)

~~***Note: Pursuant to Government Code 3540.1, as amended by AB 501 (Ch. 674, Statutes of 2011), exclusive representatives of employees for purposes of negotiations may include representation of all public school employees other than management and confidential employees, as defined. Thus, substitute and temporary personnel may have the right to be represented. In cases where substitute and temporary employees are not represented, the Board may determine whether or not to include such employees in the district's health and welfare plan and other benefits (Options 1 and 2 below). The district should consult legal counsel if it has any questions about the provision of benefits to substitute and temporary employees.***~~

~~OPTION 1: Substitute and temporary employees shall participate in the health and welfare plans or other fringe benefits of the district.~~

~~(cf. 4140/4240/4340 Bargaining Units)
(cf. 4154/4254/4354 Health and Welfare Benefits)~~

OPTION 2: Substitute and hourly temporary employees shall not participate in the health and welfare plans or other fringe benefits of the district.

Release from Employment/Dismissal

The Board may dismiss a substitute employee at any time at its discretion. (Education Code 44953)

~~***Note: Pursuant to Education Code 44954, if a district decides not to reelect for the following year a temporary employee who has served at least 75 percent of the days in the school year, the district must so notify that employee by the end of the school year. In Neily v. Manhattan Beach Unified School District, the court held that Education Code 37200, which defines a school year as ending June 30, is applicable for determining the deadline for this notification, not the last day that students and teachers are in their classrooms.***~~

The Board may release a temporary employee at its discretion if the employee has served less than 75 percent of the number of days the regular schools of the district are maintained. After serving 75 percent of the number of days that district schools are maintained during one school

year, a temporary employee may be released as long as he/she is notified, before the last day of June, of the district's decision not to reelect him/her for the following school year. (Education Code 37200, 44954)

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

Reemployment as a Probationary Employee

~~***Note: Education Code 44917, 44918, and 44920 provide that a substitute or temporary employee who performs the duties of a certificated employee for a complete school year, or for at least 75 percent of the days in the school year, shall be given credit for a complete year as a probationary employee if he/she is then employed as a probationary employee the following school year, as provided below. However, in McIntyre v. Sonoma Valley Unified School District, the court clarified that a district is not required to grant probationary status to an employee based solely on the fact that he/she served as a temporary employee for more than one year if the employee is released and reemployed as a temporary employee for the following year to fill the position of a regularly employed person absent from service.***~~

~~***Note: Reemployment provisions contained in Education Code 44918 do not apply to districts with ADA over 400,000; such districts should modify the following section accordingly.***~~

Unless released from employment pursuant to Education Code 44954, any person employed for one complete school year as a temporary employee shall, if reemployed for the following school year in a vacant position requiring certification qualifications, be classified as a probationary employee. With the exception of on-call, day-to-day substitutes, if a temporary or substitute employee performs the duties normally required of certificated employees for at least 75 percent of the number of days the regular schools of the district were maintained in that school year and is then employed as a probationary employee for the following school year, his/her previous employment as a temporary or substitute employee shall be credited as one year's employment as a probationary employee for purposes of acquiring permanent status. (Education Code 44917, 44918, 44920)

(cf. 4116 - Probationary/Permanent Status)

Vacant position means a position in which the employee is qualified to serve and which is not filled by a permanent or probationary employee. It shall not include a position which would be filled by a permanent or probationary employee except for the fact that such employee is on leave. (Education Code 44920, 44921)

A temporary employee hired pursuant to item #1 or #2 in the section "Classification" above shall be classified as a probationary employee if the duties continue beyond the time limits of the assignment. (Education Code 44919)

~~***Note: Districts that do not maintain high schools should delete the following paragraph.***~~

A person employed pursuant to item #5 in the section "Classification" above who is then continued in employment beyond the first semester shall be classified as a probationary employee for the entire school year and shall be reemployed to fill any vacant positions in the district for which he/she is certified. Preference for available positions shall be determined by the Board as prescribed by Education Code 44845 and 44846. (Education Code 44921)

With the exception of on-call, day-to-day substitutes, a temporary or substitute employee who was released pursuant to Education Code 44954 but who has nevertheless served for two consecutive school years, for at least 75 percent of each year, shall receive first priority if the district fills a vacant position for the subsequent school year at the grade level at which the employee served during either year. In the case of a departmentalized program, the employee shall have taught the subject matter in which the vacant position occurs. (Education Code 44918)

Legal Reference:

EDUCATION CODE

22455.5 Provision of retirement plan information to potential members

22515 Irrevocable election to join retirement plan

37200 School calendar

44252.5 State basic skills assessment required for certificated personnel

44300 Emergency teaching or specialist permits

44830 Employment of certificated persons; requirements of proficiency in basic skills

44839.5 Employment of retirant

44845 Date of employment

44846 Criteria for reemployment preferences

44909 Employees providing services through categorically funded programs

44914 Substitute and probationary employment computation for classification as permanent employee

44915 Classification of probationary employees

44916 Time of classification; statement of employment status

44917 Classification of substitute employees

44918 Substitute or temporary employee deemed probationary employee; reemployment rights

44919 Classification of temporary employees

44920 Employment of certain temporary employees; classifications

44921 Employment of temporary employees; reemployment rights (unified and high school districts)

44953 Dismissal of substitute employees

44954 Release of temporary employees

44955 Layoff of permanent and probationary employees

44956 Rights of laid-off permanent employees to substitute positions

44957 Rights of laid-off probationary employees to substitute positions

44977 Salary schedule for substitute employees
45030 Substitutes
45041 Computation of salary
45042 Alternative method of computation for less than one school year
45043 Compensation for employment beginning in the second semester
56060-56063 Substitute teachers in special education

GOVERNMENT CODE

3540.1 Educational Employment Relations Act, definitions

CODE OF REGULATIONS, TITLE 5

5502 Filing of notice of physical examination for employment of retired person
5503 Physical examination for employment of retired persons
5590 Temporary athletic team coach
80025-80025.5 Emergency substitute teaching permits

COURT DECISIONS

McIntyre v. Sonoma Valley Unified School District (2012) 206 Cal.App.4th 170
Stockton Teachers Association CTA/NEA v. Stockton Unified School District (2012) 204 Cal.App.4th 446
Neily v. Manhattan Beach Unified School District, (2011) 192 Cal.App.4th 187
California Teachers Association v. Vallejo City Unified School District, (2007) 149 Cal.App.4th 135
Bakersfield Elementary Teachers Assn. v. Bakersfield City School District, (2006) 145 Cal.App.4th 1260, 1277
Kavanaugh v. West Sonoma Union High School District, (2003) 29 Cal.4th 911

Management Resources:

WEB SITES

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

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

7/12

Policy SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

First Reading: November 13, 2012

Adopted:

King City, CA

AR 4121 Personnel

Temporary/Substitute Personnel

Qualifications

Any candidate recommended by the Superintendent or designee for a substitute or temporary position requiring certification qualifications shall possess the appropriate credential or permit authorizing his/her employment in such position and shall meet all other requirements of law for certificated positions. (Education Code 44830)

(cf. 4111.2/4211.2/4311.2 - Legal Status Requirement)

(cf. 4112.2 - Certification)

(cf. 4112.3/4212.3/4312.3 - Oath or Affirmation)

(cf. 4112.4/4212.4/4312.4 - Health Examinations)

(cf. 4112.5/4312.5 - Criminal Record Check)

The district shall not initially hire a certificated person on a substitute or temporary basis in a capacity designated in his/her credential unless he/she has demonstrated basic skills proficiency in reading, writing, and mathematics pursuant to Education Code 44252.5, unless exempted by law. (Education Code 44830)

A noncredentialed person shall not substitute for any special education certificated position. The Superintendent or designee shall recruit and maintain lists of appropriately credentialed substitute teachers for special education positions. He/she shall contact institutes of higher education with approved special education programs for possible recommendations of appropriately credentialed special education personnel. (Education Code 56060, 56063)

Notifications

~~***Note: Education Code 44915 and 44916 require the Governing Board to classify substitute and temporary employees at the time of initial employment and each July thereafter; see the accompanying Board policy. In addition, Education Code 44916 requires the district to provide temporary employees written notice of their status at the time of initial employment. In *Kavanaugh v. West Sonoma County Union High School District*, the California Supreme Court determined that a temporary employee who received such notice three weeks after she started work was probationary rather than temporary. Although the notice was sent immediately after the board approved the employee's appointment at the first available meeting, the court found that an employee must receive notice of temporary classification before starting work.***~~

~~***Note: Temporary athletic team coaches may be an exception to the notice requirement. In *Neily v. Manhattan Beach Unified School District*, a dismissed employee argued that, because the district did not provide a written statement of classification in accordance with Education Code 44916, it had a mandatory duty to classify him as a probationary employee. However, the~~

~~court did not accept that the only path to defining a position as temporary is through district notification of that classification, and held that a second path to defining a position as temporary is through a specific section of the Education Code that expressly defines the position as temporary. The court determined that a temporary athletic team coach who holds no other position in the district is deemed a temporary employee pursuant to Education Code 44919.***~~

At the time of initial employment during each school year, each new temporary employee shall receive a written statement indicating his/her employment status and salary. This statement shall clearly indicate the temporary nature of the employment and the length of time for which the person is being employed. (Education Code 44916)

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

Time of initial employment means before the employee starts work. (Kavanaugh v. West Sonoma County Union High School District)

The Superintendent or designee shall notify all substitute and part-time certificated employees, within 30 days of their hire, of their right to elect membership in a defined benefit program under a qualified retirement plan. The employee shall sign a form provided by the system to acknowledge receipt of this notice and to indicate whether he/she elects or declines membership. Election of membership shall be irrevocable for all future employment to perform creditable service. (Education Code 22455.5, 22515)

Assignments

~~***Note: 5 CCR 80025-80025.5 specify restrictions pertaining to the number of days that an emergency substitute permit holder may substitute for any one teacher during the school year; see AR 4112.2 - Certification.***~~

A person who holds an emergency 30-day substitute permit, emergency career substitute permit, emergency substitute permit for prospective teachers, or emergency substitute permit for career technical education shall be restricted in the number of days he/she may substitute for any one teacher in accordance with 5 CCR 80025-80025.5.

In placing substitute teachers in special education classrooms, the district shall give first priority to substitute teachers with the appropriate special education credential(s), second priority to substitute teachers with any other special education credential, and third priority to substitute teachers with a regular teaching credential. An inappropriately credentialed substitute teacher shall not serve as a substitute for a special education teacher for a period of more than 20 cumulative school days for each special education teacher absent during each school year. The district may apply to the Superintendent of Public Instruction for an extension of 20 school days, or for a longer period in extraordinary circumstances. (Education Code 56060-56062)

(6/97 7/03) 7/12

Regulation SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

First Reading: November 13, 2012

Adopted:

King City, CA

BP 5030 Students

Student Wellness

~~***Note: The Healthy, Hunger-Free Kids Act of 2010 (P.L. 111-296) repealed 42 USC 1751-Note and added 42 USC 1758b which mandates each district participating in the National School Lunch Program (42 USC 1751-1769) or any program in the Child Nutrition Act of 1966 (42 USC 1771-1791), including the School Breakfast Program, to adopt a districtwide school wellness policy. The following policy fulfills this mandate and should be revised to reflect district practice. Other policies in the district's policy manual will likely contain additional provisions supporting this wellness policy, such as BP 3312—Contracts, BP/AR 3550—Food Service/Child Nutrition Program, BP/AR 3553—Free and Reduced Price Meals, BP/AR 3554—Other Food Sales, BP/AR 6142.7—Physical Education and Activity, and BP/AR 6142.8—Comprehensive Health Education.***~~

~~***Note: Although the district has discretion under 42 USC 1758b to determine specific policies appropriate for its schools, the U.S. Department of Agriculture (USDA) is required to develop regulations that provide a framework and guidelines to assist districts in establishing their student wellness policies and to provide technical assistance through the Centers for Disease Control and Prevention (CDC). Currently the USDA and CDC provide resources and implementation tools on their web sites. In addition, CSBA's Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide summarizes research on the relationship between nutrition and physical activity and student achievement, provides worksheets for policy development, and contains other resources that may be useful in the development of the wellness policy.***~~

~~***Note: The following paragraph links student wellness with the components of a coordinated school health approach recommended in the California Department of Education's (CDE) Health Framework for California Public Schools and may be revised to reflect district practice.***~~

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 and/or the district's student wellness policy 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

~~***Note: 42 USC 1758b, as added by P.L. 111-296, requires that specified stakeholders be permitted to participate not only in the development of the district's wellness policy, but also in its implementation and periodic review and update. The list of stakeholders has been expanded to include physical education teachers and school health professionals.***~~

~~***Note: One method to achieve continuing involvement of those groups and other key stakeholders could be through the creation of a school health council, as recommended in the CDE's Health Framework for California Public Schools. Pursuant to Government Code 54952, committees created by formal action of the Board are subject to open meeting laws (the Brown Act); see AR 1220—Citizen Advisory Committees.***~~

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)

~~***Note: The remainder of this section is optional and may be revised to reflect district practice.***~~

To fulfill this requirement, the Superintendent or designee may appoint a school health council or other district committee whose membership shall include representatives of these groups. He/she also may invite participation of other groups or individuals, such as health educators, curriculum directors, counselors, before- and after-school program staff, health practitioners, and/or others interested in school health issues.

(cf. 1220 - Citizen Advisory Committees)
(cf. 9140 - Board Representatives)

The school health council/committee shall advise the district on health-related issues, activities, policies, and programs. At the discretion of the Superintendent or designee, the duties of the council/committee may also include the planning, implementation, and evaluation of activities to promote health within the school or community.

Nutrition and Physical Activity Goals

~~***Note: 42 USC 1758b, as added by P.L. 111-296, mandates that the district's wellness policy include goals for nutrition education and physical activity, as specified below.***~~

The Board shall adopt goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness ~~in a manner that the Districts determines appropriate.~~ (42 USC 1758b)

(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)

~~***Note: The remainder of this section provides policy language to address this mandated topic and should be revised to reflect district practice.***~~

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, **as appropriate**, shall be integrated into other academic subjects in the regular educational program. **Nutrition education also may be offered through before- and after-school programs.**

(cf. 5148.2 - Before/After School Programs)
(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

~~***Note: 42 USC 1758b, as added by P.L. 111-296, mandates that the district's wellness policy include nutritional guidelines, as specified below. P.L. 111-296 repealed the separate requirement that mandated the district's policy to include guidelines for federally reimbursable meals, but now requires that the guidelines for all foods available at school must be consistent with 42 USC 1773 and 1779. Nutritional standards are described in AR 3550 - Food Service/Child Nutrition Program and AR 3554 - Other Food Sales.***~~

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)

~~***Note: The remainder of this section provides policy language to address this mandated topic and should be revised to reflect district practice.***~~

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, or other venues, shall meet or exceed state and federal nutritional standards.

~~Food and beverage provided through federally reimbursable school meal programs shall meet or exceed federal regulations and guidance issued pursuant to 42 USC 1758(f)(1), 1766(a), and 1779(a) and (b), as they apply to schools (41 USC 1751 Note)~~

(cf. 3312 - Contracts)
(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3554 - Other Food Sales)
(cf. 5141.27 - Food Allergies/Special Dietary Needs)
(cf. 5148 - Child Care and Development)
(cf. 5148.3 - Preschool/Early Childhood Education)

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)

~~***Note: 42 USC 1758b, as added by P.L. 111-296, requires that the district periodically provide an assessment of the implementation of the wellness policy, including comparison of the district's policy with model wellness policies. 42 USC 1758b requires the USDA to provide model policies and best practices recommended by federal and state agencies and nongovernmental organizations; see the USDA's web site.***~~

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)

~~***Note: Items #1-9 below are optional and should be revised to reflect district practice. CSBA's publication Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide provides additional suggestions for fulfilling the Board's monitoring responsibility, including possible data sources.***~~

To determine whether the policy is being effectively implemented districtwide and at each district school, the following indicators shall be used:

- 1. Descriptions of the district's nutrition education, physical education, and health education curricula by grade level**
- 2. Number of minutes of physical education instruction offered at each grade span**
- 3. Number and type of exemptions granted from physical education**
- 4. Results of the state's physical fitness test**
- 5. An analysis of the nutritional content of meals served based on a sample of menus**
- 6. Student participation rates in school meal programs, compared to percentage of students eligible for free and reduced-price meals**

7. Number of sales of non-nutritious foods and beverages in fundraisers or other venues outside of the district's meal programs
8. Feedback from food service personnel, school administrators, the school health council, parents/guardians, students, teachers, before- and after-school program staff, and/or other appropriate persons
9. Any other indicators recommended by the Superintendent and approved by the Board

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)

~~***Note: Education Code 49432 authorizes, but does not require, schools to post a summary of nutrition and physical activity laws and regulations. The following paragraph is optional.***~~

Each school shall also post a summary of nutrition and physical activity laws and regulations prepared by the California Department of Education.

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

Policy SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

First Reading: November 13, 2012

Adopted:

King City, CA

BP 5131 Students

Students Conduct

~~***Note: The following optional policy may be revised to reflect district practice.***~~

The Governing Board believes that all students have the right to be educated in a positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, going to or coming from school, at school activities, or using district transportation.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 5131.1 - Bus Conduct)
(cf. 5137 - Positive School Climate)
(cf. 6145.2 - Athletic Competition)

The Superintendent or designee shall ensure that each school develops standards of conduct and discipline consistent with Board policies and administrative regulations. Students and parents/guardians shall be notified of district and school rules related to conduct.

Prohibited student conduct includes, but is not limited to:

1. Conduct that endangers students, staff, or others, **including, but not limited to, physical violence, possession of a firearm or other weapon, and terrorist threats**

(cf. 5131.7 - Weapons and Dangerous Instruments)
(cf. 5142 - Safety)

~~***Note: Education Code 234.1, as amended by AB 9 (Ch. 723, Statutes of 2011), requires the Governing Board to adopt policy prohibiting discrimination, harassment, intimidation, and bullying based on specified characteristics and requires school personnel who witness such acts to take immediate steps to intervene when safe to do so; see BP 5131.2 - Bullying, BP 5145.3 - Nondiscrimination/Harassment, and BP/AR 5145.7 - Sexual Harassment. In addition, AB 1156 (Ch. 732, Statutes of 2011) amended Education Code 32282 to encourage comprehensive safety plans to include policies and procedures aimed at the prevention of bullying; see BP 0450 - Comprehensive Safety Plan.***~~

2. **Discrimination, harassment, intimidation, or bullying of students or staff, including sexual harassment, hate-motivated behavior, cyberbullying, hazing or initiation activity, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause violence, bodily harm, or substantial disruption**

~~Harassment or bullying of students or staff, including, but not limited to, cyberbullying, intimidation, hazing or initiation activity, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause violence, bodily harm, or substantial disruption, in accordance with the section entitled "bullying/Cyberbullying" below.~~

~~Cyberbullying includes the transmission of communications, posting of harassing messages, direct threats, or other harmful texts, sounds, or images on the Internet, social networking sites, or other digital technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.~~

~~(cf. 5131.2 - Bullying)~~

~~(cf. 5145.3 - Nondiscrimination/Harassment)~~

~~(cf. 5145.7 - Sexual Harassment)~~

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

3. Conduct that disrupts the orderly classroom or school environment

(cf. 5131.4 - Student Disturbances)

4. Damage to or theft of property belonging to students, staff, or the district

(cf. 3515.4 - Recovery for Property Loss or Damage)

(cf. 5131.5 - Vandalism and Graffiti)

The district shall not be responsible for students' personal belongings which are brought on campus or to a school activity and are lost, stolen, or damaged.

5. **Obscene acts or use of profane, vulgar, or abusive language**

(cf. 5145.2 - Freedom of Speech/Expression)

6. Possession, use, or being under the influence of ~~tobacco~~, alcohol, or other prohibited drugs

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.62 - Tobacco)

(cf. 5131.63 - Steroids)

~~***Note: Penal Code 417.27 prohibits students from possessing laser pointers on school premises, unless the pointer is used for valid instructional or other school-related purpose, as provided in item #8 below. Penal Code 417.25 states that aiming or pointing a laser scope (i.e., a portable device capable of projecting a laser light on objects at a distance) at another person in a threatening manner, whether or not the laser scope is attached to a firearm, may be a misdemeanor if intended to cause a person fear of bodily harm. ***~~

7. Possession or use of a laser pointer, unless for a valid instructional or other school-related purpose (Penal Code 417.27)

Prior to bringing a laser pointer on school premises for a valid instructional or school-related purpose, a student shall obtain permission from the principal or designee.

~~***Note: Pursuant to Education Code 48901.5, the district may regulate the use of electronic signaling devices that operate through the transmission or receipt of radio waves. Districts that choose to prohibit all possession of such devices on campus should revise item #8 accordingly; however, student use of such devices may not be prohibited if essential for a student's health. ***~~

8. **Use of a cellular/digital telephone, pager, or other mobile communications device during instructional time**

Such devices shall be turned off in class, except when being used for a valid instructional or other school-related purpose as determined by the teacher or other district employee, and at any other time directed by a district employee. Any device with camera, video, or voice recording function shall not be used in any manner which infringes on the privacy rights of any other person.

No student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student's health and the use of which is limited to purposes related to the student's health. (Education Code 48901.5)

Students may possess or use on school campus personal electronic signaling devices including, but not limited to, pagers and cellular/digital telephones, as well as other mobile communications devices including, but not limited to, digital media players, personal digital assistants (PDAs). Compact disc players, portable game consoles, cameras, digital scanners, and laptop computers, provided that such devices do not disrupt the educational program or school activity and are not used for illegal or unethical activities such as cheating on assignments or tests.

If a disruption occurs or a student sues any mobile communications device for improper activities, a school employee shall direct the student to turn off the device and/or shall confiscate it. If the school employee finds it necessary to confiscate the device, he/she shall return it at the end of the class period or school day.

The ~~principal or designee~~ **Superintendent** or designee may establish greater penalties for further infractions of disruptive use of a mobile communication device.

In accordance with BP/AR 5145.12 – Search and Seizure, a school official may search a student's mobile communications device, including, but not limited to, reviewing messages or viewing pictures.

(cf 5142.12 – Search and Seizure)

Students shall not use mobile communications devices, even in hands-free mode, while driving on school grounds, or to and from a school-related activity.

A student who violates this policy may be prohibited from possessing a mobile communications device at school or school-related events and/or may be subject to further discipline in accordance with Board policy and administrative regulations.

Bullying/Cyberbullying

The Board desires to prevent bullying by establishing a positive, collaborative school climate and clear rules for student conduct.

(cf 5137 – Positive School Climate)

(cf. 5138 – conflict Resolution/Peer Mediations)

(cf. 6164.22 Guidance/counseling Services)

The district may provide students with instruction, in the classroom or other educational settings that promotes communication, social skills, and assertiveness skills and educates students about appropriate online behavior and strategies to prevent and respond to bullying and cyberbullying.

(cf 1220 – Citizen Advisory Committees)

(cf. 6163.4 Student Use of Technology)

School staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies. Parents/guardians, students, and community members also may be provided with similar information.

(cf 4131- Staff Development)

(cf 4231 – Staff Development)

(cf. 4331 Staff Development)

(cf 5135 – Gangs)

Students may submit a verbal or written complaint of conduct they consider to be bullying to a teacher or administrator. Complaints of bullying shall be investigated and resolved in accordance with site-level grievance procedures specified in AR 5145.7 – Sexual Harassment.

When a student is suspected of or reported to be using electronic or digital communications to engage in cyber bullying against other students or staff, or to threaten district property, the investigation shall include documentation of the activity, identification of the source, and specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance.

Students shall be encouraged to save and print any messages sent to them that they feel constitute cyber bullying and to notify a teacher, the principal, or other employee so that the matter may be investigated.

Any student who engages in cyberbullying on school premises, or off campus in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, shall be subject to discipline in accordance with district policies and regulations. If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the superintendent or designee also may file a complaint with the Internet site or service to have the material removed.

9. Plagiarism or dishonesty on school work or tests

(cf. 5131.9 - Academic Honesty)

(cf. 6162.54 - Test Integrity/Test Preparation)

(cf. 6162.6 - Use of Copyrighted Materials)

10. Inappropriate attire

(cf. 5132 - Dress and Grooming)

11. Tardiness or unexcused absence from school

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

12. Failure to remain on school premises in accordance with school rules

(cf. 5112.5 - Open/Closed Campus)

Employees are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or receive a report of a violation of these standards, to immediately intervene or call for assistance. **If an employee believes a matter has not been resolved, he/she shall refer the matter to his/her supervisor or an administrator for further investigation.**

~~***Note: When school officials want to search a student or his/her belongings (e.g., backpack, purse, cell phone, computer) as part of an investigation of suspected student misconduct, the legality of the search will depend on whether the search is "reasonable" (New Jersey v. T.L.O.); see BP/AR 5145.12 – Search and Seizure. The "reasonableness" of a search depends on (1) whether there is individualized suspicion that the search will turn up evidence of a student's violation of the law or school rules and (2) whether the search is reasonably related to the objectives of the search and not excessively intrusive in light of the student's age, gender, and/or the nature of the infraction. It is recommended that the district consult with legal counsel as appropriate. ***~~

~~When a school official suspects that a search of a student or his/her belongings will turn up evidence of the student's violation of the law or school rules, such a search shall be conducted in accordance with BP/AR 5145.12 – Search and Seizure.~~

(cf. 5145.12 - Search and Seizure)

When a student uses any prohibited device, or uses a permitted device in any unethical or illegal activity, a district employee may confiscate the device. The employee shall store the item in a secure manner until an appropriate time.

Students who violate district or school rules and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, referral to a student success team or counseling services, or denial of participation in extracurricular or cocurricular activities or other privileges in accordance with Board policy and administrative regulation. The Superintendent or designee shall notify local law enforcement as appropriate.

(cf. 1020 - Youth Services)

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

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 5127 - Graduation Ceremonies and Activities)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

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

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

(cf. 6020 - Parent Involvement)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6164.5 - Student Success Teams)

(cf. 6184 - Continuation Education)

(cf. 6185 - Community Day School)

~~***Note: The following optional paragraph addresses students' off-campus conduct during nonschool hours; also see BP 5145.2 - Freedom of Speech/Expression. In general, the courts have upheld districts' discipline of students for off-campus conduct that posed a threat to the safety of other students, staff, or school property or presented a risk of substantial disruption of school activities, provided that the district was able to document the impact or disruption that the conduct had, or could be expected to have, on school activities. In addition, courts have analyzed the reasonableness of the district's policy and whether the disciplinary action taken by the district was in proportion to the student's misbehavior. In adopting policy related to off-campus conduct, districts should consult with legal counsel to ensure that the policy does not violate students' First Amendment rights to freedom of speech or expression. ***~~

Students also may be subject to discipline, in accordance with law, Board policy, or administrative regulation, for any off-campus conduct during nonschool hours which poses a threat or danger to the safety of students, staff, or district property, or substantially disrupts school activities.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32280-32289 Comprehensive safety plan

35181 Governing board authority to set policy on responsibilities of students

35291-35291.5 Rules

44807 Duty concerning conduct of students

48900-48925 Suspension and expulsion

51512 Prohibition against electronic listening or recording device in classroom without permission

CIVIL CODE

1714.1 Liability of parents and guardians for willful misconduct of minor

PENAL CODE

288.2 Harmful matter with intent to seduce

313 Harmful matter

417.25-417.27 Laser scope or laser pointer

647 Use of camera or other instrument to invade person's privacy; misdemeanor

653.2 Electronic communication devices, threats to safety

VEHICLE CODE

23123-23124 Prohibitions against use of electronic devices while driving

CODE OF REGULATIONS, TITLE 5

300-307 Duties of students

UNITED STATES CODE, TITLE 42

2000h-2000h6 Title IX, 1972 Education Act Amendments

COURT DECISIONS

J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094

LaVine v. Blaine School District, (2000, 9th Cir.) 257 F.3d 981

Emmett v. Kent School District No. 415, (2000) 92 F.Supp. 1088

Bethel School District No. 403 v. Fraser, (1986) 478 U.S. 675

New Jersey v. T.L.O., (1985) 469 U.S. 325

Tinker v. Des Moines Independent Community School District, (1969) 393 U.S. 503

Management Resources:

CSBA PUBLICATIONS

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010

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

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Bullying at School, 2003

WEB SITES

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

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

Center for Safe and Responsible Internet Use: <http://cyberbully.org>

National School Boards Association: <http://www.nsba.org>
National School Safety Center: <http://www.schoolsafety.us>
U.S. Department of Education: <http://www.ed.gov>

(11/08 3/10) 3/12

Policy SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

First Reading: November 13, 2012

Adopted:

King City, CA

BP 5131.2 Students

Bullying

~~***Note: The following optional policy may be revised to reflect district practice. ***~~

~~***Note: Education Code 234.1, as amended by AB 9 (Ch. 723, Statutes of 2011), requires the Governing Board to adopt policy prohibiting discrimination, harassment, intimidation, and bullying based on specified characteristics; see BP 5145.3 Nondiscrimination/Harassment for language fulfilling this mandate. In addition, AB 1156 (Ch. 732, Statutes of 2011) amended Education Code 32282 to encourage comprehensive safety plans to include policies and procedures aimed at the prevention of bullying; see BP 0420 Comprehensive Safety Plan. ***~~

The Governing Board recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student.

No student or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel.

(cf. 5131 - Conduct)
(cf. 5136 - Gangs)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)

~~***Note: Pursuant to Education Code 32261 and 48900.2-48900.4, the definition of "bullying" for purposes of establishing grounds for suspension or expulsion includes bullying via an electronic act. AB 746 (Ch. 72, Statutes of 2011) amended Education Code 32261 to expand the definition of bullying committed by means of an electronic act to include posting of messages on social media networks; see AR 5144.1 Suspension and Expulsion/Due Process. ***~~

~~***Note: In addition, Penal Code 653.2 makes it a crime for a person to distribute personal identity information electronically with the intent to cause harassment by a third party and to threaten a person's safety or that of his/her family (e.g., placing a person's picture or address online so that he/she receives harassing messages). Penal Code 288.2 makes it a crime to send a message to a minor if the message contains matter that is sexual in nature with the intent of seducing the minor (i.e., sexting). ***~~

Cyberbullying includes the transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes

breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

(cf. 5145.2 - Freedom of Speech/Expression)

Strategies for bullying prevention and intervention shall be developed with involvement of key stakeholders in accordance with law, Board policy, and administrative regulation governing the development of comprehensive safety plans and shall be incorporated into such plans.

(cf. 0420 - School Plans/Site Councils)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 1220 - Citizen Advisory Committees)

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

(cf. 6020 - Parent Involvement)

Bullying Prevention

To the extent possible, district and school strategies shall focus on prevention of bullying by establishing clear rules for student conduct and strategies to establish a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for perpetrators of bullying.

(cf. 5137 - Positive School Climate)

(cf. 6164.2 - Guidance/Counseling Services)

~~***Note: California content standards related to student education about bullying and violence prevention (e.g., recognizing the characteristics of bullying, examining the effects of bullying on others, demonstrating what to say and do when witnessing bullying) are addressed within the health education content standards adopted by the State Board of Education. ***~~

~~***Note: 47 USC 254 requires districts that receive e-rate discounts to adopt a policy which addresses educating students about appropriate online behavior, including the interaction with other individuals on social networking web sites and in chat rooms, as well as providing information about cyberbullying awareness and response. See BP 6163.4 Student Use of Technology for language implementing this mandate. ***~~

The district may provide students with instruction, in the classroom or other educational settings, that promotes effective communication and conflict resolution skills, social skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

(cf. 6163.4 - Student Use of Technology)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6142.94 - History-Social Science Instruction)

School staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Based on an assessment of bullying incidents at school, the Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, cafeterias.

Intervention

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. In addition, the Superintendent or designee shall develop means for students to report threats or incidents confidentially and anonymously.

~~***Note: Education Code 234.1, as amended by AB 9 (Ch. 723, Statutes of 2011), requires the district to adopt a process requiring school personnel who witness acts of discrimination, harassment, intimidation, or bullying to take immediate steps to intervene when safe to do so; also see BP 5145.3 Nondiscrimination/Harassment. ***~~

School staff who witness bullying shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

As appropriate, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators. He/she also may involve school counselors, mental health counselors, and/or law enforcement.

Complaints and Investigation

~~***Note: Education Code 234.1, as amended by AB 9 (Ch. 723, Statutes of 2011), requires districts to adopt a process for receiving and investigating complaints of discrimination, harassment, intimidation, and bullying which includes timelines applicable to all district schools, an appeal process, and translation of complaint forms pursuant to Education Code 48985. The following optional paragraph provides that complaints regarding bullying will be investigated using the district's grievance procedure for investigation of sexual harassment pursuant to AR 5145.7 Sexual Harassment. Districts that wish to use another procedure should modify the following paragraph accordingly. ***~~

Students may submit to a teacher or administrator a verbal or written complaint of conduct they

consider to be bullying. Complaints of bullying shall be investigated and resolved in accordance with site-level grievance procedures specified in AR 5145.7 - Sexual Harassment.

~~***Note: Districts have the authority to monitor students' use of the district's Internet system and to conduct individual searches of students' accounts if there is reasonable suspicion that a user has violated district policy or the law; see BP/AR 5145.12 Search and Seizure and BP/AR 6163.4 Student Use of Technology. ***~~

~~***Note: As noted in the section "Discipline" below, the courts have generally upheld a district's authority to discipline a student for off-campus conduct when that conduct causes, or is foreseeably likely to cause, a substantial disruption of school activities. Thus, in complaints regarding off-campus conduct, districts should document, with specific examples, how the speech significantly disrupted or was likely to significantly disrupt school activities and the targeted student's educational performance. ***~~

When a student is reported to be engaging in bullying off campus, the Superintendent or designee shall investigate and document the activity and shall identify specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages sent to them that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated.

If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the Superintendent or designee also may file a complaint with the Internet site or service to have the material removed.

Discipline

~~***Note: Pursuant to Education Code 32261 and 48900.2-48900.4, "bullying" is a ground for suspension or expulsion in grades 4-12; see AR 5144.1 Suspension and Expulsion/Due Process. ***~~

~~***Note: As noted in the section "Complaints and Investigation" above, the courts have generally upheld discipline for off-campus conduct that posed a threat to the safety of other students, staff, or school property or presented a risk of substantial disruption of school activities, provided that the district was able to document the impact or disruption that the conduct had, or could be expected to have, on school activities (e.g., *Lavine v. Blaine School District*). In addition, courts have analyzed the reasonableness of the district's policy and whether the disciplinary action taken by the district was in proportion to the student's misbehavior. For example, the court in *J.C. v. Beverly Hills Unified School District* found that the district would be able to discipline a student for a video recorded off campus and posted on YouTube, but that~~

~~the discipline imposed on this particular student was not justified since the district did not present evidence of specific facts that led school officials to predict that the video would cause substantial disruption (e.g., the video was not violent or threatening nor did it lead to any confrontations between the students). When the conduct does not rise to the level of "substantial disruption," the district may implement interventions other than suspension or expulsion to address the bullying. For further information, see CSBA's policy brief Cyberbullying: Policy Considerations for Boards. Also see BP 5131 Conduct and BP 5145.2 Freedom of Speech/Expression. ***~~

Any student who engages in bullying on school premises, or off campus in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, shall be subject to discipline, which may include suspension or expulsion, in accordance with district policies and regulations.

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

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

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

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 Comprehensive safety plan

35181 Governing board policy on responsibilities of students

35291-35291.5 Rules

48900-48925 Suspension or expulsion

48985 Translation of notices

PENAL CODE

647 Use of camera or other instrument to invade person's privacy; misdemeanor

647.7 Use of camera or other instrument to invade person's privacy; punishment

653.2 Electronic communication devices, threats to safety

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254 Universal service discounts (e-rate)

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

Center for Safe and Responsible Internet Use: <http://cyberbully.org>

National School Boards Association: <http://www.nsba.org>

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

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

3/12

Policy SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

First Reading: November 13, 2012

Adopted:

King City, CA

BP 5144.1 Students

Suspension And Expulsion/Due Process

~~***Note: Education Code 35291 requires the Governing Board to prescribe rules and regulations for maintaining discipline in the schools under its jurisdiction. In addition, Education Code 48918 mandates the setting of rules and regulations for student expulsion; see the accompanying administrative regulation.***~~

The Governing Board desires to provide district students access to educational opportunities in an orderly school environment that protects their safety and security, ensures their welfare and well-being, and promotes their learning and development. The Board shall develop rules and regulations setting the standards of behavior expected of district students and the disciplinary processes and procedures for addressing violations of those standards, including suspension and/or expulsion.

(cf. 5131 - Conduct)
(cf. 5144 - Discipline)

The grounds for suspension and expulsion and the procedures for considering, recommending, and/or implementing suspension and expulsion shall be those specified in law and administrative regulation.

~~***Note: The following optional paragraph highlights the importance of ensuring fairness in the dispensing of suspension and/or expulsion to students who violate school rules. The U.S. Department of Education's Office for Civil Rights' (OCR) March 2012 publication, Civil Rights Data Collection Summary, indicates that males, certain ethnic minority students, and students with disabilities are being suspended or expelled at a disproportionately higher rate than other students.***~~

District staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, and in accordance with the district's nondiscrimination policies.

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

~~***Note: The following optional paragraph may be revised to reflect district practice. Although the term "zero tolerance" does not appear in law, the federal Gun Free Schools Act (20 USC 7151) requires a district to expel for one year a student who brings a firearm to school without permission. This requirement has commonly been labeled as "zero tolerance." Education Code 48915(c) also requires the mandatory suspension and recommendation for expulsion of students who possess, sell, or furnish a firearm, brandish a knife, sell a controlled substance, commit or attempt to commit a sexual assault or sexual battery, or possess an explosive. See BP/AR 5131.7 Weapons and Dangerous Instruments.***~~

~~***Note: The extent to which a district can develop policies mandating a recommendation for expulsion beyond those specified in the Education Code is unclear. In T.H. v. San Diego Unified School District, a district's zero tolerance policy that went beyond the requirements for mandatory recommendation for expulsion in Education Code 48915(e) was upheld because the policy did not interfere with the student's statutory right for due process or conflict with the Education Code. Districts should consult legal counsel as necessary. ***~~

Except for single acts of a grave nature or offenses for which suspension or expulsion is required by law, suspension or expulsion shall be used only when the student involved has a history of misconduct and other means of correction have failed to bring about proper conduct or the student's presence causes a continuing danger to himself/herself or others.

To correct the behavior of students who are subject to discipline, the Superintendent or designee, to the extent allowed by law, shall use alternative disciplinary measures that keep students in school during the school day.

Zero Tolerance

The Board supports a zero tolerance approach to serious offenses in accordance with state and federal law. This approach makes the removal of potentially dangerous students from the classroom a top priority and ensures the standardized treatment of all students. Staff shall immediately report to the Superintendent or designee any incidence of offenses specified in law, Board policy, and/or administrative regulation as cause for suspension or expulsion.

(cf. 1020 - Youth Services)
(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 6142.4 - Service Learning/Community Service Classes)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6164.5 - Student Success Teams)

~~***Note: The following optional paragraph reflects the Legislature's intent, expressed in Education Code 48900, concerning disciplinary actions against truant, tardy, or absent students. ***~~

Alternatives to suspension or expulsion also shall be used with students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Chronic Absence and Truancy)

~~***Note: The following paragraph is optional. ***~~

Suspended or expelled students shall be denied the privilege of participation in all extracurricular activities during the period of suspension or expulsion.

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

Due Process

The Board shall provide for the fair and equitable treatment of students facing suspension and expulsion by affording them their due process rights under the law. The Superintendent or designee shall comply with procedures for notices, hearings, and appeals as specified in law and administrative regulation. (Education Code 48911, 48915, 48915.5)

(cf. 5119 - Students Expelled from Other Districts)

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

Removal from Class by a Teacher and Parental Attendance

~~***Note: The following section is for use by any district that chooses to require parents/guardians to attend a portion of the school day when their child is removed from class for specified behaviors, as authorized by Education Code 48900.1. For any such district, the Board is required to include the components specified in this section. Districts that do not require parental attendance should delete this section. ***~~

When suspending a student from class for committing an obscene act, engaging in habitual profanity or vulgarity, disrupting school activities, or otherwise willfully defying valid staff authority, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1)

Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and his/her parents/guardians and to improve classroom behavior.

Before requiring parental attendance, the teacher shall make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may inform the parent/guardian about available resources and parent education opportunities. Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior.

Any teacher requiring parental attendance pursuant to this policy shall apply the policy uniformly to all students within the classroom. (Education Code 48900.1)

When a teacher requires parental attendance, the principal shall send a written notice to the parent/guardian stating that his/her attendance is required pursuant to law. (Education Code 48900.1)

~~***Note: Education Code 48900.1 mandates that the district's policy include procedures to ensure that parents/guardians who attend school meet with the principal or designee after completing the classroom visitation and before leaving the school. ***~~

A parent/guardian who has received a written notice shall attend class as specified in the notice. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

~~***Note: Education Code 48900.1 mandates that the district's policy include procedures for contacting parents/guardians who do not respond to the request to attend. The following paragraph may be revised to reflect district practice. ***~~

When a parent/guardian does not respond to the request to attend school, the principal or designee shall contact him/her by telephone, mail, or other means that maintains the confidentiality of the student's records.

(cf. 5125 - Student Records)

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements. Parents/guardians shall be notified of this policy prior to its implementation. (Education Code 48900.1)

(cf. 5145.6 - Parental Notifications)

Supervised Suspension Classroom

~~***Note: As an alternative to off-campus suspension, Education Code 48911.1 authorizes a supervised suspension classroom program for students who pose no imminent danger to anyone at school and who have not been recommended for expulsion, as specified below. Education Code 48911.2 states that if the number of students suspended during the prior year exceeds 30 percent of the school's enrollment, the district should consider implementing this program and/or another program of on-campus progressive discipline. ***~~

~~***Note: The following optional section is for use by districts implementing a supervised suspension classroom program; such districts may continue to claim apportionments for students so assigned, provided they meet specific criteria which are set forth under "Supervised Suspension Classroom" in the accompanying administrative regulation. ***~~

To ensure the proper supervision and ongoing learning of students who are suspended for any of the reasons enumerated in Education Code 48900 and 48900.2, but who pose no imminent danger or threat to anyone at school and for whom expulsion proceedings have not been initiated, the Superintendent or designee shall establish a supervised classroom suspension program which meets the requirements of law. The use of such alternatives does not preclude off-campus suspensions.

Decision Not to Enforce Expulsion Order

~~***Note: Pursuant to Education Code 48917, the Board may decide to suspend the enforcement of an order for expulsion if a student satisfies specific conditions. See the accompanying administrative regulation for criteria. In addition, the Attorney General opined in 80 Ops. Cal. Atty. Gen. 85 (1997) that a board may suspend the enforcement of an expulsion even in those cases where the student has committed an offense for which expulsion must be ordered by law. Legal counsel should be consulted as appropriate. ***~~

~~***Note: Option 1 below is for use by boards that choose not to suspend the enforcement of an order for expulsion in cases where the student has committed an offense for which expulsion is mandatory pursuant to Education Code 48915(c). Option 2 is for use by boards that, on a case-by-case basis, may determine that an order for expulsion be suspended for any type of offense. ***~~

OPTION 1: In cases where expulsion is mandatory pursuant to Education Code 48915(c), the enforcement of an expulsion order shall not be suspended by the Board. In all other cases of expulsion, the order for expulsion may be suspended by the Board, on case-by-case basis, pursuant to the requirements of law and administrative regulation.

~~OPTION 2: On a case-by-case basis, the enforcement of an expulsion order may be suspended by the Board pursuant to the requirements of law and administrative regulation.~~

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212.5 Sexual harassment

1981 Enrollment of students in community school

17292.5 Program for expelled students

32261 Interagency School Safety Demonstration Act of 1985

35146 Closed sessions (re suspensions)

35291 Rules (for government and discipline of schools)

35291.5 Rules and procedures on school discipline

48660-48667 Community day schools

48900-48927 Suspension and expulsion

48950 Speech and other communication

49073-49079 Privacy of student records

CIVIL CODE

47 Privileged communication

48.8 Defamation liability

CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

GOVERNMENT CODE

11455.20 Contempt

54950-54963 Ralph M. Brown Act

HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia

11053-11058 Standards and schedules

LABOR CODE

230.7 Discharge or discrimination against employee for taking time off to appear in school on behalf of a child

PENAL CODE

31 Principal of a crime, defined

240 Assault defined

241.2 Assault fines

242 Battery defined

243.2 Battery on school property

243.4 Sexual battery

245 Assault with deadly weapon

245.6 Hazing

261 Rape defined

266c Unlawful sexual intercourse

286 Sodomy defined

288 Lewd or lascivious acts with child under age 14

288a Oral copulation

289 Penetration of genital or anal openings

626.2 Entry upon campus after written notice of suspension or dismissal without permission

626.9 Gun-Free School Zone Act of 1995

626.10 Dirks, daggers, knives, razors or stun guns

868.5 Supporting person; attendance during testimony of witness

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729.6 Counseling

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

U.S. Department of Education, Office for Civil Rights:

<http://www.ed.gov/about/offices/list/ocr/docs/crdc-2012-data-summary.pdf>

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

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

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Policy SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

First Reading: November 13, 2012

Adopted:

King City, CA

AR Students

Suspension And Expulsion/Due Process

~~***Note: Education Code 35291 requires the Governing Board to adopt rules and regulations for maintaining discipline in the schools under its jurisdiction. In addition, Education Code 48918 and 48918.5 mandate rules concerning the due process rights of students in expulsion situations, and Education Code 48916 mandates procedures for filing and processing requests for readmission. Specific language complying with these mandates is included throughout this administrative regulation.***~~

Definitions

Suspension from school means removal of a student from ongoing instruction for adjustment purposes. However, suspension does not mean any of the following: (Education Code 48925)

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level.
2. Referral to a certificated employee designated by the principal to advise students.
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910. Removal from a particular class shall not occur more than once every five school days.

Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. (Education Code 48925)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(u))

Notice of Regulations

At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, including suspension and expulsion. (Education Code 35291, 48900.1, 48980)

(cf. 5144 - Discipline)

(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion

Any student, including a student with disabilities, may be subject to suspension or expulsion when it is determined that he/she:

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

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon another person, except in self-defense. (Education Code 48900(a))

~~***Note: Education Code 48900 allows for the suspension, but not expulsion, of a student who "aids or abets," as defined in Penal Code 31, the infliction or attempted infliction of physical injury to another person. However, a student may be suspended or expelled if a juvenile court determines that he/she has committed, as an aider or abettor, a crime of physical violence in which the victim suffered either great or serious bodily injury. The term "aiding or abetting," as defined in Penal Code 31, is a complex legal term and requires that, at the time he/she committed the crime, the aider or abettor was aware of the crime and specifically intended to commit the crime. Because of the complexities of criminal law, this issue may be difficult for school administrators to apply in a school setting and legal counsel should be consulted as appropriate.***~~

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, such a student may be suspended or expelled pursuant to Education Code 48900(a) when he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(t))

~~***Note: The Attorney General, in 80 Ops.Cal.Atty.Gen. 91 (1997), determined that a student may be expelled for "possession" of a firearm if the student knowingly and voluntarily had direct control over the firearm. The only exceptions are when the student has permission from school officials to possess the firearm (pursuant to Education Code 48900 and 48915) or when the-~~

~~possession is brief and solely for the purpose of disposing of the firearm, such as handing it to school officials. See BP 5131.7 Weapons and Dangerous Instruments.***~~

~~***Note: Pursuant to Penal Code 417.27, students are prohibited from possessing a laser pointer on school premises, except for a valid instructional or other school related purpose. See BP 5131 Conduct.***~~

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))

(cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of, any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))

(cf. 5131.6 - Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as such controlled substance, alcoholic beverage, or intoxicant. (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))

7. Stole or attempted to steal school property or private property. (Education Code 48900(g))

8. Possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel, except that this restriction shall not prohibit a student from using or possessing his/her own prescription products. (Education Code 48900(h))

(cf. 5131.62 - Tobacco)

9. Committed an obscene act or engaged in habitual profanity or vulgarity. (Education Code 48900(i))

10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. (Education Code 48900(k))

(cf. 5131.4 - Student Disturbances)

12. Knowingly received stolen school property or private property. (Education Code 48900(l))

13. Possessed an imitation firearm. (Education Code 48900(m))

Imitation firearm means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (Education Code 48900(m))

14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))

15. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness. (Education Code 48900(o))

16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma. (Education Code 48900(p))

17. Engaged in, or attempted to engage in, hazing. (Education Code 48900(q))

Hazing means a method of initiation or pre-initiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. Hazing does not include athletic events or school-sanctioned events.

~~***Note: As amended by AB 1156 (Ch. 732, Statutes of 2011), Education Code 48900(r) defines "bullying" as "any severe or pervasive physical or verbal act or conduct directed toward a student and which would have certain consequences upon a reasonable student.***~~

~~***Note: The legal issues regarding the discipline of students for cyberbullying are complex because the acts often originate off campus (e.g., using a home computer) and because such communications may be protected by the freedom of speech rights of students granted pursuant~~

~~to Education Code 48907. Generally, courts have upheld discipline against students for off-campus conduct that constituted cyberbullying that posed a threat to the safety of other students, staff, or school property or presented a risk of substantial disruption of school activities. Districts should consult legal counsel as appropriate. See also BP 5131.2 – Bullying and BP 5145.2 – Freedom of Speech/Expression.***~~

18. Engaged in an act of bullying. (Education Code 48900(r))

Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicted to have the effect of placing a reasonable student in fear of harm to himself/herself or his/her property; cause the student to experience a substantially detrimental effect on his/her physical or mental health; or cause the student to experience substantial interferences with his/her academic performance or ability to participate in or benefit from the services, activities, or privileges provided by a school.

~~***Note: "Bullying" also would include any act of sexual harassment, hate violence, or harassment, threat, or intimidation (as set forth in Education Code 48900.2, 48900.3, or 48900.4; see items #20-22 below) that is committed by a student of any grade level, when the act results in harm to a reasonable student as specified in the above paragraph. However, when bullying is found under these circumstances, students below grade 4 may not be disciplined for the underlying violations of items #20-22 below, but may only be disciplined for "bullying."***~~

Bullying shall include any act of sexual harassment, hate violence, or harassment, threat, or intimidation, as defined in Education Code 48900.2, 48900.3, or 48900.4 (items #20-22 below), that has any of the effects described above on a reasonable student.

~~***Note: Education Code 48900(r), as amended by AB 1732 (Ch. 157, Statutes of 2012), defines "electronic act" to include posts on social network Internet web sites as specified below. However, Education Code 48900(r) provides that an electronic act shall not constitute pervasive conduct solely by reason of its transmission on the Internet.***~~

Electronic act means the transmission of a communication, including, but not limited to, a message, text, sound, image, or post on a social network Internet web site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager. A post on a social network Internet web site shall include, but is not limited to, the posting or creation of a burn page or the creation of a credible impersonation or false profile for the purpose of causing a reasonable student any of the effects of bullying described above.

Reasonable student means a student, including, but not limited to, a student who has been identified as a student with a disability, who exercises average care, skill, and judgment in conduct for a person of his/her age, or for a person of his/her age with his/her disability. (Education Code 48900(r))

(cf. 1114 - District-Sponsored Social Media)

(cf. 5131.2 - Bullying)

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

(cf. 6164.6 - Identification and Education under Section 504)

19. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

A terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death or great bodily injury to another person or property damage in excess of \$1,000, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out. (Education Code 48900.7)

~~***Note: The following additional grounds apply only to students in grades 4-12 and may be revised to reflect grade levels offered by the district. As discussed in item #18 above, although Education Code 48900(r) defines bullying to include acts involving items #20-22, only students in grades 4-12 may be suspended or expelled for the individual acts that constitute sexual harassment, hate violence, and harassment as stated in items #20-22 below. The interplay between items #18 and #20-22 can raise complex legal issues. Districts should consult legal counsel as appropriate.***~~

A student in grades 9-12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

20. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)

Sexual harassment means conduct which, when considered from the perspective of a reasonable person of the same gender as the victim, is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment. (Education Code 212.5, 48900.2)

(cf. 5145.7 - Sexual Harassment)

21. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 233. (Education Code 48900.3)

Hate violence means any act punishable under Penal Code 422.6, 422.7, or 422.75. Such acts include injuring or intimidating a victim, interfering with the exercise of a victim's civil rights, or damaging a victim's property because of the victim's race, ethnicity, religion, nationality, disability, gender, gender identity, gender expression, or sexual orientation; a perception of the presence of any of those characteristics in the victim; or the victim's association with a person or group with one or more of those actual or perceived characteristics. (Education Code 233; Penal Code 422.55)

(cf. 5145.9 - Hate-Motivated Behavior)

22. Intentionally engaged in harassment, threats, or intimidation against district personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment. (Education Code 48900.4)

(cf. 5145.3 - Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school or within any other school district, at any time, including, but not limited to, the following: (Education Code 48900)

1. While on school grounds
2. While going to or coming from school

(cf. 5131.1 - Bus Conduct)

3. During the lunch period, whether on or off the school campus

(cf. 5112.5 - Open/Closed Campus)

4. During, going to, or coming from a school-sponsored activity

Removal from Class by a Teacher and Parental Attendance

~~***Note: The following section is optional and may be revised to reflect district practice.***~~

A teacher may remove any student from his/her class for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

When removing a student from his/her class, the teacher shall immediately report this action to the principal or designee and send the student to the principal or designee for appropriate action. If that action requires the continuing presence of the student at school, he/she shall be appropriately supervised during the class periods from which he/she has been removed. (Education Code 48910)

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the removal. A counselor or psychologist may attend the conference if it is practicable, and a school administrator shall attend if either the parent/guardian or teacher so requests. (Education Code 48910)

A student removed from class shall not be returned to class during the period of removal without the approval of the teacher of the class and the principal. (Education Code 48910)

A student removed from class shall not be placed in another regular class during the period of removal. However, if a student is assigned to more than one class per day, he/she may be placed in any other regular classes except those held at the same time as the class from which the student was removed. (Education Code 48910)

The teacher of any class from which a student is removed may require the student to complete any assignments and tests missed during the removal. (Education Code 48913)

~~***Note:—The remainder of this section is for use by districts that have adopted a policy regarding required parental attendance pursuant to Education Code 48900.1; see the accompanying Board policy.***~~

Pursuant to Board policy, a teacher may require the parent/guardian of a student whom the teacher has removed to attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

~~***Note:—Education Code 48900.1 requires the principal's notice to specify when the parent/guardian must attend the class and to take into account reasonable factors that may prevent the parent/guardian from complying, such as illness, injury, disability, or absence from town.—The following paragraph establishes a one-week deadline for the parent/guardian's attendance.—This deadline may be modified to reflect district practice.***~~

The notice shall specify that the attendance may be on either the date the student is scheduled to return to class or within one week thereafter.

~~***Note:—Items #1-3 below are optional and should be modified to reflect district practice.***~~

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date
2. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student
3. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1

Suspension by Superintendent, Principal, or Designee

The Superintendent, principal, or designee may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above. A student may be suspended only when the Superintendent or principal has determined that other means of correction have failed to bring about proper conduct in the student. (Education Code 48900.5)

However, the Superintendent, principal, or designee may impose a suspension upon a first offense if he/she determines that the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

In addition, the Superintendent, principal, or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, selling, or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence
2. Brandishing a knife as defined in Education Code 48915(g)
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above
5. Possessing an explosive as defined in 18 USC 921

The Superintendent, principal, or designee may suspend a student from school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

A student may be suspended from school for not more than 20 school days in any school year unless, for purposes of adjustment, the student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48911, 48912)

(cf. 6184 - Continuation Education)

The district may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year. (Education Code 48903)

Suspensions shall be initiated according to the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the Superintendent, principal, or designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action, presented with the evidence against him/her, and given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911)

This conference may be omitted if the Superintendent, principal, or designee determines that an emergency situation exists involving a clear and present danger to the lives, safety, or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of the conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such a case, the conference shall be held as soon as the student is physically able to return to school. (Education Code 48911)

~~***Note: Item #2 below should be revised to reflect district practice as to the processing and reporting of suspensions.***~~

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee. (Education Code 48911)

3. Notice to Parents/Guardians: At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension. (Education Code 48911)

This notice shall state the specific offense committed by the student. (Education Code 48900.8)

In addition, the notice may state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the cause(s) and duration of the suspension, the school policy involved, and any other pertinent matter. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about his/her child's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such a conference. The student may not be denied readmission solely because the parent/guardian failed to attend the conference. (Education Code 48911)

5. Extension of Suspension: If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911)

Any extension of the original period of suspension shall be preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension. Extension of the suspension may be made only if the Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process. (Education Code 48911)

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal, or Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it shall hold closed sessions if a public hearing would lead to disclosure of information violating a student's right to privacy under Education Code 49073-49079. (Education Code 35146, 48912)

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by registered or certified mail or personal service. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Board's notice. However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session. (Education Code 35146, 48912)

Supervised Suspension Classroom

~~***Note:—The following optional section is for use by districts establishing a supervised on-campus suspension program pursuant to Education Code 48911.1. Use of a supervised suspension program does not in any way limit the district's ability to transfer a student to an opportunity school or class or a continuation education school or class.***~~

Students for whom an expulsion action has not been initiated and who pose no imminent danger or threat to the school, students, or staff may be assigned to a supervised suspension classroom in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The supervised suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. Each student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher(s) shall provide all assignments and tests that the student will miss while suspended. If no such work is assigned, the person supervising the suspension classroom shall assign schoolwork.

At the time a student is assigned to a supervised suspension classroom, the principal or designee shall notify the student's parent/guardian in person or by telephone. When the assignment is for longer than one class period, this notification shall be made in writing. (Education Code 48911.1)

Authority to Expel

A student may be expelled only by the Board. (Education Code 48918(j))

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion." (Education Code 48915)

For all other grounds listed above under "Grounds for Suspension and Expulsion," the Board shall order a student expelled upon the recommendation of the Superintendent, principal, or designee, only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct

2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

Mandatory Recommendation for Expulsion

Unless the Superintendent, principal, or designee finds that expulsion is inappropriate due to particular circumstances, the Superintendent, principal, or designee shall recommend a student's expulsion for any of the following acts: (Education Code 48915(a))

1. Causing serious physical injury to another dangerous object of no reasonable use to the student
3. Unlawful possession of any controlled substance, as listed in Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis
4. Robbery or extortion
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee

Mandatory Recommendation and Mandatory Expulsion

~~***Note: The Attorney General has determined, in 80 Ops-Cal. Atty. Gen. 347 (1997), that a district may not adopt a zero tolerance policy mandating expulsion of a student for a first offense of possession of a controlled substance or alcohol; see the accompanying Board policy.***~~

~~***Note: The Gun-Free Schools Act, 20 USC 7151, requires districts and county offices of education to submit to the California Department of Education (CDE) assurances of compliance with state and federal laws related to incidents on campus involving the possession of firearms. Item #1 below reflects language that must be submitted to the CDE for compliance. For other such language that must be submitted to the CDE, see sections in this regulation entitled "Final Action by the Board" and "Notifications to Law Enforcement Authorities."***~~

The Superintendent, principal, or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, selling, or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the firearm from a certificated school employee, with the principal or designee's concurrence
2. Brandishing a knife as defined in Education Code 48915(g) at another person
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058

4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above
5. Possessing an explosive as defined in 18 USC 921

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

Student's Right to Expulsion Hearing

~~***Note: Education Code 48918 mandates that the Board establish rules and regulations governing procedures for the expulsion of students. The timelines of Education Code 48918 must be strictly followed; failure to do so may result in loss of the district's power to act (Garcia v. Los Angeles Board of Education). In calculating timelines, districts should also be aware of the difference between the calculation of "school days" and "calendar days" under Education Code 48918.***~~

Any student recommended for expulsion shall be entitled to a hearing to determine whether he/she should be expelled. The hearing shall be held within 30 school days after the Superintendent, principal, or designee determines that the student has committed one of the acts listed under "Grounds for Suspension and Expulsion." (Education Code 48918(a))

The student is entitled to at least one postponement of an expulsion hearing for a period of not more than 30 calendar days. The request for postponement shall be in writing. Any subsequent postponement may be granted at the Board's discretion. (Education Code 48918(a))

If the Board finds it impractical during the regular school year to comply with these time requirements for conducting an expulsion hearing, the Superintendent or designee may, for good cause, extend the time period by an additional five school days. Reasons for the extension shall be included as a part of the record when the expulsion hearing is held. (Education Code 48918(a))

If the Board finds it impractical to comply with the time requirements of the expulsion hearing due to a summer recess of Board meetings of more than two weeks, the days during the recess shall not be counted as school days. The days not counted during the recess may not exceed 20 school days, as defined in Education Code 48925. Unless the student requests in writing that the expulsion hearing be postponed, the hearing shall be held not later than 20 calendar days prior to the first day of the next school year. (Education Code 48918(a))

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code 48918(a))

~~***Note: The following optional paragraph may be revised to reflect district practice. "Stipulated expulsion" is for districts that have adopted an expedited procedure which requires a~~

~~student to waive his/her right to a hearing in exchange for an agreement as to the term of the expulsion. Because such waivers are not covered in the Education Code, districts should consult legal counsel as appropriate.***~~

After a determination that one of the grounds listed above under "Grounds for Suspension and Expulsion" has occurred, the Superintendent, principal, or designee shall offer the student and his/her parent/guardian the option to waive a hearing and stipulate to the expulsion. The stipulation agreement shall be in writing and shall be signed by the student and his/her parent/guardian.

Rights of Complaining Witness

~~***Note: Education Code 48918.5 mandates the following rights related to the treatment of witnesses alleging acts of sexual assault or sexual battery. Other procedures related to complaining witnesses also may be added as desired by the district. Additional mandated procedures related to the rights and treatment of complaining witnesses are included where appropriate throughout this regulation.***~~

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental, or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

Written Notice of the Expulsion Hearing

~~***Note: Education Code 48918 mandates the Board to adopt procedures that include the following items.***~~

Written notice of the expulsion hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code 48900.8, 48918(b))

1. The date and place of the hearing.
2. A statement of the specific facts, charges, and offense upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915(a) or (c).

(cf. 5119 - Students Expelled from Other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person or be represented by legal counsel or by a nonattorney advisor.

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Nonattorney advisor means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.

6. The right to inspect and obtain copies of all documents to be used at the hearing.
7. The opportunity to confront and question all witnesses who testify at the hearing.
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses.

Conduct of Expulsion Hearing

~~***Note: Education Code 48918 mandates the Board to adopt procedures that include the following items***.~~

~~***Note: Instead of the Board conducting an expulsion hearing, it may appoint a hearing officer or an impartial administrative panel to conduct the hearing; see section "Alternative Expulsion Hearing: Hearing Officer or Administrative Panel" below. Even if the district conducts all expulsion hearings in this manner, the requirements of that section must be met.***~~

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public unless another student's privacy rights would be violated. (Education Code 48918(c))

~~***Note: For the purpose of Board deliberations during the closed session described below, the presence of any person other than the Board members, including the Superintendent, necessitates allowing the presence of the parent/guardian, student, and student's counsel.***~~

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine whether or not the student should be expelled. If the Board admits any other person to this closed session, the parent/guardian, the student, and the counsel of the student also shall be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including, but not limited to, videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. (Education Code 48918(g))

~~***Note: Education Code 48918 authorizes the Board to issue subpoenas for the personal appearance of percipient witnesses at an expulsion hearing. In Woodbury v. Dempsey, the court held that a district's authority to determine whether to issue subpoenas is discretionary, but a district could not have a blanket policy denying the issuance of subpoenas in all cases.***~~

~~***Note: In accordance with the Code of Civil Procedure 1987, the subpoena must be served at least 10 days before the time required for attendance unless the court prescribes a shorter time. Unless they are parties to the hearing or are district or government employees, witnesses who appear pursuant to a subpoena receive fees equal to those prescribed for witnesses in civil actions in a superior court, and all witnesses other than the parties to the hearing receive mileage; these fees and mileage must be paid by the party requesting the subpoena.***~~

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing

officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

4. Presentation of Evidence: Technical rules of evidence shall not apply to the expulsion hearing, but relevant evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. The decision of the Board to expel shall be supported by substantial evidence that the student committed any of the acts pursuant to Education Code 48900 and listed in "Grounds for Suspension and Expulsion" above. (Education Code 48918(h))

~~***Note: Findings of fact made by the Board or a hearing panel must not be based on hearsay alone. "Hearsay" is evidence of an oral or written statement made by a person who is not present at the hearing which is offered to establish a fact as being true. Some exceptions to the hearsay rule exist under the Evidence Code and Education Code; the district should consult legal counsel as appropriate.***~~

Findings of fact shall be based solely on the evidence at the hearing. While no finding shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm. (Education Code 48918(f))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

~~***Note: Education Code 48918.6 provides that testimony by a student witness at an expulsion hearing is privileged and thus protected from liability for defamation pursuant to Civil Code 47(b).***~~

5. Testimony by Complaining Witnesses: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918, 48918.5)

- a. Any complaining witness shall be given five days' notice before being called to testify.
 - b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
 - c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
 - d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
 - e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.
 - f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
 - g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
- (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
 - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
 - (3) The person conducting the hearing may:
 - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
 - (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours
 - (c) Permit one of the support persons to accompany the complaining witness to the

witness stand

6. Decision: The Board's decision as to whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

~~***Note: For districts that use a hearing officer or administrative panel, Education Code 48918 mandates the Board to adopt procedures that include the following section.***~~

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. Alternatively, the Board may appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code 48918(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing," including the requirement to issue its decision within 40 school days of the student's removal from school, unless the student requests that the decision be postponed. (Education Code 48918(a) and (d))

The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, the expulsion proceeding shall be terminated and the student shall be immediately reinstated. The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers, and with the student's parent/guardian. The decision to not recommend expulsion shall be final. (Education Code 48918(e))

If expulsion is recommended, findings of fact in support of the recommendation shall be prepared and submitted to the Board. All findings of fact and recommendations shall be based solely on the evidence presented at the hearing. The Board may accept the recommendation based either upon a review of the findings of fact and recommendations submitted or upon the results of any supplementary hearing the Board may order. (Education Code 48918(f))

In accordance with Board policy, the hearing officer or administrative panel may recommend that the Board suspend the enforcement of the expulsion for a period of one year. (Education Code 48917, 48918)

Final Action by the Board

~~***Note: Education Code 48918 mandates the Board to adopt procedures that include the following paragraph.***~~

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

~~***Note: The Gun Free Schools Act, 20 USC 7151, requires that the following paragraph be sent to the CDE for assurances of compliance with federal and state law. For other language that must be submitted to the CDE, see section below entitled "Notifications to Law Enforcement Authorities."***~~

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for any act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. If an expulsion is ordered during summer session or the intersession period of a year-round program, the Board shall set a date when the student shall be reviewed for readmission not later than the last day of the semester following the summer session or intersession period in which the expulsion occurred. (Education Code 48916)

At the time of the expulsion order, the Board shall recommend a plan for the student's rehabilitation, which may include: (Education Code 48916)

1. Periodic review, as well as assessment at the time of review, for readmission
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service, or other rehabilitative programs

~~***Note: The following paragraph is optional. Education Code 48916.5 authorizes, but does not mandate, the Board to make the following requirement of certain expelled students.***~~

With parent/guardian consent, students who have been expelled for reasons relating to controlled substances or alcohol may be required to enroll in a county-sponsored drug rehabilitation

program before returning to school. (Education Code 48916.5)

Written Notice to Expel

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. This notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion" (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board of Education (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

Decision Not to Enforce Expulsion Order

~~***Note: Pursuant to Education Code 48917, the Board's criteria for suspending the enforcement of expulsions must be applied uniformly to all students. Items #1-3 below are optional and should be revised to reflect district criteria.***~~

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion order, the Board shall take into account the following criteria:

1. The student's pattern of behavior
2. The seriousness of the misconduct
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program

The suspension of the enforcement of an expulsion shall be governed by the following:

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation. This rehabilitation

program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program. (Education Code 48917)

2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)

3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)

4. When the suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order. (Education Code 48917)

5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings. (Education Code 48917)

6. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall inform the parent/guardian of the right to appeal the expulsion to the County Board, the alternative educational placement to be provided to the student during the period of expulsion, and the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of his/her status with the expelling district, pursuant to Education Code 48915.1(b). (Education Code 48918(j))

7. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board. (Education Code 48917)

Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision with the County Board. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion order is suspended and the student is placed on probation. (Education Code 48919)

The student shall submit a written request for a copy of the written transcripts and supporting documents from the district simultaneously with the filing of the notice of appeal with the County Board. The district shall provide the student with these documents within 10 school days following the student's written request. (Education Code 48919)

Notification to Law Enforcement Authorities

~~***Note: The Gun Free Schools Act, 20 USC 7151, requires that the following two paragraphs be sent to the CDE for assurances of compliance with federal and state law. In addition, Education Code 48902 requires the principal or designee to notify law enforcement authorities when a student or nonstudent possesses a firearm or explosive or sells or furnishes a firearm at school. However, when the student involved in such a case is a student with a disability, Education Code 49076, as amended by AB 143 (Ch. 434, Statutes of 2011), requires any law enforcement authority to which student information is disclosed to certify that those records will not be disclosed to another party without the prior written consent of the student's parent/guardian or other person invested with the student's educational right; see AR 5144.2—Suspension and Expulsion/Due Process (Students with Disabilities). For other language that must be submitted to the CDE, see section above entitled "Final Action by the Board."***~~

Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245. (Education Code 48902)

The principal or designee also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance. In addition, law enforcement authorities shall be notified regarding any acts by students regarding the possession, sale, or furnishment of firearms, explosives, or other dangerous weapons in violation of Education Code 48915(c)(1) or (5) or Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering, or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

Post-Expulsion Placements

~~***Note: Education Code 48915 requires the Board to refer all expelled students to a program of study that is prepared to accommodate students with discipline problems and that is not located at the school the student currently attends or at any regular elementary, middle, junior, or senior high school. However, students expelled for the acts described in Education Code 48900(f) through (r) or Education Code 48900.2, 48900.3, or 48900.4 may be referred to a program of study that is at another elementary, middle, junior, or senior high school if the County Superintendent of Schools certifies that an alternative program is not available at a site away from such a school.***~~

~~***Note: Education Code 48915.01 states that if the Board has established a community day school pursuant to Education Code 48661 on the same site as an elementary, middle, junior, or~~

~~senior high school, expelled students may be referred to the community day school at that site. Although Education Code 48663 prohibits the use of independent study in community day schools, Education Code 48916.1 does not in any way restrict the district from offering voluntary alternative placement option for expelled students.***~~

The Board shall refer expelled students to a program of study that is: (Education Code 48915, 48915.01)

1. Appropriately prepared to accommodate students who exhibit discipline problems
2. Not provided at a comprehensive middle, junior, or senior high school or at any elementary school, unless the program is offered at a community day school established at such a site
3. Not housed at the school site attended by the student at the time of suspension

(cf. 6158 - Independent Study)

(cf. 6185 - Community Day School)

When the placement described above is not available and when the County Superintendent so certifies, students expelled for acts described in items #6-13 and #20-22 under "Grounds for Suspension and Expulsion" above may be referred to a program of study that is provided at another comprehensive middle, junior, or senior high school or at an elementary school. (Education Code 48915)

The program for a student expelled from any of grades K-6 shall not be combined or merged with programs offered to students in any of grades 7-12. (Education Code 48916.1)

Readmission After Expulsion

~~***Note: Education Code 48916 mandates that the Board adopt rules and regulations establishing a procedure for filing and processing requests for readmission and a process for Board review of all expelled students for readmission. Items #2-4 below should be revised to reflect district practice.***~~

Readmission procedures shall be as follows:

1. On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
2. The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in

writing their willingness to comply with these regulations.

3. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
4. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission.
5. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code 48916)
6. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school. (Education Code 48916)
7. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code 48916)

Maintenance of Records

The district shall maintain a record of each suspension and expulsion, including its specific cause(s). (Education Code 48900.8)

Expulsion records of any student shall be maintained in the student's mandatory interim record, and sent to any school in which the student subsequently enrolls upon written request by that school. (Education Code 48918(k))

(cf. 5125 - Student Records)

~~***Note: Education Code 48915.1 requires that, when an expelled student asks to enroll in another district, the receiving district must hold a hearing to determine whether the student poses a danger to its students or staff. The receiving district then may either deny or permit the enrollment. Upon request from another district, the expelling district must provide information about the expulsion within five days.***~~

The Superintendent or designee shall, within five working days, honor any other district's request

for information about an expulsion from this district. (Education Code 48915.1)

(cf. 5119 - Students Expelled from Other Districts)

Outcome Data

The Superintendent or designee shall maintain the following data: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion
2. The specific grounds for each recommended expulsion
3. Whether the student was subsequently expelled
4. Whether the expulsion order was suspended
5. The type of referral made after the expulsion
6. The disposition of the student after the end of the expulsion period

(3/10 3/12) 7/12

Regulation SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

First Reading: November 13, 2012

Adopted:

King City, CA

AR 5144.2 Students

Suspension And Expulsion/Due Process (Students With Disabilities)

~~***Note: Education Code 35291 requires the Governing Board to prescribe rules and regulations for maintaining discipline in the schools under its jurisdiction. While many of the required rules and regulations are in BP/AR 5144.1—Suspension and Expulsion/Due Process, the following administrative regulation addresses special procedures required when disciplining students who have been identified for special education and related services. This administrative regulation reflects the federal Individuals with Disabilities Education Act (IDEA) (20 USC 1400-1482), implementing federal regulations (34 CFR 300.1-300.818), and conforming state legislation.—Note that in cases where state law provides greater protections to students, state law supersedes federal law. ***~~

~~***Note: Neither state nor federal law requires that these procedures apply to students identified under Section 504 of the federal Rehabilitation Act of 1973 (29 USC 794). However, in some instances, the district may find it appropriate to apply portions of these procedures (e.g., the limitation that a student with a disability may not be suspended for more than 10 consecutive school days) to Section 504 students with a 504 services plan. Districts that wish to apply IDEA procedures to Section 504 students should modify the following regulation accordingly. ***~~

~~***Note: Due to the complexity of the issue, districts should proceed carefully when suspending or expelling special education students and consult legal counsel as appropriate. ***~~

A student identified as an individual with a disability pursuant to the Individuals with Disabilities Education Act (IDEA), 20 USC 1400-1482, is subject to the same grounds and procedures for suspension and expulsion which apply to students without disabilities, except as otherwise specified in this administrative regulation.

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

Suspension

~~***Note: Pursuant to 20 USC 1415(k)(1), 34 CFR 300.530, and a 1988 U.S. Supreme Court decision (Honig v. Doe), districts receiving funds under the IDEA may suspend a student with a disability for no more than 10 consecutive school days, as long as the removal does not constitute a change in placement pursuant to 34 CFR 300.536. Education Code 48903 specifies that a student may not be suspended for more than 20 cumulative school days in a school year. ***~~

~~***Note: The Analysis of Comments to the federal regulations, 71 Fed. Reg. 156, pg. 46715, explains that whether a bus suspension or "in-school suspension" would count as a day of suspension affecting the cumulative total depends on the unique circumstances of each case, such as whether bus transportation is part of the student's individualized education program (IEP).—~~

~~An "in-school suspension" or "supervised suspension classroom" as authorized by Education Code 48911.1 would not count towards the 20-day limit as long as the student is afforded the opportunity to continue to appropriately participate in the general curriculum, receive the services specified in his/her IEP, and participate with nondisabled students to the extent he/she would have in the current placement. The district should be careful that such actions do not constitute a change of placement and should carefully monitor such suspensions. ***~~

The Superintendent or designee may suspend a student with a disability for up to 10 consecutive school days for a single incident of misconduct, and for up to 20 school days in a school year, as long as the suspension(s) does not constitute a change in placement pursuant to 34 CFR 300.536. (Education Code 48903; 34 CFR 300.530)

~~***Note: The following paragraph is optional. ***~~

The principal or designee shall monitor the number of days, including portions of days, in which a student with a valid individualized education program (IEP) has been suspended during the school year.

(cf. 6159 - Individualized Education Program)

The Superintendent or designee shall determine, on a case-by-case basis, whether a pattern of removals of a student from his/her current educational placement for disciplinary reasons constitutes a change of placement. A change of placement shall be deemed to have occurred under either of the following circumstances: (34 CFR 300.536)

1. The removal is for more than 10 consecutive school days.
2. The student has been subjected to a series of removals that constitute a pattern because of all of the following:
 - a. The series of removals total more than 10 school days in a school year.
 - b. The student's behavior is substantially similar to his/her behavior in previous incidents that resulted in the series of removals.
 - c. Additional factors, such as the length of each removal, the total amount of time the student has been removed, and the proximity of the removals to one another, indicate a change of placement.

~~***Note: Pursuant to 20 USC 1412(a)(1)(A) and 34 CFR 300.530, a "free appropriate public education" (FAPE) must be available to all students, including any student with a disability who has been suspended for more than 10 school days in the same school year. The Analysis of Comments to the federal regulations, 71 Fed. Reg. 156, pg. 46716, clarifies that the district is not required to provide a student who has been suspended for more than 10 school days in a school~~

~~year for disciplinary reasons exactly the same services in exactly the same setting as the student was receiving prior to the imposition of discipline. However, the special education and related services the student does receive must enable him/her to continue to participate in the general curriculum and to progress toward meeting the goals set out in his/her IEP. The Analysis of Comments, 71 Fed. Reg. 156, pg. 46717, clarifies that services need not be provided when a student is removed for 10 school days or less, as long as the district does not provide services to nondisabled students removed for the same amount of time. ***~~

If a student's removal is determined to be a change of placement as specified in items #1-2 above, or the student is suspended for more than 10 school days in the same school year, the student's IEP team shall determine the appropriate educational services. Such services shall be designed to enable the student to continue to participate in the general education curriculum in another setting, to progress toward meeting the goals set out in his/her IEP, and to address the student's behavior violation so that it does not recur. (20 USC 1412(a)(1)(A); 34 CFR 300.530)

If the IEP of a student with a disability requires the district to provide the student with transportation, the district shall provide the student with an alternative form of transportation at no cost to him/her or to his/her parent/guardian when he/she is to be excluded from school bus transportation. (Education Code 48915.5)

(cf. 3541.2 - Transportation for Students with Disabilities)

Interim Alternative Educational Placement Due to Dangerous Behavior

~~***Note: 20 USC 1415(k) and 34 CFR 300.530 permit an alternative placement for 45 school days when a student with a disability, while on school grounds, while going to or coming from school, or at a school function, either (1) carries or possesses a weapon, (2) knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance, or (3) inflicts serious bodily injury upon another person. "Serious bodily injury" is defined in 18 USC 1365 as bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty. This alternative placement decision may be made unilaterally by the district. ***~~

~~***Note: The term "weapon," as used below, refers to a "dangerous weapon" as defined in 18 USC 930 and includes any device which is capable of causing death or serious bodily injury. The term does not include a pocket knife with a blade of less than 2 1/2 inches in length. ***~~

The district may unilaterally place a student with a disability in an appropriate interim alternative educational setting for up to 45 school days, without regard to whether the behavior is a manifestation of the student's disability, when the student commits one of the following acts while at school, going to or from school, or at a school-related function: (20 USC 1415(k)(1)(G); 34 CFR 300.530)

1. **Carries or possesses a weapon, as defined in 18 USC 930**
2. **Knowingly possesses or uses illegal drugs**
3. **Sells or solicits the sale of a controlled substance as identified in 21 USC 812(c), Schedules I-V**
4. **Inflicts serious bodily injury upon another person as defined in 18 USC 1365**

The student's interim alternative educational setting shall be determined by his/her IEP team. (20 USC 1415(k)(1)(G); 34 CFR 300.531)

~~***Note: For requirements of the procedural safeguards notice, see AR 6159.1—Procedural Safeguards and Complaints for Special Education.***~~

On the date the decision to take disciplinary action is made, the student's parent/guardian shall be notified of the decision and provided the procedural safeguards notice pursuant to 34 CFR 300.504. (20 USC 1415(k)(1)(H); 34 CFR 300.530)

A student who has been removed from his/her current placement because of dangerous behavior shall receive services, although in another setting, to the extent necessary to allow him/her to participate in the general education curriculum and to progress toward meeting the goals set out in his/her IEP. As appropriate, the student shall also receive a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur. (20 USC 1415(k)(1)(D); 34 CFR 300.530)

Manifestation Determination

The following procedural safeguards shall apply when a student with a disability is suspended for more than 10 consecutive school days, when a series of removals of a student constitutes a pattern, or when a change of placement of a student is contemplated due to a violation of the district's code of conduct:

1. **Notice: On the date the decision to take disciplinary action is made, the student's parent/guardian shall be notified of the decision and provided the procedural safeguards notice pursuant to 34 CFR 300.504. (20 USC 1415(k)(1)(H); 34 CFR 300.530)**

(cf. 5145.6 - Parental Notifications)

(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

2. **Manifestation Determination Review: Immediately if possible, but in no case later than 10 school days after the date the decision to take disciplinary action is made, a manifestation**

determination review shall be made of the relationship between the student's disability and the behavior subject to the disciplinary action. (20 USC 1415(k)(1)(E); 34 CFR 300.530)

At the manifestation determination review, the district, the student's parent/guardian, and relevant members of the IEP team (as determined by the district and parent/guardian) shall review all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information provided by the parents/guardians, to determine whether the conduct in question was either of the following: (20 USC 1415(k)(1)(E); 34 CFR 300.530)

- a. Caused by or had a direct and substantial relationship to the student's disability
- b. A direct result of the district's failure to implement the student's IEP, in which case the district shall take immediate steps to remedy those deficiencies

If the manifestation review team determines that either of the above conditions applies, the student's conduct shall then be determined to be a manifestation of his/her disability. (20 USC 1415(k)(1)(E); 34 CFR 300.530)

3. Determination that Behavior is a Manifestation of the Student's Disability: When the student's conduct has been determined to be a manifestation of his/her disability, the IEP team shall conduct a functional behavioral assessment, unless one had been conducted before the occurrence of the behavior that resulted in the change of placement, and shall implement a behavioral intervention plan for the student. If a behavioral intervention plan has already been developed, the IEP team shall review the behavioral intervention plan and modify it as necessary to address the behavior. (20 USC 1415(k)(1)(F); 34 CFR 300.530)

The student shall be returned to the placement from which he/she was removed, unless the parent/guardian and Superintendent or designee agree to a change of placement as part of the modification of the behavioral intervention plan. (20 USC 1415(k)(1)(F); 34 CFR 300.530)

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

4. Determination that Behavior is Not a Manifestation of the Student's Disability: When it has been determined that the student's conduct was not a manifestation of his/her disability, the student may be disciplined in accordance with the procedures for students without disabilities. However, the student's IEP team shall determine services necessary to enable him/her to participate in the general education curriculum in another setting and to allow him/her to progress toward meeting the goals set out in his/her IEP. (20 USC 1415(k)(1)(D); 34 CFR 300.530)

As appropriate, the student also shall receive a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur. (20 USC 1415(k)(1)(D); 34 CFR 300.530)

(cf. 6158 - Independent Study)
(cf. 6185 - Community Day School)

Due Process Appeals

~~***Note: As specified below, 34 CFR 300.532 provides that either the district or the parent/guardian may appeal a placement decision by filing a due process complaint pursuant to 34 CFR 300.507 and 300.508. For details regarding the due process complaint, see BP/AR-6159.1—Procedural Safeguards and Complaints for Special Education. In addition, the district may file a request that the hearing officer order a change of placement to an interim alternative setting for up to 45 days when the hearing officer determines that maintaining the current placement is substantially likely to result in injury to the student or others.***~~

~~***Note: The Analysis of Comments to the federal regulations, 71 Fed. Reg. 156, pg. 46723, clarifies that the burden of proof in due process hearings is on the party that is responsible for the issue going forward to the due process hearing officer, consistent with the U.S. Supreme Court's decision in Schaffer v. Weast. Thus, if the district has requested that a hearing officer remove a student to an interim alternative educational setting, the burden of persuasion at the hearing is on the district.***~~

If the parent/guardian disagrees with any district decision regarding placement under 34 CFR 300.530 (suspension and removal for dangerous circumstances) or 34 CFR 300.531 (interim alternative placement), or the manifestation determination under 34 CFR 300.530(e), he/she may appeal the decision by requesting a hearing. The district may request a hearing if the district believes that maintaining the student's current placement is substantially likely to result in injury to the student or others. In order to request a due process hearing, the requesting party shall file a complaint pursuant to 34 CFR 300.507 and 300.508(a) and (b). (20 USC 1415(k)(3); 34 CFR 300.532)

~~***Note: Pursuant to 34 CFR 300.532, this due process hearing is the same as the impartial due process hearing held for other special education matters, except that the law specifies expedited timelines. For other due process hearing requirements, see BP/AR-6159.1—Procedural Safeguards and Complaints for Special Education.***~~

Whenever a hearing is requested as specified above, the parent/guardian or the district shall have an opportunity for an expedited due process hearing consistent with requirements specified in 34 CFR 300.507, 300.508 (a)-(c), and 300.510-300.514.

If the student's parent/guardian or the district has initiated a due process hearing under 34 CFR 300.532 as detailed above, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the 45-day time period, whichever occurs first, unless the parent/guardian and district agree otherwise. (20 USC 1415(k)(4); 34 CFR 300.533)

Readmission

~~***Note: There is no state or federal law that requires special procedures for readmission of expelled students with disabilities; however, districts have an ongoing obligation to make FAPE available to students with disabilities. ***~~

Readmission procedures for students with disabilities shall be the same as those adopted for students **without disabilities**. Upon readmission **of a student with disabilities**, an IEP team meeting shall be convened **to review and, as necessary, modify the student's IEP**.

Decision Not to Enforce Expulsion Order

~~***Note: For district criteria applicable to all students when the Board is considering whether or not to suspend the enforcement of an expulsion order, see BP 5144.1 – Suspension and Expulsion/Due Process. The district should consult legal counsel when considering the suspension of an expulsion order involving a special education student. ***~~

The Governing Board's criteria for suspending the enforcement of an expulsion order shall be applied to students with disabilities in the same manner as they are applied to all other students. (Education Code 48917)

Notification to Law Enforcement Authorities

~~***Note: Pursuant to 20 USC 1415(k)(6) and 34 CFR 300.535, the district is authorized to report crimes by students with disabilities to law enforcement in accordance with state law. Education Code 48902 provides procedures for these required notifications and Education Code 49076, as amended by AB 143 (Ch. 434, Statutes of 2011), requires any law enforcement authority to which information regarding a student with disabilities is disclosed to certify that those records will not be disclosed to another party without the prior written consent of the student's parent/guardian or other person invested with the student's educational right. See also AR 5144.1 – Suspension and Expulsion/Due Process and BP 5131.7 – Weapons and Dangerous Instruments. ***~~

Law enforcement notification requirements involving students with disabilities shall be the same as those specified for all students in AR 5144.1 - Suspension and Expulsion/Due Process.

When giving any required notification concerning a student with disabilities to any law enforcement official, the principal or designee shall require the law enforcement official to certify in writing that he/she will not disclose the student's information or records to any other person without the prior written consent of the student's parent/guardian. (Education Code 49076)

(cf. 5131.7 - Weapons and Dangerous Instruments)

Report to County Superintendent of Schools

~~***Note: Education Code 48203 requires the Superintendent to report to the County Superintendent of Schools when any special education student has been expelled or suspended for more than 10 school days. Education Code 48203 specifies that it is the duty of the County Superintendent to examine the reports and, if any case exists in which the interest of the student or welfare of the state may need further examination, bring the reports to the attention of the Board and the County Board of Education.***~~

The Superintendent or designee shall report to the County Superintendent of Schools when any special education student has been expelled or suspended for more than 10 school days. The report shall include the student's name, last known address, and the reason for the action. (Education Code 48203)

Procedures for Students Not Yet Eligible for Special Education Services

A student who has not been determined to be eligible for special education and related services and who has violated the district's code of student conduct may nevertheless assert any of the protections under IDEA, if the district had knowledge of the student's disability. (20 USC 1415(k)(5); 34 CFR 300.534)

Knowledge means that, before the occurrence of the behavior that precipitated the disciplinary action, one of the following occurred: (20 USC 1415(k)(5); 34 CFR 300.534)

- 1. The parent/guardian, in writing, has expressed concern to district supervisory or administrative personnel, or to a teacher of the student, that the student is in need of special education or related services.**
- 2. The parent/guardian has requested an evaluation of the student for special education pursuant to 20 USC 1414(a)(1)(B) or 34 CFR 300.300-300.311.**

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

- 3. The teacher of the student or other district personnel has expressed specific concerns directly to the district's director of special education or other supervisory district personnel about a pattern of behavior demonstrated by the student.**

However, the district shall not be deemed to have knowledge of a student's disability if the student's parent/guardian has not allowed him/her to be evaluated for special education services or has refused services or, after evaluating the student pursuant to 34 CFR 300.300-300.311, the district determined that he/she was not an individual with a disability.

When the district is deemed to not have knowledge of a student's disability, the student shall be disciplined in accordance with procedures established for students without

disabilities who engage in comparable behavior. (20 USC 1415(k)(5); 34 CFR 300.534)

If a request is made for an evaluation of a student during the time period in which the student is subject to disciplinary measures pursuant to 34 CFR 300.530, the evaluation shall be conducted in an expedited manner. Until the evaluation is completed, the student shall remain in the educational placement determined by school authorities. (20 USC 1415(k)(5); 34 CFR 300.534)

Legal Reference:

EDUCATION CODE

35146 Closed sessions re: suspensions
35291 Rules of governing board
48203 Reports of severance of attendance of disabled students
48900-48925 Suspension and expulsion
49076 Access to student records
56000 Special education; legislative findings and declarations
56320 Educational needs; requirements
56321 Development or revision of individualized education program
56329 Independent educational assessment
56340-56347 Individualized education program teams
56505 State hearing

PENAL CODE

245 Assault with deadly weapon
626.2 Entry upon campus after written notice of suspension or dismissal without permission
626.9 Gun-Free School Zone Act
626.10 Dirks, daggers, knives, razors, or stun guns

UNITED STATES CODE, TITLE 18

930 Weapons
1365 Serious bodily injury

UNITED STATES CODE, TITLE 20

1412 State eligibility
1415 Procedural safeguards

UNITED STATES CODE, TITLE 21

812 Controlled substances

UNITED STATES CODE, TITLE 29

706 Definitions
794 Rehabilitation Act of 1973, Section 504

CODE OF FEDERAL REGULATIONS, TITLE 34

104.35 Evaluation and placement
104.36 Procedural safeguards
300.1-300.818 Assistance to states for the education of students with disabilities, especially:
300.530-300.537 Discipline procedures

COURT DECISIONS

Schaffer v. Weast, (2005) 546 U.S. 549

Parents of Student W. v. Puyallup School District, (1994 9th Cir.) 31 F.3d 1489

M.P. v. Governing Board of Grossmont Union High School District, (1994) 858 F.Supp. 1044

Honig v. Doe, (1988) 484 U.S. 305

Management Resources:

FEDERAL REGISTER

Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845

WEB SITES

California Department of Education, Special Education: <http://www.cde.ca.gov/sp/se>

U.S. Department of Education, Office of Special Education Programs:

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

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Regulation SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

First Reading: November 13, 2012

Adopted:

King City, CA

E 5145.6 Students

Parental Notifications

~~Cautionary Notice: As added and amended by SBX3-4 (Ch. 12, Third Extraordinary Session, Statutes of 2009), ABX4-2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), and SB 70 (Ch. 7, Statutes of 2011), Education Code 42605 grants districts flexibility in "Tier 3" categorical programs and provides that districts are deemed in compliance with the program and funding requirements for these programs for the 2008-09 through 2014-15 fiscal years. As a result of this flexibility, the district may choose to temporarily suspend certain provisions of the following policy or administrative regulation that reflect those requirements. However, this flexibility does not affect or alter any existing contract or bargaining agreement that the district may have in place. Thus, districts should examine the terms of those contracts and agreements and consult with district legal counsel for additional guidance. Also see BP 2210—Administrative Discretion Regarding Board Policy.~~

~~Cautionary Notice 2010-13: AB 1610 (Ch. 724, Statutes of 2010) amended Education Code 37252.2 and Government Code 17581.5 to relieve districts from the obligation, until July 1, 2013, to perform any activities that are deemed to be reimbursable state mandates under those sections. As a result, certain provisions of the following policy or administrative regulation that reflect those requirements may be suspended.~~

Note: The following exhibit lists notices which the law requires be provided to parents/guardians. Unless otherwise indicated, code numbers below refer to Education Code sections.

I. Annually

When to notify: Beginning of each school year

Education or other legal code: 17612, 48980.3

Board Policy/Administrative Regulation: AR 3514.2

Subject: Use of pesticide product, active ingredients, Internet address to access information

When to notify: Annually by February 1

Education or other legal code: 35256

Board Policy/Administrative Regulation: BP 0510

Subject: School Accountability Report Card provided

When to notify: Beginning of each school year

Education or other legal code: 35291, 48980

Board Policy/Administrative Regulation: AR 5144, AR 5144.1

Subject: District and site discipline rules

When to notify: Beginning of each school year
Education or other legal code: 46010.1
Board Policy/Administrative Regulation: BP 5113
Subject: Absence for confidential medical services

When to notify: Beginning of each school year
Education or other legal code: 48980
Board Policy/Administrative Regulation: BP 6111
Subject: Schedule of minimum days

When to notify: Beginning of each school year
Education or other legal code: 48980, 231.5; 5 CCR 4917
Board Policy/Administrative Regulation: AR 5145.7
Subject: Sexual harassment policy as related to students

When to notify: Beginning of each school year
Education or other legal code: 48980, 32255-32255.6
Board Policy/Administrative Regulation: AR 5145.8
Subject: Right to refrain from harmful or destructive use of animals

When to notify: Beginning of each school year
Education or other legal code: 48980, 35160.5, 46600-46611, 48204
Board Policy/Administrative Regulation: AR 5111.1, AR 5116.1, AR 5117
Subject: All statutory attendance options, available local attendance options, options for meeting residency

When to notify: Beginning of each school year
Education or other legal code: 48980, 46014
Board Policy/Administrative Regulation: BP 5113, AR 5113
Subject: Absence for religious purposes, if Board has adopted resolution allowing such absence

When to notify: Beginning of each school year
Education or other legal code: 48980, 48205
Board Policy/Administrative Regulation: BP 5113, AR 5113, AR 6154

Subject: Excused absences; grade/credit cannot be reduced due to excused absence if work or test has been completed

When to notify: Beginning of each school year
Education or other legal code: 48980, 48206.3, 48207, 48208
Board Policy/Administrative Regulation: AR 6183
Subject: Availability of home/hospital instruction for students with temporary disabilities

When to notify: Beginning of each school year
Education or other legal code: 48980, 49403
Board Policy/Administrative Regulation: BP 5141.31
Subject: Consent to school immunization program

When to notify: Beginning of each school year
Education or other legal code: 48980, 49423, 49480
Board Policy/Administrative Regulation: AR 5141.21
Subject: Administration of prescribed medication

When to notify: Beginning of each school year
Education or other legal code: 48980, 49451; 20 USC 1232h
Board Policy/Administrative Regulation: AR 5141.3
Subject: Right to refuse consent to physical examination

When to notify: Beginning of each school year
Education or other legal code: 48980, 49472
Board Policy/Administrative Regulation: BP 5143
Subject: Availability of insurance

When to notify: Beginning of each school year
Education or other legal code: 49063
Board Policy/Administrative Regulation: AR 5125, AR 5125.3
Subject: Challenge, review, and expunging of records

When to notify: Beginning of each school year
Education or other legal code: 49063, 49069; 20 USC 1232g; 34 CFR 99.7
Board Policy/Administrative Regulation: AR 5125
Subject: Student records: inspect and review, access, types, location, persons responsible, location of log, access criteria, cost of copies, amendment requests, criteria to determine legitimate educational interest, course prospectus availability

When to notify: Beginning of each school year
Education or other legal code: 49063, 49073; 20 USC 1232g; 34 CFR 99.37
Board Policy/Administrative Regulation: AR 5125.1
Subject: Release of directory information

When to notify: Beginning of each school year
Education or other legal code: 49520, 48980; 42 USC 1758; 7 CFR 245.5
Board Policy/Administrative Regulation: AR 3553
Subject: Free and reduced price meals

When to notify: Annually
Education or other legal code: 56301
Board Policy/Administrative Regulation: BP 6164.4

Subject: Parental rights re: special education identification, referral, assessment, instructional planning, implementation and review, and procedures for initiating a referral for assessment

When to notify: Beginning of each school year
Education or other legal code: 58501, 48980
Board Policy/Administrative Regulation: AR 6181
Subject: Alternative schools

When to notify: Annually
Education or other legal code: Health & Safety Code 104855
Board Policy/Administrative Regulation: AR 5141.6
Subject: Availability of dental fluoride treatment; opportunity to accept or deny treatment

When to notify: Annually
Education or other legal code: 5 CCR 4622
Board Policy/Administrative Regulation: AR 1312.3
Subject: Uniform complaint procedures, available appeals, civil law remedies, and identity of coordinator

When to notify: Beginning of each school year
Education or other legal code: 20 USC 1232h
AR 5022, BP 6162.8

Subject: Notice of privacy policy and dates of activities re: survey, health examination, or collection of personal information for marketing; process to opt out of such activities

When to notify: Beginning of each school year, if district receives Title I funds
Education or other legal code: 20 USC 6311; 34 CFR 200.61
Board Policy/Administrative Regulation: AR 4112.24, AR 4222
Subject: Right to request information re: professional qualifications of child's teacher and paraprofessional

When to notify: Annually, if district schools have been identified for program program improvement or corrective action
Education or other legal code: 20 USC 6316
Board Policy/Administrative Regulation: AR 0520.2
Subject: Availability of supplemental educational services, identity of providers, description of services, qualifications, effectiveness of providers

When to notify: Beginning of each school year
Education or other legal code: 34 CFR 104.8, 106.9
Board Policy/Administrative Regulation: BP 0410, BP 6178
Subject: Nondiscrimination

When to notify: Annually to parent, teacher, and employee organizations or, in their absence, individuals

Education or other legal code: 40 CFR 763.84, 763.93

Board Policy/Administrative Regulation: AR 3514

Subject: Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress

II. At Specific Times During the Student's Academic Career

When to notify: Beginning in grade 7, at least once prior to course selection and career counseling

Education or other legal code: 221.5, 48980

Board Policy/Administrative Regulation: AR 6164.2

Subject: Course selection and selection and career counseling

When to notify: When child first enrolls in a public school, if the school offers a fingerprinting program

Education or other legal code: 32390, 48980

Board Policy/Administrative Regulation: AR 5142.1

Subject: Fingerprinting program

When to notify: Upon registration in K-6, if students have not previously been transported

Education or other legal code: 39831.5

Board Policy/Administrative Regulation: AR 3543

Subject: School bus safety rules and information, list of stops, rules of conduct, red light crossing instructions, bus danger zones, walking to and from stops

When to notify: Beginning of each school year for high school students, if high school is open campus

Education or other legal code: 44808.5, 48980

Board Policy/Administrative Regulation: AR 5112.5

Subject: students have not previously open campus

When to notify: Beginning of each school year in grades 9-12, if district allows career technical education (CTE) course to satisfy graduation requirement

Education or other legal code: 48980, 51225.3

Board Policy/Administrative Regulation: AR 6146.1

Subject: How each high school graduation requirement does or does not satisfy college entrance a-g course criteria; list of district CTE courses that satisfy a-g course criteria

When to notify: Beginning of each school year, for high school students

Education or other legal code: 48980, 52244

Board Policy/Administrative Regulation: AR 6141.5

Subject: Availability of state funds to cover costs of advanced placement exam fees

When to notify: Beginning of each school year in grades 9-12 and when high school student transfers into the district

Education or other legal code: 48980, 60850

Board Policy/Administrative Regulation: AR 6162.52

Subject: Requirement to pass the high school exit exam including: date of exam, requirements for passing, consequences of not passing, and that passing is a condition of graduation

When to notify: When students entering grade 7

Education or other legal code: 49452.7

Board Policy/Administrative Regulation: AR 5141.3

Subject: Specified information on type 2 diabetes

When to notify: When in kindergarten, or first grade if not previously enrolled in public school

Education or other legal code: 49452.8

Board Policy/Administrative Regulation: AR 5141.32

Subject: Requirement for oral health assessment, explanation of law, importance of oral health, agency contact, privacy rights

When to notify: Beginning of each school year for students in grades 9-12

Education or other legal code: 51229, 48980

Board Policy/Administrative Regulation: AR 6143

Subject: College admission requirements, UC and CSU web sites that list certified courses, description of CTE, CDE Internet address, how students may meet with counselors

When to notify: Beginning of each school year for students in grades 7-12

Education or other legal code: 51938, 48980

Board Policy/Administrative Regulation: AR 6142.1

Subject: Explanation of sex and HIV/AIDS instruction; right to view A/V materials, who's teaching, request specific Education Code sections, right to excuse

When to notify: Within 20 working days of receiving results of standardized achievement tests

Education or other legal code: 60641; 5 CCR 863

Board Policy/Administrative Regulation: AR 6162.51

Subject: Results of tests; test purpose, individual score and intended use

~~When to notify: When child is enrolled in kindergarten-~~

~~Education or other legal code: Health & Safety Code 124100~~

~~Board Policy/Administrative Regulation: AR 5141.32~~

~~Subject: Health screening examination~~

When to notify: To students in grades 11-12, early enough to enable registration for fall test
Education or other legal code: 5 CCR 11523
Board Policy/Administrative Regulation: AR 6146.2
Subject: Notice of proficiency examination provided under Education Code 48412

When to notify: To secondary students, if district receives Title I funds
Education or other legal code: 20 USC 7908
Board Policy/Administrative Regulation: AR 5125.1
Subject: Notice that parents may request district to not release name, address, phone number of child to military recruiters without prior written consent

III. When Special Circumstances Occur

When to notify: Upon receipt of a complaint alleging discrimination
Education or other legal code: 262.3
Board Policy/Administrative Regulation: AR 1312.3
Subject: Civil law remedies available to complainants

When to notify: When student has been placed in structured English immersion program
Education or other legal code: 310, 5 CCR 11309
Board Policy/Administrative Regulation: AR 6174
Subject: Placement of child in program and opportunity to apply for parental exception waiver

When to notify: When student is identified as English learner and district receives Title III funds, not 440; later than 30 days after beginning of school year
Education or other legal code: 20 USC 7012
Board Policy/Administrative Regulation: AR 6174
Subject: Student's identification for program for English learners; any failure of district to meet annual measurable achievement objectives

When to notify: Before high school student attends specialized secondary program on a university campus
Education or other legal code: 17288
Board Policy/Administrative Regulation: None
Subject: University campus buildings may not meet Education Code requirements for structural safety

When to notify: At least 72 hours before use of pesticide product use of pesticide product not included in annual list
Education or other legal code: 17612
Board Policy/Administrative Regulation: AR 3514.2
Subject: Intended use of pesticide product

When to notify: To members of athletic teams
Education or other legal code: 32221.5
Board Policy/Administrative Regulation: AR 5143
Subject: Offer of insurance; no-cost and low-cost program options

If school has lost its WASC accreditation status

Education or other legal code: 35178.4
Board Policy/Administrative Regulation: BP 6190
Subject: Loss of status, potential consequences

When to notify: At least six months before implementing a schoolwide uniform policy
Education or other legal code: 35183
Board Policy/Administrative Regulation: AR 5132
Subject: Dress code policy requiring schoolwide uniform

When to notify: Beginning of each term, when student has not passed the exit exam by the end of grade 12
Education or other legal code: 37254
AR 6179
Subject: Availability of intensive instruction and services for two consecutive academic years and right to file complaint

When to notify: Before implementing a year-round schedule
Education or other legal code: 37616
Board Policy/Administrative Regulation: BP 6117
Subject: Year-round schedule

When to notify: When interdistrict transfer is requested and not approved or denied within 30 days
Education or other legal code: 46601
Board Policy/Administrative Regulation: AR 5117
Subject: Appeal process

~~When to notify: Before early entry to kindergarten, if offered~~
~~Education or other legal code: 48000~~
~~Board Policy/Administrative Regulation: AR 5111~~
~~Subject: Effects, advantages and disadvantages of early entry~~

When to notify: When student identified as being at risk of retention
Education or other legal code: 48070.5
Board Policy/Administrative Regulation: AR 5123
Subject: Student at risk of retention

When to notify: When student excluded due to quarantine, contagious or infectious disease, danger to safety or health

Education or other legal code: 48213

Board Policy/Administrative Regulation: AR 5112.2, BP 5141.33

Subject: Student has been excluded from school

When to notify: Before student is excluded for lack of immunization

Education or other legal code: 48216

Board Policy/Administrative Regulation: AR 5141.31

Subject: Two weeks to submit evidence of immunization or exemption; referral to medical care

When to notify: When a student is classified a truant

Education or other legal code: 48260.5, 48262

Board Policy/Administrative Regulation: AR 5113.1

Subject: Truancy, parental obligation, availability of alternative programs, student consequences, need for conference

When to notify: When a truant is referred to a SARB or probation department

Education or other legal code: 48263

Board Policy/Administrative Regulation: AR 5113.1

Subject: Name and address of SARB or probation department and reason for referral

When to notify: When a school is identified on the state's Open Enrollment List

Education or other legal code: 48354; 5 CCR 4702

Board Policy/Administrative Regulation: AR 5118

Subject: Student's option to transfer to another school

When to notify: Within 60 days of receiving application for transfer out of open enrollment school

Education or other legal code: 48357; 5 CCR 4702

Board Policy/Administrative Regulation: AR 5118

Subject: Whether student's transfer application is accepted or rejected; reasons for rejection

When to notify: Prior to involuntary transfer prior to continuation school

Education or other legal code: 48432.5

Board Policy/Administrative Regulation: AR 6184

Subject: Right to require meeting to involuntary transfer to continuation school

When to notify: When student is removed from class and teacher requires parental attendance at school

Education or other legal code: 48900.1

Board Policy/Administrative Regulation: BP 5144.1, AR 5144.1

Subject: Parental attendance required; timeline for attendance

When to notify: Prior to withholding grades, diplomas, or transcripts
Education or other legal code: 48904
Board Policy/Administrative Regulation: AR 5125.2
Subject: Damaged school property

When to notify: When withholding grades, diplomas or transcripts from transferring student
Education or other legal code: 48904.3
Board Policy/Administrative Regulation: AR 5125.2
Subject: Next school will continue withholding grades, diplomas, or transcripts

When to notify: When student is released to peace officer
Education or other legal code: 48906
Board Policy/Administrative Regulation: BP 5145.11
Subject: Release of student to peace officer

When to notify: At time of suspension
Education or other legal code: 48911
Board Policy/Administrative Regulation: BP 5144.1, AR 5144.1
Subject: Notice of suspension

When to notify: When original period of suspension is extended
Education or other legal code: 48911
Board Policy/Administrative Regulation: AR 5144.1
Subject: Extension of suspension

When to notify: Before holding a closed session re: suspension
Education or other legal code: 48912
Board Policy/Administrative Regulation: AR 5144.1
Subject: Intent to hold a closed session re: suspension

When to notify: When student expelled from another district for certain acts seeks admission
Education or other legal code: 48915.1, 48918
Board Policy/Administrative Regulation: BP 5119
Subject: Hearing re: possible danger presented by expelled student

When to notify: When readmission is denied
Education or other legal code: 48916
Board Policy/Administrative Regulation: AR 5144.1
Subject: Reasons for denial; determination of assigned program

When to notify: When expulsion occurs
Education or other legal code: 48916
Board Policy/Administrative Regulation: AR 5144.1
Subject: Description of readmission procedures

When to notify: 10 calendar days before expulsion hearing

Education or other legal code: 48918

Board Policy/Administrative Regulation: AR 5144.1

Subject: Notice of expulsion hearing

When to notify: When expulsion or suspension of expulsion occurs

Education or other legal code: 48918

Board Policy/Administrative Regulation: AR 5144.1

Subject: Decision to expel; right to appeal to county board; obligation to inform new district of status

When to notify: One month before the scheduled minimum day

Education or other legal code: 48980

Board Policy/Administrative Regulation: BP 6111

Subject: When minimum days scheduled after beginning of the school year

When to notify: When parents request guidelines for filing complaint of child abuse at a school site

Education or other legal code: 48987

Board Policy/Administrative Regulation: AR 5141.4

Subject: Guidelines for filing complaint of child abuse at a school site with local child protective agencies

When student in danger of failing a course

Education or other legal code: 49067

Board Policy/Administrative Regulation: AR 5121

Subject: Student in danger of failing a course

When student transfers from another district or private school

Education or other legal code: 49068

Board Policy/Administrative Regulation: AR 5125

Subject: Right to receive copy of student's record and to challenge its content

When to notify: Within 24 hours of release of information to a judge or probation officer

Education or other legal code: 49076

Board Policy/Administrative Regulation: AR 5125

Subject: Release of student record to a judge or probation officer for conducting truancy mediation program or for presenting evidence at a truancy petition

When to notify: Before release of information pursuant to court order or subpoena

Education or other legal code: 49077

Board Policy/Administrative Regulation: AR 5125

Subject: Release of information pursuant to court order or subpoena

When to notify: When screening results in suspicion that student has scoliosis
Education or other legal code: 49452.5
Board Policy/Administrative Regulation: AR 5141.3
Subject: Scoliosis screening

When to notify: When test results in discovery of visual or hearing defects
Education or other legal code: 49456
Board Policy/Administrative Regulation: AR 5141.3
Subject: Vision or hearing test

When to notify: Annually to parents/guardians of student athletes before their first practice or competition
Education or other legal code: 49475
Board Policy/Administrative Regulation: AR 6145.2
Subject: Information on concussions and head injuries

When to notify: Before any test questioning personal beliefs
Education or other legal code: 51513
Board Policy/Administrative Regulation: AR 5022
Subject: Permission for test, survey questioning personal beliefs

When to notify: Within 14 days of instruction if arrangement made for guest speaker after beginning of school year
Education or other legal code: 51938 AR
Board Policy/Administrative Regulation: 6142.1
Subject: Instruction in HIV/AIDS or sexual health education by guest speaker or outside consultant

When to notify: Prior to administering survey regarding health risks and behaviors to students in 7-12
Education or other legal code: 51938
Board Policy/Administrative Regulation: AR 5022
Subject: Notice that the survey will be administered

When to notify: Upon assessment and reassessment of English proficiency and enrollment in program of education for English language learners
Education or other legal code: 52164.1, 52164.3, 52173; 5 CCR 11303
Board Policy/Administrative Regulation: AR 6174
Subject: Assessment results; program of education for English language learners

When to notify: When migrant education program is established
Education or other legal code: 54444.2
Board Policy/Administrative Regulation: BP 6175, AR 6175
Subject: Parent advisory council membership composition

When to notify: When child participates in licensed child care and development program
Education or other legal code: Health & Safety Code 1596.857
Board Policy/Administrative Regulation: AR 5148
Subject: Parent right to enter facility

When to notify: When sharing student immunization information with an immunization system
Education or other legal code: Health & Safety Code 120440
Board Policy/Administrative Regulation: AR 5125
Subject: Types of information to be shared, name and address of agency, acceptable use of the information, right to examine, right to refuse to share

When to notify: When hearing is requested by person asked to leave school premises
Education or other legal code: Penal Code 627.5
Board Policy/Administrative Regulation: AR 3515.2
Subject: Notice of hearing

When to notify: Prior to student participation in gifted and talented program
Education or other legal code: 5 CCR 3831
Board Policy/Administrative Regulation: AR 6172
Subject: Gifted and talented student program

When to notify: When providing written decision in response to a complaint re: discrimination; special education, or noncompliance with law regulating educational programs
Education or other legal code: 5 CCR 4631
Board Policy/Administrative Regulation: AR 1312.3
Subject: Appeal rights and procedures

When to notify: Within 30 calendar days of receipt of CELDT results
Education or other legal code: 5 CCR 11511.5
Board Policy/Administrative Regulation: AR 6174
Subject: CELDT test results

When to notify: When child participates in licensed child care and development program
Education or other legal code: 5 CCR 18066
Board Policy/Administrative Regulation: AR 5148
Subject: Policies re: unexcused absences

When to notify: When district substantively changes policy on student privacy rights
Education or other legal code: 20 USC 1232h
Board Policy/Administrative Regulation: AR 5022
Subject: Notice of any substantive change in policy or regulation

When to notify: For districts receiving Title I funds, when child has been taught for four or more consecutive weeks by a teacher who is not "highly qualified"

Education or other legal code: 20 USC 6311

Board Policy/Administrative Regulation: AR 4112.24

Subject: Timely notice to parent of child's assignment

When to notify: When school identified for program improvement or corrective action, within 30 days of failure to make annual yearly progress

Education or other legal code: 20 USC 6312

Board Policy/Administrative Regulation: AR 0520.2

Subject: Notice of failure to parents of English language learners

When to notify: For districts receiving Title I funds, not later than 30 days after beginning of school year, to parents of English learners

Education or other legal code: 20 USC 6312

Board Policy/Administrative Regulation: AR 6174

Subject: Reasons for placement, level of proficiency, instructional methods, how program meets child's strengths and teaches English, exit requirements, right to choose another program

When to notify: When school identified for program improvement or corrective action

Education or other legal code: 20 USC 6316

Board Policy/Administrative Regulation: AR 0520.2, AR 5116.1

Subject: Explanation of identification, reasons, how problem will be addressed, how parents can become involved, transfer option, availability of supplemental services

When to notify: When district identified for program improvement

Education or other legal code: 20 USC 6316

Board Policy/Administrative Regulation: AR 0520.3

Subject: Explanation status, reasons for identification, how parents can participate in upgrading district

When to notify: For schools receiving Title I funds, upon development of parent involvement policy

Education or other legal code: 20 USC 6318

Board Policy/Administrative Regulation: AR 6020

Subject: Notice of policy

When to notify: When household is selected for verification of eligibility for free or reduced-price meals

Education or other legal code: 42 USC 1758; 7 CFR 246.6a

Board Policy/Administrative Regulation: AR 3553

Subject: Notice of need to submit verification information; any subsequent change in benefits; right to appeal

When to notify: When student transfers out of state and records are disclosed without consent pursuant to 34 CFR 99.30

Education or other legal code: 34 CFR 99.34

Board Policy/Administrative Regulation: AR 5125

Subject: Right to review records

IV. Special Education Notices

When to notify: Prior to conducting initial evaluation

Education or other legal code: 56301, 56321, 56321.5, 56321.6, 56329; 34 CFR 300.502

Board Policy/Administrative Regulation: AR 6164.4

Subject: Proposed evaluation plan, related parental rights, prior written notice

When to notify: 24 hours before IEP when district intending to record

Education or other legal code: 56341.1, 34 CFR 300.322

Board Policy/Administrative Regulation: AR 6159

Subject: Intention to audio-record IEP meeting

When to notify: Early enough to ensure opportunity for parent to attend IEP meeting

Education or other legal code: 56341.5;

Board Policy/Administrative Regulation: AR 6159

Subject: Time, purpose, location, who who in attendance, participation of others with special knowledge, transition statements if appropriate

When to notify: When parent orally requests review of IEP

Education or other legal code: 56343.5

Board Policy/Administrative Regulation: AR 6159

Subject: Need for written request

When to notify: For student receiving exit exam waiver, prior to receipt of diploma

Education or other legal code: 20 USC 1415(d); 34 CFR 300.504

Board Policy/Administrative Regulation: AR 6159.1

Subject: Procedural safeguards notice

When to notify: Disciplinary action taken for dangerous behavior

Education or other legal code: 20 USC 1415(k); 34 CFR 300.530

Board Policy/Administrative Regulation: AR 5144.2

Subject: Decision and procedural safeguards notice

When to notify: Suspension or change of placement for more than 10 days
Education or other legal code: 20 USC 1415(k); 34 CFR 300.530
Board Policy/Administrative Regulation: AR 5144.2
Subject: Decision and procedural safeguards notice

When to notify: Upon requesting a due process hearing
Education or other legal code: 20 USC 1415(k); 34 CFR 300.508
Board Policy/Administrative Regulation: AR 6159.1
Subject: Child's name, address, school, description of problem, proposed resolution

When to notify: Eligibility for services under Section 504
Education or other legal code: 34 CFR 104.32, 104.36
Board Policy/Administrative Regulation: AR 6164.6
Subject: Procedural safeguards, district responsibilities

V. Classroom Notices

When to notify: In each classroom in each school
Education or other legal code: 35186
Board Policy/Administrative Regulation: AR/E 1312.4
Subject: Complaint rights re: sufficiency of instructional materials, teacher vacancy and misassignment, maintenance of facilities, and, for classrooms with grades 10-12, right of students who did not pass exit exam to receive intensive instruction after grade 12

(3/10 3/11) 3/12

Policy SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT
First Reading: November 13, 2012
Adopted: King City, California

BP 5145.7 Students

Sexual Harassment

~~***Note: Education Code 231.5 and 34 CFR 106.9 mandate the district to have written policies on sexual harassment. The following policy addresses the harassment of and/or by students; for policy addressing the sexual harassment of employees, see BP/AR 4119.11/4219.11/4319.11—Sexual Harassment.***~~

~~***Note: A school district can be held liable for damages in a lawsuit brought under Title IX (20 USC 1681-1688) and/or Education Code 220 for both student to student and employee to student sexual harassment. In Davis v. Monroe County Board of Education, the Supreme Court held that a district would be liable if it is "deliberately indifferent" to known student to student sexual harassment. The district would be deliberately indifferent if (1) it had substantial control over the harasser and the context in which the sexual harassment occurred; (2) the harassment was so severe, pervasive, and objectively offensive that it deprived the victim of access to educational opportunities or benefits provided by the district; (3) the district had actual knowledge of the harassment; and (4) the district's conduct was unreasonable considering the surrounding circumstances. These standards were applied by the Ninth Circuit Court of Appeals in Reese v. Jefferson School District, where the court concluded that the district could not be held liable since the student involved did not notify the district of any incident of harassment. In Donovan v. Poway Unified School District, an appellate court determined that the same standards applied to district liability for lawsuits brought under Education Code 220.***~~

~~***Note: In addition to filing private litigation for monetary damages, an individual may file a complaint regarding discrimination or harassment with the California Department of Education and/or, if the district receives federal financial assistance, with the U.S. Department of Education's Office for Civil Rights (OCR). OCR's standards for compliance in actions of administrative enforcement under Title IX are different than the standards for liability discussed above for lawsuits. In general, those standards are based on whether the district had notice of the harassment and whether it failed to take appropriate responsive actions.***~~

The Governing Board is committed to maintaining an educational environment that is free from harassment and discrimination. The Board prohibits sexual harassment of students by other students, employees, or other persons, at school or at school-sponsored or school-related activities. The Board also prohibits retaliatory behavior or action against persons who complain, testify, assist, or otherwise participate in district complaint processes.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
 (cf. 1312.3 - Uniform Complaint Procedures)
 (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

Instruction/Information

~~***Note: In its January 2001 publication Revised Sexual Harassment Guidance, OCR states that a procedure for investigating sexual harassment complaints must be widely disseminated and written in language appropriate to the age of the school's students so that students understand how it works. Examples include having copies of the procedure available throughout the school, publishing the procedure in the student handbook, and identifying individuals who can explain how the procedure works. The following optional section is based on OCR recommendations and may be revised as desired to better accommodate student needs and district practice.***~~

The Superintendent or designee shall ensure that all district students receive age-appropriate instruction and information on sexual harassment. Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex
2. A clear message that students do not have to endure sexual harassment
3. Encouragement to report observed instances of sexual harassment, even where the victim of the harassment has not complained
4. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made

(cf. 5131.5 - Vandalism and Graffiti)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

Complaint Process

~~***Note: Pursuant to Education Code 231.5, the Board's policy must contain information on where to obtain a specific procedure for reporting charges of sexual harassment and pursuing available remedies. In addition, 34 CFR 106.8 requires a district to adopt and publish a grievance procedure providing for a prompt and equitable resolution of student complaints alleging sexual harassment. Because court decisions have held that a district may be liable for student-to-student harassment if an employee with authority to take corrective action has actual knowledge of the harassment, it is recommended that the district's instruction to its students include examples of employees who may have such authority (principals, teachers, coaches, etc.). In addition, even if the matter has been referred to law enforcement for investigation, a district still has a responsibility to investigate the complaint as a matter of sex discrimination.***~~

~~***Note: The accompanying administrative regulation details a site-level complaint procedure, including timelines, conduct of the investigation, and remedies. However, districts may instead~~

~~consider using the Uniform Complaint Procedures, pursuant to 5 CCR 4600-4687, to resolve such complaints. See BP/AR 1312.3 Uniform Complaint Procedures.***~~

Any student who feels that he/she is being or has been sexually harassed by a school employee, another student, or a non-employee on school grounds or at a school-related activity (e.g., a visiting athlete or coach) shall immediately contact his/her teacher or any other employee. An employee who receives such a complaint shall report it in accordance with administrative regulation.

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 5141.4 - Child Abuse Prevention and Reporting)

The Superintendent or designee shall ensure that any complaints regarding sexual harassment are immediately investigated in accordance with administrative regulation. When the Superintendent or designee has determined that harassment has occurred, he/she shall take prompt, appropriate action to end the harassment and to address its effects on the victim.

Disciplinary Actions

~~***Note: Pursuant to Education Code 48900.2, a student in grades 4-12 may be suspended and/or expelled from school for sexual harassment. However, districts should note that Education Code 48915(c) requires the Superintendent or designee to recommend expulsion for any student, irrespective of grade, who commits sexual assault or battery as defined in the Penal Code. See AR 5144.1 Suspension and Expulsion/Due Process.***~~

Any student who engages in sexual harassment of anyone at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

(cf. 5131 - Conduct)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

Confidentiality and Record-Keeping

~~***Note: Pursuant to 5 CCR 4964, districts are required to keep complaints and allegations of sexual harassment confidential, except when disclosure is necessary to further the investigation, other needed remedial action, or ongoing monitoring.***~~

All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)

The Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the district to monitor, address, and prevent repetitive harassing behavior in the schools.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

48900 Grounds for suspension or expulsion

48900.2 Additional grounds for suspension or expulsion; sexual harassment

48904 Liability of parent/guardian for willful student misconduct

48980 Notice at beginning of term

CIVIL CODE

51.9 Liability for sexual harassment; business, service and professional relationships

1714.1 Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE

12950.1 Sexual harassment training

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform Complaint Procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX, discrimination

UNITED STATES CODE, TITLE 42

1983 Civil action for deprivation of rights

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

CODE OF FEDERAL REGULATIONS, TITLE 34

106.1-106.71 Nondiscrimination on the basis of sex in education programs

COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567

Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130

Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736

Davis v. Monroe County Board of Education, (1999) 526 U.S. 629

Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274

Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473

Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447

Management Resources:

OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Sexual Harassment: It's Not Academic, September 2008

Revised Sexual Harassment Guidance, January 2001

WEB SITES

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

U.S. Department of Education, Office for Civil Rights:

<http://www.ed.gov/about/offices/list/ocr/index.html>

(6/99 11/01) 3/09

Policy SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

First Reading: November 13, 2012

Adopted: King City, CA

AR 5145.7 Students

Sexual Harassment/Hate Motivated Behavior

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the educational setting, when made on the basis of sex and under any of the following conditions: (Education Code 212.5; 5 CCR 4916)

1. Submission to the conduct is explicitly or implicitly made a term or condition of a student's academic status or progress
2. Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting the student
3. The conduct has the purpose or effect of having a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment
4. Submission to or rejection of the conduct by the student is used as the basis for any decision affecting the student regarding benefits and services, honors, programs, or activities available at or through any district program or activity

~~***Note: The following list contains common examples of sexual harassment from the U.S. Department of Education Office for Civil Rights (OCR) publication Revised Sexual Harassment Guidance and definitions specified in 5 CCR 4916.***~~

Examples of types of conduct which are prohibited in the district and which may constitute sexual harassment include, but are not limited to:

1. Unwelcome leering, sexual flirtations, or propositions
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions
3. Graphic verbal comments about an individual's body or overly personal conversation
4. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature
5. Spreading sexual rumors
6. Teasing or sexual remarks about students enrolled in a predominantly single-sex class

7. Massaging, grabbing, fondling, stroking, or brushing the body
8. Touching an individual's body or clothes in a sexual way
9. Impeding or blocking movements or any physical interference with school activities when directed at an individual on the basis of sex
10. Displaying sexually suggestive objects

School-Level Complaint Process/Grievance Procedure

~~***Note: OCR examines a number of factors when evaluating whether a district's grievance procedure is prompt and equitable as required by law. Items #1-8 below reflect these factors, including whether the procedure provides for notice of where to file complaints, adequate and impartial investigation of complaints, designated and reasonably prompt time frames for major stages of the complaint process, notice of the outcome of the investigation, and assurance that steps will be taken to prevent any recurrence.***~~

1. Notice and Receipt of Complaint: Any student who believes he/she has been subjected to sexual harassment or who has witnessed sexual harassment may file a complaint with any school employee. Within 24 hours of receiving a complaint, the school employee shall report it to the district Coordinator for Nondiscrimination/Principal. In addition, any school employee who observes any incident of sexual harassment involving a student shall, within 24 hours, report this observation to the Coordinator/Principal, whether or not the victim files a complaint.

In any case of sexual harassment involving the Coordinator/Principal to whom the complaint would ordinarily be made, the employee who receives the student's report or who observes the incident shall instead report to the Superintendent or designee.

2. Initiation of Investigation: The Coordinator/Principal shall initiate an impartial investigation of an allegation of sexual harassment within five school days of receiving notice of the harassing behavior, regardless of whether a formal complaint has been filed. The district shall be considered to have "notice" of the need for an investigation upon receipt of information from a student who believes he/she has been subjected to harassment, the student's parent/guardian, an employee who received a complaint from a student, or any employee or student who witnessed the behavior.

If the Coordinator/Principal receives an anonymous complaint or media report about alleged sexual harassment, he/she shall consider the specificity and reliability of the information, the seriousness of the alleged incident, and whether any individuals can be identified who were subjected to the alleged harassment in determining whether it is reasonable to pursue an investigation.

~~***Note: While the nature and extent of the district's investigation may be limited if the student wishes to remain anonymous or decides to not file a complaint, the district must still take all feasible steps to prevent harassment of which it has notice.***~~

3. Initial Interview with Student: When a student or parent/guardian has complained or provided information about sexual harassment, the Coordinator/Principal shall describe the district's grievance procedure and discuss what actions are being sought by the student in response to the complaint. The student who is complaining shall have an opportunity to describe the incident, identify witnesses who may have relevant information, provide other evidence of the harassment, and put his/her complaint in writing. If the student requests confidentiality, he/she shall be informed that such a request may limit the district's ability to investigate.
4. Investigation Process: The Coordinator/Principal shall keep the complaint and allegation confidential, except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)

The Coordinator/Principal shall interview individuals who are relevant to the investigation, including, but not limited to, the student who is complaining, the person accused of harassment, anyone who witnessed the reported harassment, and anyone mentioned as having relevant information. The Coordinator/Principal may take other steps such as reviewing any records, notes, or statements related to the harassment or visiting the location where the harassment is alleged to have taken place.

When necessary to carry out his/her investigation or to protect student safety, the Coordinator/Principal also may discuss the complaint with the Superintendent or designee, the parent/guardian of the student who complained, the parent/guardian of the alleged harasser if the alleged harasser is a student, a teacher or staff member whose knowledge of the students involved may help in determining who is telling the truth, law enforcement and/or child protective services, and district legal counsel or the district's risk manager.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

5. Interim Measures: The Coordinator/Principal shall determine whether interim measures are necessary during and pending the results of the investigation, such as placing students in separate classes or transferring a student to a class taught by a different teacher.
6. Optional Mediation: In cases of student-to-student harassment, when the student who complained and the alleged harasser so agree, the Coordinator/Principal may arrange for them to resolve the complaint informally with the help of a counselor, teacher, administrator, or trained mediator. The student who complained shall never be asked to work out the problem directly with the accused person unless such help is provided and both parties agree, and he/she shall be advised of the right to end the informal process at any time.
7. Factors in Reaching a Determination: In reaching a decision about the complaint, the

Coordinator/Principal may take into account:

- a. Statements made by the persons identified above
- b. The details and consistency of each person's account
- c. Evidence of how the complaining student reacted to the incident
- d. Evidence of any past instances of harassment by the alleged harasser
- e. Evidence of any past harassment complaints that were found to be untrue

To judge the severity of the harassment, the Coordinator/Principal may take into consideration:

- a. How the misconduct affected one or more students' education
 - b. The type, frequency, and duration of the misconduct
 - c. The identity, age, and sex of the harasser and the student who complained, and the relationship between them
 - d. The number of persons engaged in the harassing conduct and at whom the harassment was directed
 - e. The size of the school, location of the incidents, and context in which they occurred
 - f. Other incidents at the school involving different students
8. Written Report on Findings and Follow-Up: No more than 30 days after receiving the complaint, the Coordinator/Principal shall conclude the investigation and prepare a written report of his/her findings. This timeline may be extended for good cause. If an extension is needed, the Coordinator/Principal shall notify the student who complained and explain the reasons for the extension.

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If sexual harassment occurred, the report shall also include any corrective actions that have or will be taken to address the harassment and prevent any retaliation or further harassment. This report shall be presented to the student who complained, the person accused, the parents/guardians of the student who complained and the student who was accused, and the Superintendent or designee.

In addition, the Coordinator/Principal shall ensure that the harassed student and his/her parent/guardian are informed of the procedures for reporting any subsequent problems. The

Coordinator/Principal shall also make follow-up inquiries to see if there have been any new incidents or retaliation and shall keep a record of this information.

Enforcement of District Policy

The Superintendent or designee shall take appropriate actions to reinforce the district's sexual harassment policy. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti

(cf. 5131.5 - Vandalism and Graffiti)

2. Providing training to students, staff, and parents/guardians about how to recognize harassment and how to respond

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

3. Disseminating and/or summarizing the district's policy and regulation regarding sexual harassment

4. Consistent with the laws regarding the confidentiality of student and personnel records, communicating the school's response to parents/guardians and the community

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

(cf. 5125 - Student Records)

5. Taking appropriate disciplinary action

In addition, disciplinary measures may be taken against any person who is found to have made a complaint of sexual harassment which he/she knew was not true.

(cf. 4118 - Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

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

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

Notifications

A copy of the district's sexual harassment policy and regulation shall:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code 48980; 5 CCR 4917)

(cf. 5145.6 - Parental Notifications)

2. Be displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures, and standards of conduct are posted (Education Code 231.5)
3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session (Education Code 231.5)
4. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
5. Be included in the student handbook
6. Be provided to employees and employee organizations

(2/97 11/01) 3/09

Regulation SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT
First Reading: November 13, 2012

Adopted:

King City, CA

BP 6145 Instruction

Extracurricular And Cocurricular Activities

The Governing Board recognizes that extracurricular and cocurricular activities enrich the educational and social development of students and enhance students' feelings of connectedness with the schools. The district shall encourage and support student participation in extracurricular and cocurricular activities without compromising the integrity and purpose of the educational program.

(cf. 1330 - Use of School Facilities)
 (cf. 5137 - Positive School Climate)
 (cf. 6145.2 - Athletic Competition)
 (cf. 5148.2 - Before/After School Programs)

~~***Note: Pursuant to various provisions of state and federal law (e.g., Education Code 220; Government Code 11135; 20 USC 1681-1688; 42 USC 2000d-2000d-7 and 12101-12213; 29 USC 794), discrimination in education programs and activities is unlawful when it is based on certain actual or perceived characteristics of an individual; see BP 0410 - Nondiscrimination in District Programs and Activities. ***~~

No extracurricular or cocurricular program or activity shall be provided or conducted separately on the basis of any actual or perceived characteristic listed as a prohibited category of discrimination in state or federal law, nor shall any student's participation in an extracurricular or cocurricular activity be required or refused on those bases. Prerequisites for student participation in extracurricular and cocurricular activities shall be limited to those that have been demonstrated to be essential to the success of the activity. (5 CCR 4925)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
 (cf. 5145.3 - Nondiscrimination/Harassment)
 (cf. 5145.7 - Sexual Harassment)
 (cf. 6145.5 - Student Organizations and Equal Access)

Any complaint alleging unlawful discrimination in the district's extracurricular or cocurricular programs or activities shall be filed in accordance with BP/AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

~~***Note: The courts have interpreted California's constitutional "free school" guarantee, as specified in Article 9, Section 5, to extend to all activities which constitute an integral part of a student's education, including extracurricular activities. Pursuant to 5 CCR 350, constitutionally permissible fees may be charged only when specifically authorized by law, and any other fees charged for "educational activities" would be unconstitutional. However, the line between~~

~~"educational activities" (no fees) and "recreational activities" (fees permissible) is not always clear. In Hartzell v. Connell, the California Supreme Court held that "educational activities" include extracurricular activities, drama productions, vocal music groups, instrumental groups, and cheerleading. Examples of "recreational activities" include attendance at weekend dances or athletic events. It is important to note that the Court in Hartzell determined that a district policy allowing for waivers of the fee based on financial need or inability to pay does not render the fee constitutional. For further information, see BP/AR 3260 Fees and Charges and CSBA's advisory Student Fees Litigation Update. Districts are advised to seek legal counsel before charging fees for any activity which may be construed as related to the educational program. ***~~

Unless specifically authorized by law, no fee shall be charged to students for participation in extracurricular and cocurricular activities related to the educational program, including materials or equipment related to the activity.

(cf. 3260 - Fees and Charges)

(cf. 3452 - Student Activity Funds)

Eligibility Requirements

~~***Note: If the district maintains any of grades 7-12, Education Code 35160.5 mandates the Governing Board to adopt policy establishing eligibility requirements for student participation in extracurricular and cocurricular activities in grades 7-12. Pursuant to Education Code 35160.5, students must demonstrate "satisfactory educational progress," as provided in items #1-2 below, but districts may adopt stricter academic eligibility criteria provided such action is taken at a public meeting in accordance with Education Code 35145. Districts that have adopted stricter criteria should modify the following paragraph accordingly. ***~~

To be eligible to participate in extracurricular and cocurricular activities, students in grades 9-12 must demonstrate satisfactory educational progress in the previous grading period, including, but not limited to: (Education Code 35160.5)

1. Maintenance of a minimum of 2.0 grade point average on a 4.0 scale in all enrolled classes
2. No more than one "F" when calculating their GPA for eligibility purpose
3. Maintenance of minimum progress toward meeting high school graduation requirements

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

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6162.52 - High School Exit Examination)

The Superintendent or designee may grant ineligible students a probationary period not to exceed one semester. Students granted probationary eligibility must meet the required standards by the

end of the probationary period in order to remain eligible for participation. (Education Code 35160.5)

~~***Note: Education Code 48850 specifies that, when the residence of a student in foster care changes pursuant to a court order or decision of a child welfare worker, the student shall be immediately deemed to meet all residency requirements for participation in extracurricular activities and interscholastic sports; see AR 6173.1—Education for Foster Youth. ***~~

~~***Note: In addition, Education Code 49700–49701 establish a uniform means of assisting children of active duty military families transferred from one state to another, by reducing or eliminating the barriers to their educational success caused by the frequent moves and deployments of their parents/guardians. Among other things, Education Code 49701 requires flexibility of districts' local rules to facilitate eligibility for extracurricular activities. See BP/AR 6173.2—Education of Children of Military Families. ***~~

Any decision regarding the eligibility of any child in foster care or a child of an active duty military family for extracurricular or cocurricular activities shall be made by the Superintendent or designee in accordance with Education Code 48850 and 49701.

(cf. 6173.1 - Education for Foster Youth)

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

The Superintendent or designee may revoke a student's eligibility for participation in extracurricular and cocurricular activities when the student's poor citizenship is serious enough to warrant loss of this privilege.

Student Conduct at Extracurricular/Cocurricular Events

~~***Note: The following paragraph is optional. Pursuant to Education Code 35181, the Board has authority to set expectations and/or rules for student attendance, academic performance, in-school behavior, and any other aspect of school life that it deems relevant to maintaining order in district schools. ***~~

When attending or participating in extracurricular and cocurricular activities on or off campus, district students are subject to district policies and regulations relating to student conduct. Students who violate district policies and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, or denial of participation in extracurricular or cocurricular activities in accordance with Board policy and administrative regulation. When appropriate, the Superintendent or designee shall notify local law enforcement.

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5144 - Discipline)

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

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

Annual Policy Review

~~***Note: Education Code 35160.5 requires annual review of this policy, as it relates to the participation of students in grades 7-12 in extracurricular and cocurricular activities. The following paragraph is optional for districts without any of grades 7-12. ***~~

The Board shall annually review this policy and implementing regulations.

Legal Reference:

EDUCATION CODE

35145 Public meetings

35160.5 District policy rules and regulations; requirements; matters subject to regulation

35179 Interscholastic athletics; associations or consortia

35181 Students' responsibilities

48850 Participation of foster youth in extracurricular activities and interscholastic sports

48930-48938 Student organizations

49024 Activity Supervisor Clearance Certificate

49700-49704 Education of children of military families

CALIFORNIA CONSTITUTION

Article 9, Section 5 Common school system

CODE OF REGULATIONS, TITLE 5

350 Fees not permitted

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

5531 Supervision of extracurricular activities of pupils

UNITED STATES CODE, TITLE 42

2000h-2-2000h-6 Title IX, 1972 Education Act Amendments

COURT DECISIONS

Hartzell v. Connell, (1984) 35 Cal. 3d 899

Management Resources:

CSBA PUBLICATIONS

Student Fees Litigation Update, ELA Advisory, May 20, 2011

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Pupil Fees, Deposits, or Other Charges, Fiscal Management Advisory 11-01, November 9, 2011

CALIFORNIA TASK FORCE REPORT TO THE LEGISLATURE

Compact on Educational Opportunity for Military Children: Preliminary Final Report, March 2009

COMMISSION ON TEACHER CREDENTIALING CODED CORRESPONDENCE

10-11 Information on Assembly Bill 346 Concerning the Activity Supervisor Clearance
Certificate (ASCC), July 20, 2010

WEB SITES

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

California Association of Directors of Activities: <http://www.cadal.org>

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

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

(11/01 11/09) 3/12

Policy SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

First Reading: November 13, 2012

Adopted:

King City, CA

AR 6159 Instruction

Individualized Education Program

~~***Note: The following mandated administrative regulation reflects the federal Individuals with Disabilities Education Act (IDEA) (20 USC 1400-1482), implementing federal regulations (34 CFR 300.1-300.818), and conforming state legislation. Note that in cases where state law provides greater protections, state law supersedes federal law. ***~~

~~***Note: Pursuant to Education Code 56302.5, the term "assessment" as used in state law has the same meaning as "evaluation" provided in 20 USC 1414. The following administrative regulation uses the terms interchangeably. ***~~

At the beginning of each school year, the district shall have an individualized education program (IEP) in effect for each student with a disability within district jurisdiction. The IEP shall be a written statement designed by the IEP team to meet the unique educational needs of a student with a disability. (Education Code 56344; 34 CFR 300.323)

Members of the IEP Team

The IEP team for any student with a disability shall include the following members: (Education Code 56341, 56341.5; 20 USC 1414(d)(1); 34 CFR 300.321)

1. One or both of the student's parents/guardians and/or a representative selected by them
2. If the student is or may be participating in the regular education program, at least one of the student's regular education teachers designated by the Superintendent or designee to represent the student's teachers

The regular education teacher shall, to the extent appropriate, participate in the development, review, and revision of the student's IEP, including assisting in the determination of appropriate positive behavioral interventions, supports, and other strategies for the student, and supplementary aids and services, program modifications, and supports for school personnel that will be provided for the student, consistent with 34 CFR 300.320. (Education Code 56341; 20 USC 1414(d)(3)(C); 34 CFR 300.324)

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

3. At least one of the student's special education teachers or, where appropriate, special education providers
4. A representative of the district who is:

- a. Qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of students with disabilities
- b. Knowledgeable about the general education curriculum
- c. Knowledgeable about the availability of district and/or special education local plan area (SELPA) resources

(cf. 0430 - Comprehensive Local Plan for Special Education)

- 5. An individual who can interpret the instructional implications of assessment results

This individual may already be a member of the team as described in items #2-4 above or in item #6 below.

~~***Note: Pursuant to Education Code 56341 and 34 CFR 300.321, the determination as to whether an individual identified in item #6 below has "knowledge or special expertise" must be made by the party (either the district or parent/guardian) who invites the individual to the IEP team meeting. ***~~

~~***Note: The Analysis of Comments to the federal regulations, 71 Fed. Reg. 156, pg. 46670, explains that a person who does not have knowledge and special expertise regarding the student, and who is not requested to be present at the IEP team meeting by the parent/guardian or district, would not be permitted to be a member of the team or attend the meeting as an observer. This comment is consistent with an Attorney General opinion (85 Ops. Cal. Atty. Gen. 157 (2002)) which stated that members of the media may not attend an IEP team meeting as observers even though the parents/guardians have consented to such attendance. The Attorney General based this decision on the fact that the media would be "observers," not a "person with knowledge or expertise," as detailed below. ***~~

- 6. At the discretion of the parent/guardian or the Superintendent or designee, other individuals who have knowledge or special expertise regarding the student, including related services personnel, as appropriate

The determination of whether the individual has knowledge or special expertise regarding the student shall be made by the party who invites the individual to be a member of the IEP team.

- 7. Whenever appropriate, the student with a disability

In the development, review, or revision of his/her IEP, the student shall be allowed to provide confidential input to any representative of his/her IEP team. (Education Code 56341.5)

- 8. When the student is suspected of having a specific learning disability, at least one

individual who is qualified to conduct individual diagnostic examinations of the student such as a school psychologist, speech language pathologist, or remedial reading teacher

In accordance with 34 CFR 300.310, at least one team member other than the student's regular education teacher shall observe the student's academic performance and behavior in the areas of difficulty in his/her learning environment, including in the regular classroom setting. If the child is younger than five years or not enrolled in school, a team member shall observe the child in an environment appropriate for a child of that age.

~~***Note: The requirement for a district to request the participation of a county mental health agency in the IEP team before it refers a student to the county mental health agency has been eliminated due to the repeal of Education Code 56331 by AB 114 (Ch. 43, Statutes of 2011), effective January 1, 2012. ***~~

In the following circumstances, the Superintendent or designee shall invite other specified individuals to an IEP team meeting:

1. When the student has been placed in a group home by the juvenile court, a representative of the group home shall be invited to attend IEP team meetings. (Education Code 56341.2)
2. Whenever the IEP team is meeting to consider the student's postsecondary goals and the transition services needed to assist him/her in reaching the goals as stated in Education Code 56345(a)(8), the following individuals shall be invited to attend: (34 CFR 300.321)
 - a. The student, regardless of his/her age

If the student does not attend the IEP team meeting, the Superintendent or designee shall take other steps to ensure that the student's preferences and interests are considered.

 - b. To the extent appropriate, and with the consent of the parent/guardian, a representative of any other agency that is likely to be responsible for providing or paying for the transition services
3. If the student was previously served under the Early Education for Individuals with Exceptional Needs (Education Code 56425-56432) or the California Early Intervention Services Act (Government Code 95000-95004), and upon request of the student's parent/guardian, the Superintendent or designee shall invite the Infant and Toddlers with Disabilities Coordinator or other representative of the early education or early intervention system to the initial IEP team meeting to assist with the smooth transition of services. (Education Code 56341; 20 USC 1414(d)(1)(D); 34 CFR 300.321)

A member of the IEP team shall not be required to attend an IEP team meeting, in whole or in part, if the parent/guardian and the district agree, in writing, that the attendance of the member is not necessary because the member's area of the curriculum or related services is not being modified or discussed at the meeting. Even if the meeting involves a discussion of the IEP team member's area of the curriculum or related service, the member may be excused from the meeting if the parent/guardian, in writing, and the district consent to the excusal after conferring with the member and the member submits to the parent/guardian and team written input into the development of the IEP prior to the meeting. (Education Code 56341; 20 USC 1414(d)(1)(C); 34 CFR 300.321)

Contents of the IEP

The IEP shall include, but not be limited to, all of the following: (Education Code 56043, 56345, 56345.1; 20 USC 1414(d)(1)(A); 34 CFR 300.320)

1. A statement of the present levels of the student's academic achievement and functional performance, including:
 - a. The manner in which the student's disability affects his/her involvement and progress in the general education curriculum (i.e., the same curriculum as for nondisabled students)
 - b. **For a preschool child, as appropriate, the manner in which the disability affects his/her participation in appropriate activities**
 - c. For a student with a disability who takes alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives

~~***Note: Education Code 56345 requires a statement of a student's academic and functional goals, as specified below, and expresses legislative recognition that, although some students with disabilities may not meet the growth projected in the annual goals and objectives, districts must make a good faith effort to assist them in achieving the goals in their IEP.***~~

2. A statement of measurable annual goals, including academic and functional goals, designed to:
 - a. Meet the student's needs that result from his/her disability in order to enable the student to be involved in and progress in the general education curriculum
 - b. Meet each of the student's other educational needs that result from his/her disability
3. A description of the manner in which the student's progress toward meeting the annual goals described in item #2 above will be measured and when the district will provide periodic reports on the progress the student is making toward meeting the annual goals, such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards

4. A statement of the special education instruction and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the student or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided to enable the student to:

- a. Advance appropriately toward attaining the annual goals
- b. Be involved and make progress in the general education curriculum in accordance with item #1 above and to participate in extracurricular and other nonacademic activities
- c. Be educated and participate with other students with disabilities and nondisabled students in the activities described in the IEP

(cf. 3541.2 - Transportation for Students with Disabilities)

5. An explanation of the extent, if any, to which the student will not participate with nondisabled students in the regular class and in extracurricular and other nonacademic activities described in the IEP

~~***Note: Pursuant to 20 USC 1412(a), students with disabilities must be included in state and district assessments, such as the Standardized Testing and Reporting Program (STAR) (Education Code 60640-60649) and the California High School Exit Examination (Education Code 60850-60859), with appropriate accommodations. However, with respect to such assessments, exceptions exist. For example, pursuant to Education Code 60640 and 5 CCR 850, a student with disabilities may be exempted from the STAR program by his/her parents/guardians and may be eligible for an alternate assessment in accordance with his/her IEP. In addition, pursuant to Education Code 60852.3, students with disabilities are currently exempted from the requirement to pass the high school exit exam as a condition of receiving a diploma. For specific program requirements, exceptions, waivers, and permitted accommodations concerning such state or districtwide assessments, see AR 6162.51—Standardized Testing and Reporting Program and AR 6162.52—High School Exit Examination.***~~

~~***Note: 34 CFR 300.320 and Education Code 56345 require a description of the individual accommodations that will be used by the student and, if the student will not participate in the regular assessment, a statement as to the reason for that determination and what alternate assessment will be provided.***~~

6. A statement of any appropriate individual accommodations necessary to measure the academic achievement and functional performance of the student on state and districtwide assessments

If the IEP team determines that the student shall take an alternate assessment instead of a particular regular state or districtwide assessment, the student's IEP also shall include a statement

of the reason that he/she cannot participate in the regular assessment and the reason that the particular alternate assessment selected is appropriate for him/her.

(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)
(cf. 6162.51 - Standardized Testing and Reporting Program)
(cf. 6162.52 - High School Exit Examination)

7. The projected date for the beginning of the services and modifications described in item #4 above and the anticipated frequency, location, and duration of those services and modifications

8. Beginning not later than the first IEP to be in effect when the student is 16 years of age, or younger if determined appropriate by the IEP team, and updated annually thereafter, the following:

a. Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills

b. The transition services, including courses of study, needed to assist the student in reaching those goals

9. Beginning at least one year before the student reaches age 18, a statement that the student has been informed of his/her rights, if any, that will transfer to him/her upon reaching age 18, pursuant to Education Code 56041.5

Where appropriate, the IEP shall also include: (Education Code 56345)

1. For a student in grades 7-12, any alternative means and modes necessary for the student to complete the district's prescribed course of study and to meet or exceed proficiency standards required for graduation

(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.11 - Alternative Credits Toward Graduation)

2. Linguistically appropriate goals, objectives, programs, and services for a student whose native language is not English

(cf. 6174 - Education for English Language Learners)

3. Extended school year services when the IEP team determines, on an individual basis, that the services are necessary for the provision of a free appropriate public education (FAPE)

(cf. 5148.2 - Before/After School Programs)

(cf. 6177 - Summer School)

4. Provision for transition into the regular education program if the student is to be transferred from a special class or center or nonpublic, nonsectarian school into a regular education program in a public school for any part of the school day, including descriptions of activities intended to:
 - a. Integrate the student into the regular education program, including indications of the nature of each activity and the time spent on the activity each day or week
 - b. Support the transition of the student from the special education program into the regular education program

(cf. 6176 - Weekend/Saturday Classes)

(cf. 6178 - Career Technical Education)

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

5. Specialized services, materials, and equipment for a student with low incidence disabilities, consistent with the guidelines pursuant to Education Code 56136

Development of the IEP

Within 30 days of a determination that a student needs special education and related services, the Superintendent or designee shall ensure that a meeting to develop an initial IEP is conducted. (34 CFR 300.323)

Any IEP required as a result of an assessment of a student shall be developed within 60 days from the date of receipt of the parent/guardian's written consent for assessment, unless the parent/guardian agrees, in writing, to an extension. Days between the student's regular school sessions, terms, or vacation of more than five school days shall not be counted. In the case of school vacations, the 60-day time limit shall recommence on the date that the student's school days reconvene. (Education Code 56344)

However, when the IEP is required as a result of an assessment of a student for whom a referral has been made 30 days or less prior to the end of the preceding regular school year, the IEP shall be developed within 30 days after the commencement of the subsequent regular school year. (Education Code 56344)

In developing the IEP, the IEP team shall consider all of the following: (Education Code 56341.1, 56345; 20 USC 1414(d)(3)(A); 34 CFR 300.324)

1. The strengths of the student
2. The concerns of the parents/guardians for enhancing the education of their child

3. The results of the initial or most recent assessment of the student
4. The academic, developmental, and functional needs of the student
5. In the case of a student whose behavior impedes his/her learning or that of others, the use of positive behavioral interventions and supports and other strategies to address that behavior
6. In the case of a student with limited English proficiency, the language needs of the student as such needs relate to the student's IEP
7. In the case of a student who is blind or visually impaired, the need to provide for instruction in Braille and instruction in the use of Braille

However, such instruction need not be included in the IEP if the IEP team determines that instruction in Braille or the use of Braille is not appropriate for the student. This determination shall be based upon an assessment of the student's reading and writing skills, his/her future needs for instruction in Braille or the use of Braille, and other appropriate reading and writing media.

8. The communication needs of the student and, in the case of a student who is deaf or hard of hearing, the student's language and communication needs, opportunities for direct communications with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and communication mode

The team shall also consider the related services and program options that provide the student with an equal opportunity for communication access, as described in Education Code 56345.

9. Whether the student requires assistive technology devices and services

If, in considering the special factors in items #1-9 above, the IEP team determines that the student needs a particular device or service, including an intervention, accommodation, or other program modification, in order to receive FAPE, the team shall include a statement to that effect in the student's IEP. (Education Code 56341.1)

Provision of Special Education and Related Services

~~***Note: Effective January 1, 2012, AB 114 (Ch. 43, Statutes of 2011) repealed Education Code 56331 which required county mental health agencies to be responsible for providing mental health services (AB 3632 services) if required in a student's IEP. Thus, districts are solely responsible for ensuring that students with disabilities receive special education and related services to meet their needs. The CDE web site clarifies that districts may contract with county mental health agencies for the provision of some services and/or may employ their own professionals or contract with organizations or professionals in the community.***~~

The district shall ensure that, as soon as possible following development of the IEP, special education services and related services are made available to the student in accordance with his/her IEP. (Education Code 56344; 34 CFR 300.323)

The Superintendent or designee shall ensure that the student's IEP is accessible to each regular education teacher, special education teacher, related service provider, and any other service provider who is responsible for its implementation. The Superintendent or designee also shall ensure that such teachers and providers are informed of their specific responsibilities related to implementing the IEP and the specific accommodations, modifications, and supports that must be provided to the student in accordance with the IEP. (34 CFR 300.323)

Review and Revision of the IEP

~~***Note: Education Code 56043 and 56380 mandate the district to maintain procedures to ensure that the IEP team reviews the IEP periodically, but at least annually, to determine whether the annual goals for the student are being achieved and, as appropriate, revises the IEP to address the conditions specified below.***~~

The Superintendent or designee shall ensure that the IEP team reviews the IEP periodically, but at least annually, in order to: (Education Code 56043, 56341.1, 56380; 20 USC 1414(d)(4); 34 CFR 300.324)

1. Determine whether the annual goals for the student are being achieved
2. Revise the IEP, as appropriate, to address:
 - a. Any lack of expected progress toward the annual goals and in the general education curriculum, where appropriate
 - b. The results of any reassessment conducted pursuant to Education Code 56381
 - c. Information about the student provided to or by the parents/guardians regarding review of evaluation data pursuant to 34 CFR 300.305(a)(2) and Education Code 56381(b)
 - d. The student's anticipated needs
 - e. Any other relevant matter
3. Consider the special factors listed in items #5-9 above under "Development of the IEP," when reviewing the IEP of any student with a disability to whom one of those factors may apply

The IEP team shall also meet at any other time upon request by the student's parent/guardian or teacher to review or revise the IEP. (Education Code 56343)

When a parent/guardian requests an IEP team meeting to review the IEP, the team shall meet within 30 days of receiving the parent/guardian's written request, not counting days between the student's regular school sessions or terms or days of school vacation in excess of five school days. If a parent/guardian makes an oral request, the district shall notify the parent/guardian of the need for a written request and the procedure for filing such a request. (Education Code 56043, 56343.5)

~~***Note: Education Code 56195.8 mandates that the district's policy set forth procedures and timelines for the review of a classroom assignment of a student with a disability when so requested by a regular or special education teacher. Education Code 56195.8 does not state a specific deadline for the review. The following paragraph provides a timeline of 20 days for reviewing the request and 30 days for convening an IEP team meeting. The district should revise this timeline to be consistent with district practice and the policies and regulations of the SELPA in which the district participates and should specify the title of the individual responsible for the review, rather than "Superintendent or designee." ***~~

A regular education or special education teacher may request a review of the classroom assignment of a student with a disability by submitting a written request to the Superintendent or designee. The Superintendent or designee shall consider the request within 20 days of receiving it, not counting days when school is not in session or, for year-round schools, days when the school is off track. If the review indicates a need for change in the student's placement, instruction, and/or related services, the Superintendent or designee shall convene an IEP team meeting, which shall be held within 30 days of the Superintendent or designee's review, not counting days when school is not in session or days when school is off track, unless the student's parent/guardian consents in writing to an extension of time.

If a participating agency other than the district fails to provide the transition services described in the student's IEP, the team shall reconvene to identify alternative strategies to meet the transition service objectives set out for the student in the IEP. (Education Code 56345.1; 20 USC 1414(d); 34 CFR 300.324)

~~***Note: Education Code 56157 specifies that when the district has placed a foster student in a nonpublic, nonsectarian school, the district must conduct an annual evaluation, as specified below. In addition, Education Code 56157 requires the nonpublic, nonsectarian school to report to the district regarding the educational progress made by the student. ***~~

If a student with a disability residing in a licensed children's institution or foster family home has been placed by the district in a nonpublic, nonsectarian school, the Superintendent or designee shall conduct an annual evaluation as part of the IEP process of whether the placement is the least restrictive environment that is appropriate to meet the

student's needs. (Education Code 56157)

(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)
(cf. 6173.1 - Education for Foster Youth)

When an IEP calls for a residential placement as a result of a review by an expanded IEP team, the IEP shall include a provision for a review, at least every six months, by the full IEP team of the case progress, the continuing need for out-of-home placement, the extent of compliance with the IEP, and progress toward alleviating the need for out-of-home care. (Education Code 56043)

To the extent possible, the Superintendent or designee shall encourage the consolidation of reassessment meetings and other IEP team meetings for a student. (20 USC 1414(d)(3)(A); 34 CFR 300.324)

When a change is necessary to a student's IEP after the annual IEP team meeting for the school year has been held, the parent/guardian and the Superintendent or designee may agree not to convene an IEP team meeting for the purpose of making the change and instead may develop a written document to amend or modify the student's current IEP. The IEP team shall be informed of any such changes. Upon request, the Superintendent or designee shall provide the parent/guardian with a revised copy of the IEP with the incorporated amendments. (20 USC 1414(d)(3)(D); 34 CFR 300.324)

Audio Recording of IEP Team Meetings

~~***Note: Pursuant to Education Code 56341.1, parents/guardians and the district may audio-record an IEP team meeting subject to certain requirements as specified in the following section. Audio recordings made by a district, SELPA, or county office of education are subject to the federal Family Educational Rights and Privacy Act (20 USC 1232g) and the confidentiality requirements of 34 CFR 300.610-300.626.***~~

Parents/guardians and the Superintendent or designee shall have the right to audio record the proceedings of IEP team meetings, provided members of the IEP team are notified of this intent at least 24 hours before the meeting. If the Superintendent or designee gives notice of intent to audio record a meeting and the parent/guardian objects or refuses to attend because the meeting would be audio recorded, the meeting shall not be audio recorded. Parents/guardians also have the right to: (Education Code 56341.1)

1. Inspect and review the audio recordings
2. Request that an audio recording be amended if they believe it contains information that is inaccurate, misleading, or in violation of the student's privacy rights or other rights
3. Challenge, in a hearing, information that the parents/guardians believe is

inaccurate, misleading, or in violation of the student's privacy rights or other rights

Parent/Guardian Participation and Other Rights

The Superintendent or designee shall take steps to ensure that one or both of the parents/guardians of the student with a disability are present at each IEP team meeting or are afforded the opportunity to participate. These steps shall include notifying the parents/guardians of the meeting early enough to ensure that they will have the opportunity to attend and scheduling the meeting at a mutually agreed upon time and place. (Education Code 56341.5; 34 CFR 300.322)

The Superintendent or designee shall send parents/guardians notices of IEP team meetings that: (Education Code 56341.5; 34 CFR 300.322)

1. Indicate the purpose, time, and location of the meeting
2. Indicate who will be in attendance at the meeting
3. Inform them of:
 - a. Their right to bring to the meeting other individuals who have knowledge or special expertise about the student, pursuant to Education Code 56341(b)(6)
 - b. The provision of Education Code 56341(i) relating to the participation of the Infant and Toddlers with Disabilities Coordinator at the initial IEP team meeting, if the student was previously served under Early Education for Individuals with Exceptional Needs (Education Code 56425-56432) or the California Early Intervention Services Act (Government Code 95000-95004)

In addition, when the IEP team meeting is to consider the development, review, or revision of the IEP of a student with a disability who is 16 years of age or older, or younger than 16 if deemed appropriate by the IEP team, the Superintendent or designee's notice to the student's parents/guardians shall include the following: (Education Code 56341.5)

1. An indication that a purpose of the meeting will be the consideration of postsecondary goals and transition services for the student pursuant to Education Code 56345.1, 20 USC 1414(d)(1)(A)(i)(VIII), and 34 CFR 300.320(b)
2. An indication that the student is invited to the IEP team meeting
3. Identification of any other agency that will be invited to send a representative

(cf. 5145.6 - Parental Notifications)

At each IEP team meeting convened by the district, the district administrator or specialist on the team shall inform the parent/guardian and student of the federal and state procedural safeguards included in the notice of parental rights provided pursuant to Education Code 56321. (Education Code 56500.1)

(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

The parent/guardian shall have the right and opportunity to examine all of his/her child's school records upon request, before any IEP meeting, and in connection with any hearing or resolution session on matters affecting his/her child, including, but not limited to, initial formal assessment, procedural safeguards, and due process. Upon receipt of an oral or written request, the Superintendent or designee shall provide complete copies of the records within five business days. (Education Code 56043, 56504)

(cf. 5125 - Student Records)

The parent/guardian shall have the right to present information to the IEP team in person or through a representative and the right to participate in meetings that relate to eligibility for special education and related services, recommendations, and program planning. (Education Code 56341.1)

If neither parent/guardian can attend or conference telephone calls. (Education Code 56341.5; 20 USC 1414(f); 34 CFR 300.322)

An IEP team meeting may be conducted without a parent/guardian in attendance if the Superintendent or designee is unable to convince the parent/guardian that he/she should attend. In such a case, the Superintendent or designee shall maintain a record of the attempts to arrange a mutually agreed upon time and place for the meeting, including: (Education Code 56341.5; 34 CFR 300.322)

1. Detailed records of telephone calls made or attempted and the results of those calls
2. Copies of correspondence sent to the parent/guardian and any responses received
3. Detailed records of visits made to the parent/guardian's home or place of employment and the results of those visits

The Superintendent or designee shall take any action necessary to ensure that the parents/guardians understand the proceedings of the meeting, including arranging for an interpreter for parents/guardians with deafness or whose native language is not English. (Education Code 56341.5; 34 CFR 300.322)

The Superintendent or designee shall give the parents/guardians of a student with a disability a copy of his/her child's IEP at no cost. (Education Code 56341.5; 34 CFR

300.322)

Parent/Guardian Consent for Provision of Special Education and Services

Before providing special education and related services to any student, the Superintendent or designee shall seek to obtain informed consent of the student's parent/guardian pursuant to 20 USC 1414(a)(1). The district shall not provide services by utilizing the due process hearing procedures pursuant to 20 USC 1415(f) if the parent/guardian refuses to consent to the initiation of services. If the parent/guardian does not consent to all of the components of the IEP, then those components to which the parent/guardian has consented shall be implemented so as not to delay providing instruction and services to the student. (Education Code 56346)

If the Superintendent or designee determines that a part of a proposed IEP to which the parent/guardian does not consent is necessary in order to provide the student with FAPE, a due process hearing shall be initiated in accordance with 20 USC 1415(f). While the due process hearing is pending, the student shall remain in the current placement unless the parent/guardian and the Superintendent or designee agree otherwise. (Education Code 56346)

~~***Note: 34 CFR 300.300 authorizes a parent/guardian to revoke, at any time and in writing, his/her consent for the continued provision of special education and related services to his/her child. Once this revocation has been received, the district need not convene an IEP team meeting or develop an IEP, but rather must promptly provide "prior written notice" and, within a reasonable period of time, discontinue all services to the child. For details regarding the contents of the prior written notice, see AR 6159.1 Procedural Safeguards and Complaints for Special Education. ***~~

~~***Note: In addition, 34 CFR 300.300 and Education Code 56346 specify that a district may not override the parent/guardian's revocation by filing for a due process hearing or requesting mediation in order to require that services be provided. In such a situation, the district shall be deemed to be in compliance with the requirement to make free appropriate public education (FAPE) available to the student and is under no obligation to convene an IEP team meeting or to develop an IEP for further provision of special education and related services to the student. ***~~

If at any time subsequent to the initial provision of services, the student's parent/guardian, in writing, revokes consent for the continued provision of special education services, the Superintendent or designee shall provide prior written notice within a reasonable time before ceasing to provide services to the student. The Superintendent or designee shall not request a due process hearing or pursue mediation in order to require an agreement or ruling that services be provided to the student. (Education Code 56346; 34 CFR 300.300, 300.503)

~~***Note: The following paragraph is optional and should be modified to reflect district~~

practice. ***

Prior to the discontinuation of services, the Superintendent or designee may offer to meet with the parents/guardians to discuss concerns for the student's education. However, this meeting shall be voluntary on the part of the parent/guardian and shall not delay the implementation of the parent/guardian's request for discontinuation of services. In addition, the Superintendent or designee shall send a letter to the parent/guardian confirming the parent/guardian's decision to discontinue all services.

~~***Note: Pursuant to 34 CFR 300.9, when a parent/guardian revokes his/her consent for provision of special education services, the district is not required to amend the student's records to remove any reference to the student's prior receipt of special education services. In some circumstances, a student who is no longer receiving special education services may be eligible for accommodation under Section 504 of the Rehabilitation Act of 1973; see BP/AR 6164.6 Identification and Education under Section 504. However, because the law is unclear, districts with questions should consult legal counsel, as appropriate. ***~~

When the district ceases to provide special education services in response to the parent/guardian's revocation of consent, the student shall be classified as a general education student.

Transfer Students

~~***Note: Education Code 56325 details the requirements for students transferring from districts within and outside of California, as specified below. Districts should be careful to comply with the time requirements, though in Marshall v. Monrovia Unified School District, the Ninth Circuit Court of Appeals ruled in favor of defendant school district on the question of whether the district denied FAPE to a student with a disability by not developing a valid IEP within 30 days of the student's transfer into the district. The court reasoned that the delay in developing the IEP was minimal and that the student did not suffer any deprivation of educational benefit. ***~~

To facilitate the transition of a student with a disability who is transferring into the district, the Superintendent or designee shall take reasonable steps to promptly obtain the student's records, including his/her IEP and the supporting documents related to the provision of special education services. (Education Code 56325; 34 CFR 300.323)

If the student transfers into the district from another school district within the same SELPA during the school year, the district shall continue to provide services comparable to those described in the student's existing IEP, unless his/her parent/guardian and the district agree to develop, adopt, and implement a new IEP that is consistent with state and federal law. (Education Code 56325; 34 CFR 300.323)

If the student transfers into the district from a school district outside of the district's SELPA during the school year, the district shall provide the student with FAPE, including services

comparable to those described in the previous district's IEP. Within 30 days, the Superintendent or designee shall, in consultation with the student's parents/guardians, adopt the previous district's IEP or shall develop, adopt, and implement a new IEP that is consistent with state and federal law. (Education Code 56325; 34 CFR 300.323)

If the student transfers into the district from an out-of-state district during the school year, the district shall provide the student with FAPE, including services comparable to the out-of-state district's IEP, in consultation with the parent/guardian, until such time as the Superintendent or designee conducts an assessment, if it determines that such an assessment is necessary, and develops, adopts, and implements a new IEP, if appropriate. (Education Code 56325; 34 CFR 300.323)

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Regulation SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

First Reading: November 13, 2012

Adopted:

King City, CA

BP 7214 Facilities

General Obligation Bonds

~~***Note: Article 16, Section 18 of the California Constitution permits school districts to issue bonds for school facilities with either a 66.67 percent or 55 percent approval by local voters. To qualify for the lower 55 percent (Proposition 39) threshold, districts must use the bond funds for more limited purposes and fulfill additional accountability requirements, as specified below. ***~~

~~***Note: In 88 Ops. Cal. Atty. Gen. 46 (2005), the Attorney General opined that a school district may use district funds to hire a consultant to assess the feasibility of developing a bond measure and to assess the public's support and opposition. However, according to the Attorney General, a district may not use district funds to hire a consultant to develop and implement a strategy to build a coalition to support the bond because such activities would be an impermissible use of public funds for campaign purposes in violation of Education Code 7054. For further discussion regarding use of district funds for political purposes, see BP 1160 Political Processes. ***~~

~~***Note: Education Code 15100 sets forth conditions under which the Governing Board may call for a bond election. Pursuant to Education Code 15266, these conditions must be satisfied if the Board is seeking either the 66.67 percent or 55 percent approval threshold. The following paragraph is consistent with Education Code 15100. ***~~

The Governing Board recognizes that school facilities are an essential component of the educational program and that the Board has a responsibility to ensure that the district's facilities needs are met in the most cost-effective manner possible. When the Board determines that it is in the best interest of district students, it may order an election on the question of whether bonds shall be issued for school facilities.

(cf. 1160 - Political Processes)
(cf. 7110 - Facilities Master Plan)
(cf. 7210 - Facilities Financing)

~~***Note: For bonds requiring a 55 percent majority, Education Code 15268 and 15270 set limits as to the maximum amount of the bond and the tax rate that may be levied as a result of the bond. Limitations for bonds requiring a 66.67 percent majority are detailed in Education Code 15102-15109. ***~~

The Board shall determine the appropriate amount of the bond in accordance with law.

Bonds Requiring 55 Percent Approval by Local Voters

~~***Note: Pursuant to Education Code 15266, upon adoption of the resolution specified below, the district must comply with the accountability provisions required for the 55 percent threshold.~~

~~even if the bond ultimately passes by a 66.67 percent majority of the voters. ***~~

~~The Board may decide to pursue the authorization and issuance of bonds by approval of 55 percent majority of the voters pursuant to Article 13A, Section 1(b)(3) and Article 16, Section 18(b) of the California Constitution. If two thirds of the Board agree to such an election, the Board shall vote to adopt a resolution to incur bonded indebtedness if approved by a 55 percent majority of the voters. (Education Code 15266)~~

~~***Note: Education Code 15266 requires that the bond election be held only during a regularly scheduled local election at which all of the electors in the district are entitled to vote. Therefore, those school districts whose boundaries encompass more than one city or county or whose board members are elected by trustee area must ensure that the bond election is on a ballot in which all of the electors in the district are entitled to vote. ***~~

The bond election may only be ordered at a primary or general election, a statewide special election, or a regularly scheduled local election at which all of the electors of the school district are entitled to vote. (Education Code 15266)

Bonded indebtedness incurred by the district shall be used only for the following purposes: (California Constitution Article 13A, Section 1(b)(3) and 1(b)(3)(A))

1. The construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities
2. The acquisition or lease of real property for school facilities

The proposition approved by the voters shall include the following accountability requirements: (California Constitution Article 13A, Section 1(b)(3))

1. A requirement that proceeds from the sale of the bonds be used only for the purposes specified in items #1-2 above, and not for any other purposes including teacher and administrative salaries and other school operating expenses
2. A list of specific school facility projects to be funded and certification that the Board has evaluated safety, class size reduction, and information technology needs in developing that list

(cf. 0440 - District Technology Plan)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 6151 - Class Size)

~~***Note: The question of whether or not bond proceeds may be used to pay the costs of the audits required pursuant to items #3-4 below should be referred to the district's legal counsel. However, an Attorney General opinion (87 Ops. Cal. Atty. Gen. 157 (2004)) supports the use of bond proceeds to pay the salaries of district employees to the extent they perform administrative~~

~~oversight work on bond projects. According to the opinion, because these audits are expressly required by Proposition 39 and are directly related to the bond projects rather than routine school operations, these project administration costs may be considered as coming within the purposes specified in California Constitution Article 13A, Section 1(b)(3)(A) and therefore are an appropriate expenditure of bond proceeds. ***~~

~~***Note: The performance audit described in item #3 may include an evaluation of the planning, financing, and implementation of the overall facilities program. To assist districts with this requirement, CSBA provides a Proposition 39 Bond Performance Audits service; see CSBA's web site for further information. ***~~

3. A requirement that the Board conduct an annual, independent performance audit to ensure that the funds have been expended only on the specific projects listed

4. A requirement that the Board conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended for the school facilities projects

~~***Note: If the district has a general obligation bond approved under the 55 percent threshold, Education Code 15278 requires that the Board appoint a citizens' oversight committee. See the accompanying administrative regulation for requirements related to the composition and duties of the committee. ***~~

If a district general obligation bond requiring a 55 percent majority is approved by the voters, the Board shall appoint an independent citizens' advisory oversight committee. This committee shall be appointed within 60 days of the date that the Board enters the election results in its minutes pursuant to Education Code 15274. (Education Code 15278)

(cf. 1220 - Citizen Advisory Committees)
(cf. 9324 - Minutes and Recordings)

~~***Note: SB 423 (Ch. 237, Statutes of 2011) amended Education Code 15286 to require that annual financial and performance audits must be submitted to the citizens' oversight committee by March 31 of each year. ***~~

The Superintendent or designee shall ensure that the annual, independent performance and financial audits conducted pursuant to items #3 and #4 above are issued in accordance with the U.S. Comptroller General's Government Auditing Standards. He/she shall submit the audits to the citizens' oversight committee by March 31 of each year. (Education Code 15286)

Bonds Requiring 66.67 Percent Approval by Local Voters

Bonds shall be sold to raise money for any of the following purposes: (Education Code 15100)

1. Purchasing school lots
2. Building or purchasing school buildings
3. Making alterations or additions to school building(s) other than as may be necessary for current maintenance, operation, or repairs
4. Repairing, restoring, or rebuilding any school building damaged, injured, or destroyed by fire or other public calamity
5. Supplying school buildings and grounds with furniture, equipment, or necessary apparatus of a permanent nature
6. Permanently improving school grounds
7. Refunding any outstanding valid indebtedness of the district, evidenced by bonds or state school building aid loans
8. Carrying out sewer or drain projects or purposes authorized in Education Code 17577
9. Purchasing school buses with a useful life of at least 20 years
10. Demolishing or razing any school building with the intent to replace it with another school building, whether in the same location or in any other location

Except for refunding any outstanding indebtedness, any of the purposes listed above may be united and voted upon as a single proposition by order of the Board and entered into the minutes. (Education Code 15100)

~~***Note: The following paragraph is optional. Districts that have had approval of a bond with 66.67 percent majority vote are not required by law to appoint a citizens' oversight committee but may, at their discretion, form an oversight committee under requirements and guidelines adopted by the Board. ***~~

The Board may appoint a citizens' oversight committee to review and report to the Board and the public as to whether the expenditure of bond revenues complies with the intended purposes of the bond.

Certificate of Results

~~***Note: The following section applies to bond elections requiring either a 55 percent or 66.67 percent approval by local voters. Pursuant to Elections Code 15372, following a bond election, the county elections official must submit a certificate of the election results to the Board, which then must provide certification to the county board of supervisors, as specified below. ***~~

If the certificate of election results received by the Board shows that the appropriate majority of the voters are in favor of issuing the bonds, the Board shall record that fact in its minutes. The Board shall then certify to the county board of supervisors all proceedings it had in connection with the election results. (Education Code 15124, 15274)

Resolution Regarding Sale of Bonds

~~***Note: The following section applies to bond elections requiring either a 55 percent or 66.67 percent approval by local voters. Pursuant to Education Code 15140, bonds may be offered for sale by either the county board of supervisors or the County Superintendent of Schools. However, the county board of supervisors may adopt a resolution authorizing a district to sell bonds on its own behalf when the district has not received a qualified or negative certification in its most recent interim financial report; see BP/AR 3460 Financial Reports and Accountability.***~~

~~***Note: Prior to bonds being offered for sale, Education Code 15140 requires the Board to adopt a resolution directing the sale of bonds and prescribing the amount of bonds to be sold. Education Code 15146 requires the Board to adopt additional resolutions, prior to and after the sale of the bond, to disclose the cost information and submit a cost summary, as detailed below.***~~

Following passage of the bond measure by the appropriate majority of voters, the Board shall pass a resolution to issue the sale of bonds. The resolution shall prescribe the total amount of bonds to be sold and may also prescribe the maximum acceptable interest rate, not to exceed eight percent, and the time(s) when the whole or any part of the principal of the bonds shall be payable, which shall not be more than 25 years from the date of the bonds. (Education Code 15140)

Prior to the sale of bonds, the Board shall adopt, as an agenda item at a public meeting, another resolution, which includes all of the following items: (Education Code 15146)

1. Express approval of the method of sale
2. Statement of the reasons for the method of sale selected
3. Disclosure of the identity of the bond counsel, and the identities of the bond underwriter and the financial adviser if either or both are utilized for the sale, unless these individuals have not been selected at the time the resolution is adopted, in which case the Board shall disclose their identities at the public meeting occurring after they have been selected
4. Estimates of the costs associated with the bond issuance

After the sale, the Board shall be presented with the actual cost information and shall disclose

that information at the Board's next scheduled meeting. The Board shall ensure that an itemized summary of the costs of the bond sale and all necessary information and reports regarding the sale are submitted to the California Debt and Investment Advisory Commission. (Education Code 15146)

Legal Reference:

EDUCATION CODE

7054 Use of district property, campaign purposes

15100-15254 Bonds for school districts and community college districts

15264-15288 Strict Accountability in Local School Construction Bonds Act of 2000

17577 Sewers and drains

17584.1 Deferred maintenance, reports

47614 Charter school facilities

ELECTIONS CODE

324 General election

328 Local election

341 Primary election

348 Regular election

356 Special election

357 Statewide election

1302 School district election

15372 Elections official certificate

GOVERNMENT CODE

1090-1099 Prohibitions applicable to specified officers

1125-1129 Incompatible activities

8855 California Debt and Investment Advisory Commission

53580-53595.5 Bonds

54952 Definition of legislative body, Brown Act

CALIFORNIA CONSTITUTION

Article 13A, Section 1 Tax limitation

Article 16, Section 18 Debt limit

COURT DECISIONS

San Lorenzo Valley Community Advocates for Responsible Education v. San Lorenzo Valley Unified School District, (2006) 139 Cal.App.4th 1356

ATTORNEY GENERAL OPINIONS

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

87 Ops.Cal.Atty.Gen. 157 (2004)

Management Resources:

CSBA PUBLICATIONS

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

WEB SITES

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

California Debt and Investment Advisory Commission: <http://www.treasurer.ca.gov/cdiac>

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

California Office of Public School Construction: <http://www.opsc.dgs.ca.gov>

(7/01 11/06) 3/12

Policy SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

First Reading: November 13, 2012

Adopted:

King City, CA

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT
GOVERNING BOARD

SUBJECT: Approval of Single School Site Plan for King City
High School and Greenfield High School

MEETING: November 13, 2012

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 Single School Site Plan is a requirement that each school develop goals, objectives and a plan to use categorical funds for student improvement. This plan is based on data and written with input from the School Site Council.

Recommendation:

The recommendation is to approve both plans.

Fiscal Impact:

This is required to approve expenditures of State and Federal program funds.

Submitted By:



Daniel R. Moirao, Ed.D.
State Administrator

Approved:



Daniel R. Moirao, Ed.D.
State Administrator

2012-13 SINGLE PLAN FOR STUDENT ACHIEVEMENT



Greenfield High School
King City Joint Union High District

The District Governing Board
approved this revision of the School
Plan on: 11/14/2012

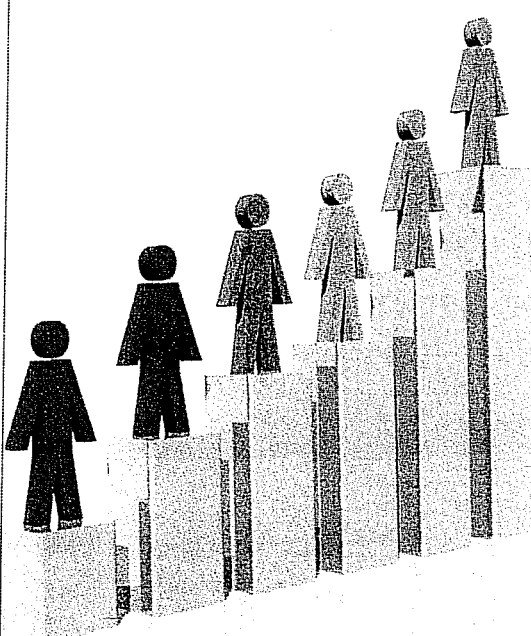
Principal:
Lisa Mazza

Address:
225 S. El Camino Real
Greenfield, California 93927

Phone:
831-674-2751

Email:
lmazza@kingcity.k12.ca.us

Website:
www.kingcity.k12.ca.us



Greenfield High 2012-13
Single Plan For Student Achievement Report

Goals and Actions	Start Date	Completion Date	Amount
Mathematics			
WASC Goal 1A: Improve schoolwide student achievement in mathematics			
Modify Instructional Curriculum Maps and Pacing Guides	8/7/2012	6/1/2013	\$1,500
Close achievement gap of English Learners (WASC Schoolwide Critical Area for Follow-up #3)	8/7/2012	6/1/2013	\$30,000
WASC Goal 1B: Improve 10th grade student achievement on the Mathematics portion of the CAHSEE			
Update benchmarks	8/7/2012	6/1/2013	\$2,000
English-Language Arts			
WASC Goal 1C: Improve schoolwide student achievement in English-Language Arts.			
Instructional Pacing Guides, Benchmark Assessments to raise student achievement	8/7/2012	6/1/2013	\$30,000
WASC Goal 1D: Improve 10th grade student achievement on the ELA portion of the CAHSEE			
All Students on Diploma Track Pass ELA CAHSEE	8/7/2012	6/1/2013	\$8,000
WASC Goal 1E: Close the achievement gap of English Learners (WASC Follow up #3)			
Correct Identification and Placement of English Learners	8/7/2012	6/1/2013	\$30,000
WASC			
WASC Goal 2: Refinement and modification of benchmark and curriculum maps			
Use data to drive instruction (WASC Schoolwide Critical Area for Follow-up #4)	8/7/2012	6/1/2013	\$2,000
WASC Goal 3: Collaboration time for vertical and horizontal articulation			
Focus on research based instructional strategies (WASC Schoolwide Critical Area for Follow-up #5)	8/7/2012	6/1/2013	\$5,000
Articulate with colleagues within the district and with feeder school's district	8/7/2012	6/1/2013	\$1,000
WASC Goal 4: Increase sense of ownership, responsibility and belonging at Greenfield HS			
Regularly Share Student Performance w/ Parents & Increase Parent Involvement (WASC Critical Follow-up #1)	8/7/2012	6/1/2013	\$2,800
Increase student participation in educational development	8/7/2012	6/1/2013	\$0
Professional Development			
Staff Engages in Prof. Dev. & PLCs to Enhance Instructional Strategies			
PLC Training	8/8/2012	8/31/2012	\$1,000
Constructing Meaning Training and Implementation	9/5/2012	6/7/2013	\$20,000
Other			
Increase the Number of Students Prof. and Adv. in English and Math as Measured by the CSTs			
After School Tutoring	10/15/2012	6/2/2013	\$4,000
Technology	10/2/2012	6/2/2013	\$11,000

Greenfield High 2012-13
Single Plan For Student Achievement Report

Supplemental Education Services (SES)	1/14/2013	6/1/2013	\$4,500
English Language Development			
Increase English Language Development Level of English Language Learners			
After School Program	10/15/2012	6/1/2013	\$12,000
Professional Development	10/2/2012	6/2/2013	\$5,000
Total Annual Expenditures for Current Site Plan: \$19,800.00			

Goals

Form A: Planned Improvements in Student Performance

The school site council has analyzed the academic performance of all student groups and has considered the effectiveness of key elements of the instructional program for students failing to meet API and AYP growth targets. As a result, it has adopted the following school goals, related actions, and expenditures to raise the academic performance of student groups not meeting state standards:

Goal Area - Mathematics

Goal Title - WASG Goal 1A - Improve schoolwide student achievement in mathematics

By June 2013, student data will indicate a 5% increase from 32.7% to 37.7% as measured by the results of the 2012-2013 Mathematics CSTs through the continued implementation of Greenfield High School's standards-based curriculum.

Strategic Goal:

Identify students at the cusp of proficiency and provide supplements in weakest areas.

Intensive Goal:

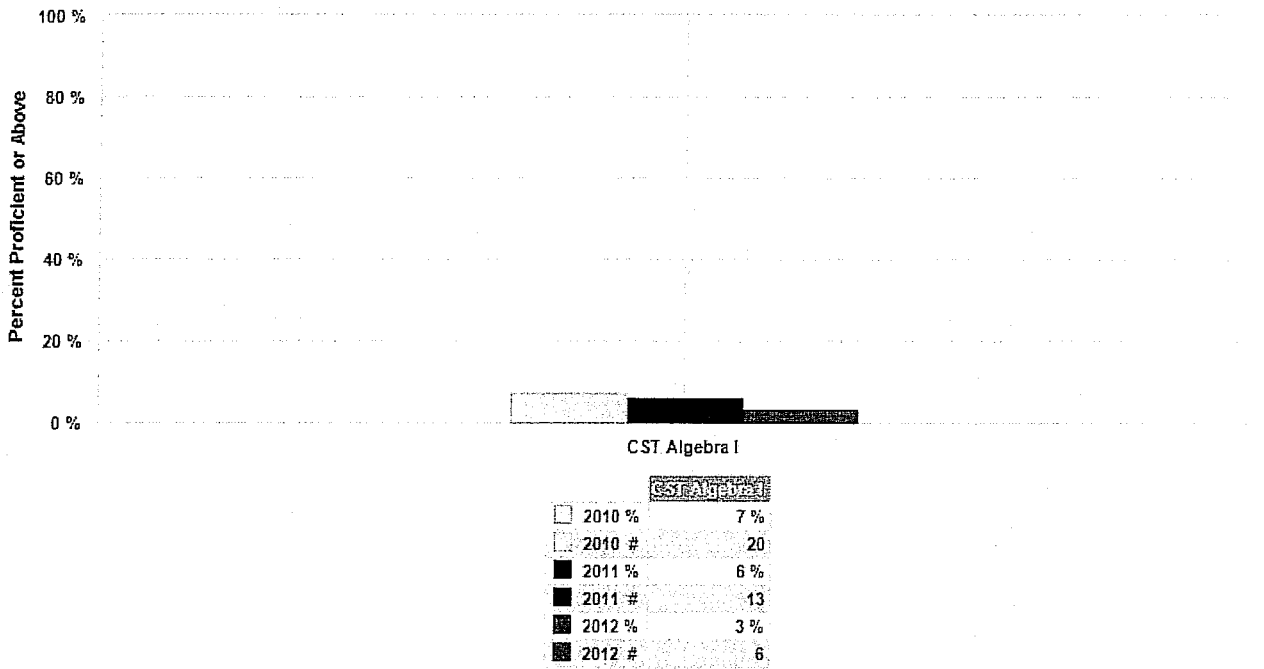
Identify students in these categories and provide after school tutoring.

EPCH	Essential Program Components							
	1	2	3	4	5	6	7	8
Have		✓	✓		✓	✓	✓	✓

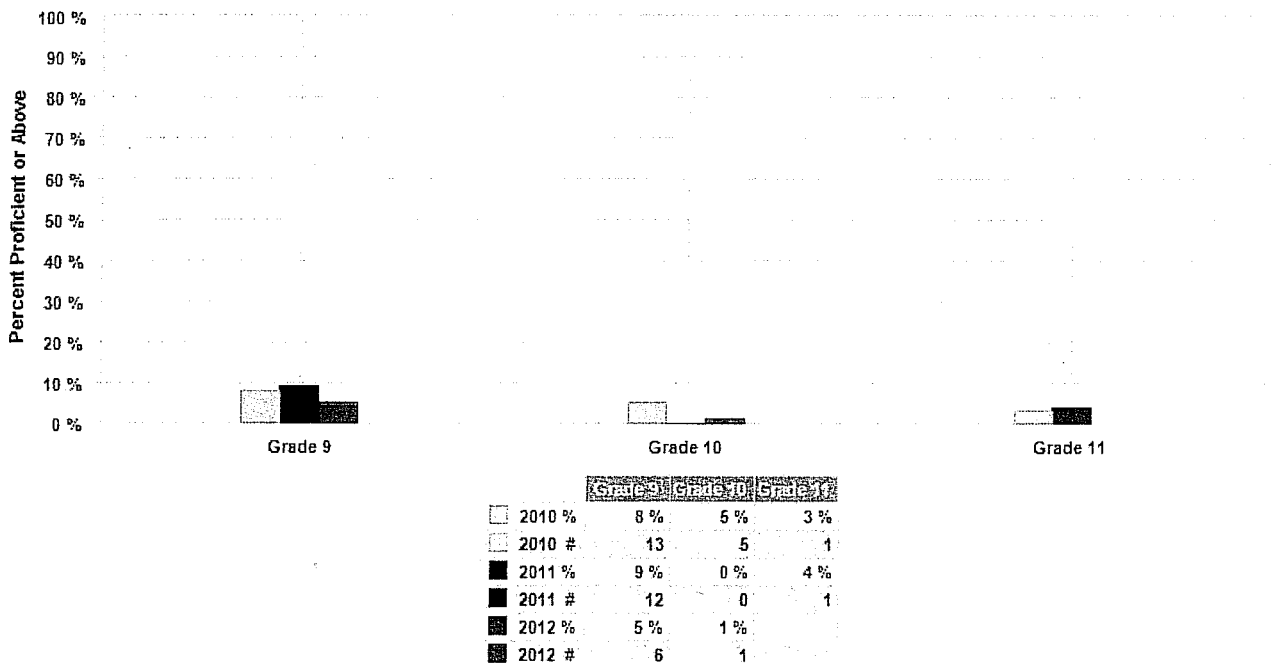
What data did you use to form this goal (findings from data analysis)?

The 2011-2012 Annual Yearly Progress (AYP) data was used to form this goal.

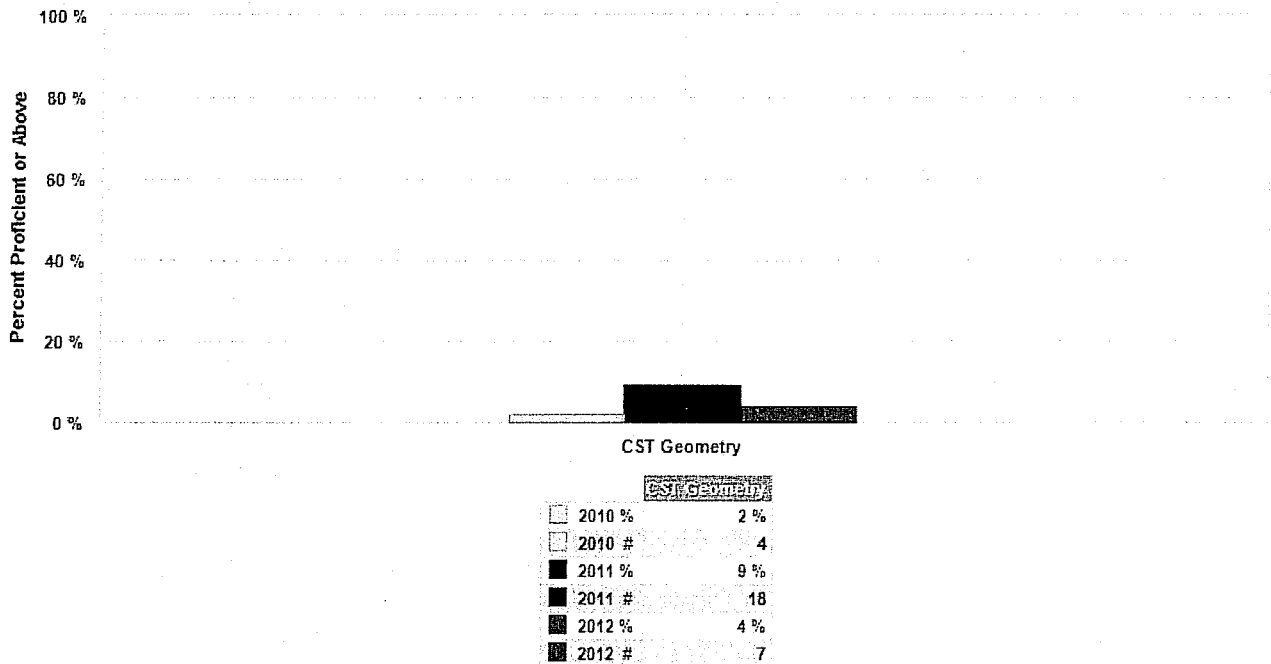
South Monterey County Joint Union High School District
Greenfield High School
CST Algebra I
2010 to 2012 Students Percent Proficient or Above



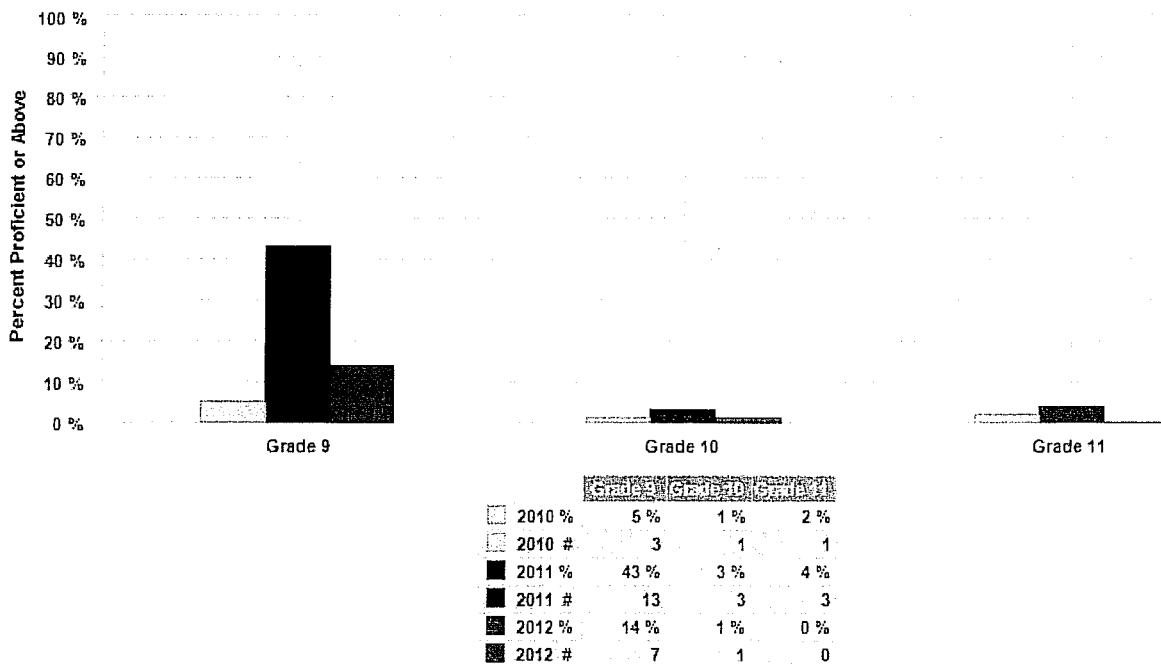
South Monterey County Joint Union High School District
Greenfield High School
CST Algebra I
2010 to 2012 Students Percent Proficient or Above by Grade



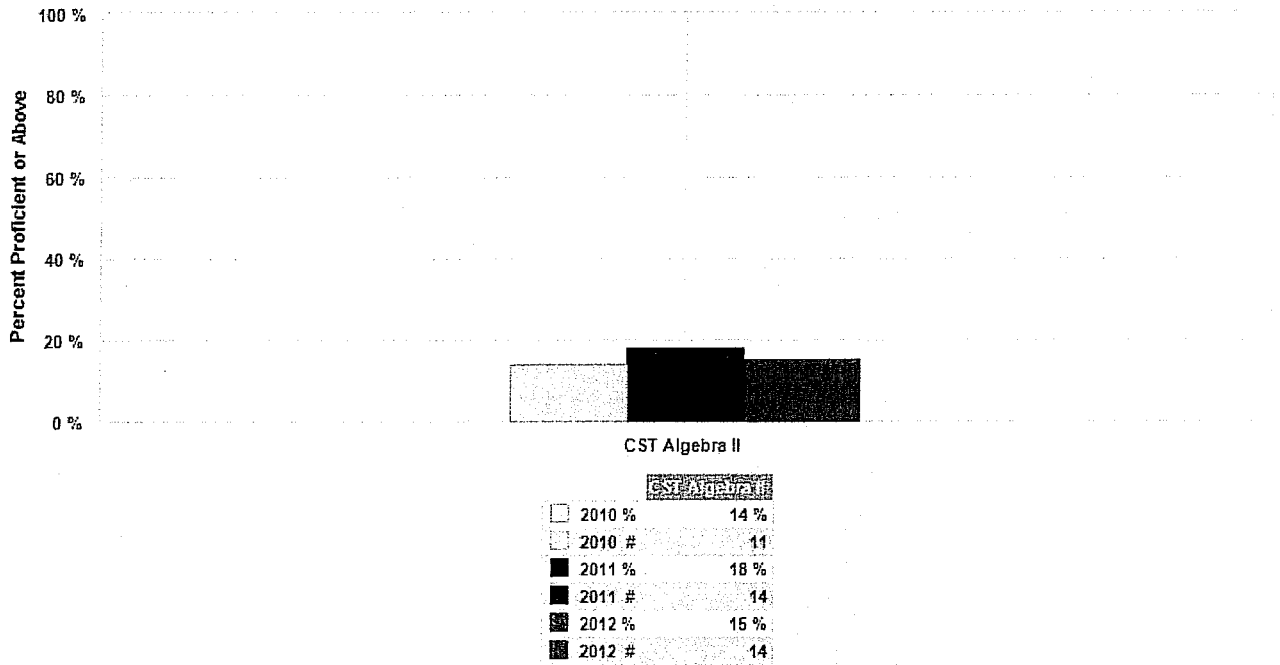
South Monterey County Joint Union High School District
Greenfield High School
CST Geometry
2010 to 2012 Students Percent Proficient or Above



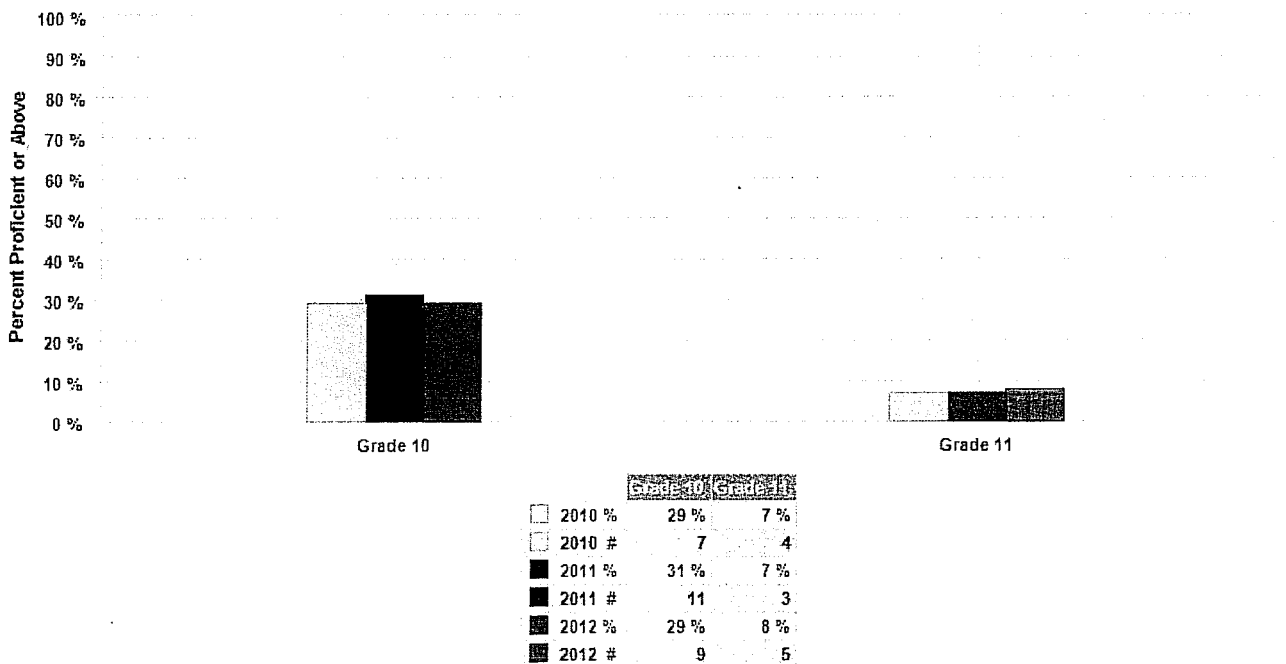
South Monterey County Joint Union High School District
Greenfield High School
CST Geometry
2010 to 2012 Students Percent Proficient or Above by Grade



South Monterey County Joint Union High School District
Greenfield High School
CST Algebra II
2010 to 2012 Students Percent Proficient or Above

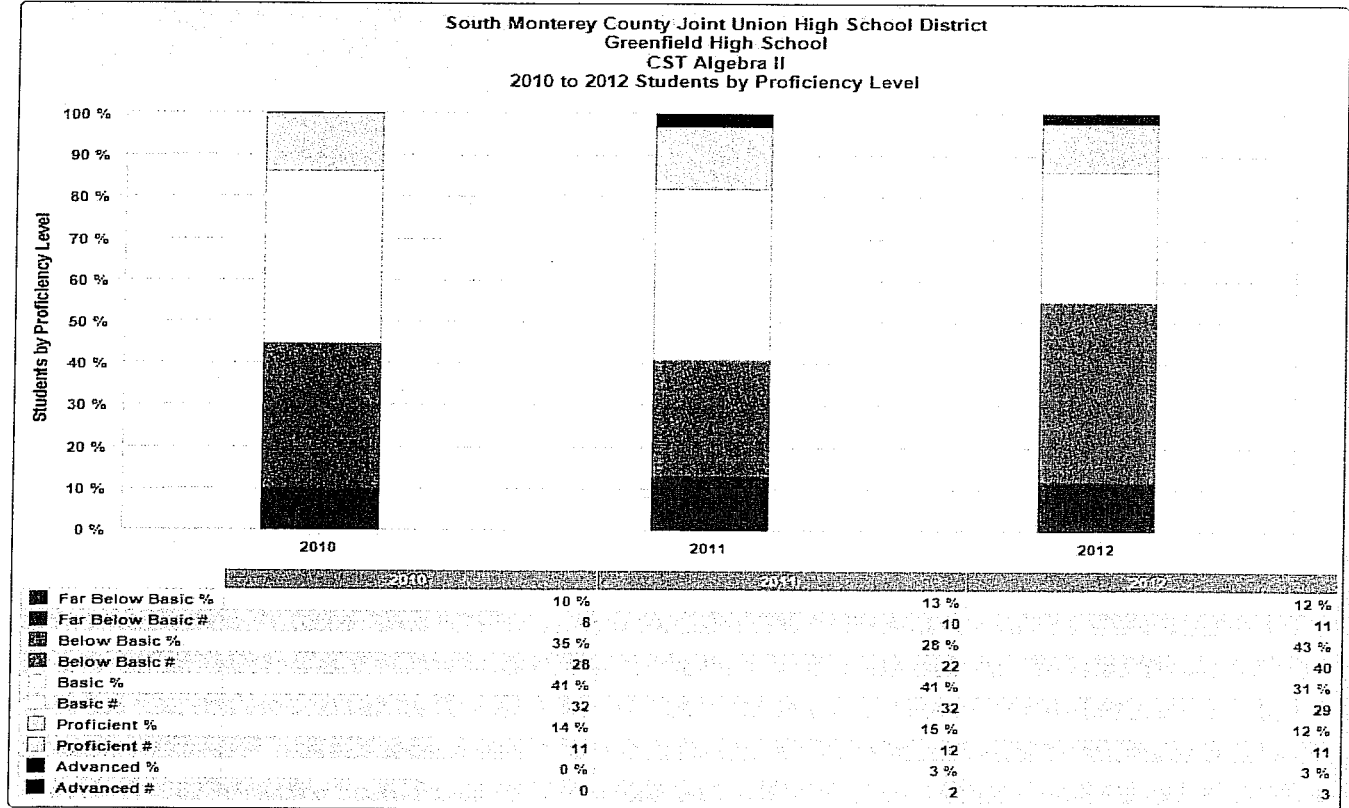


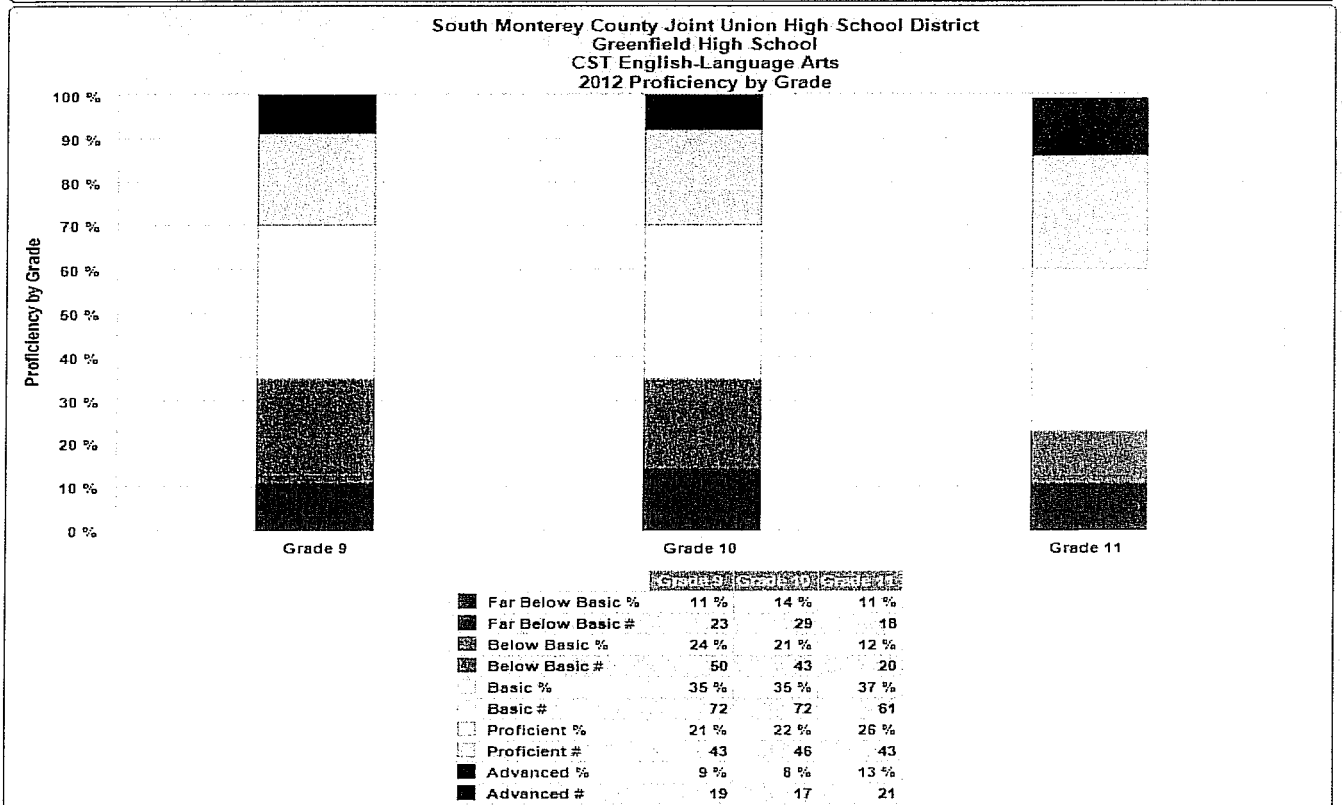
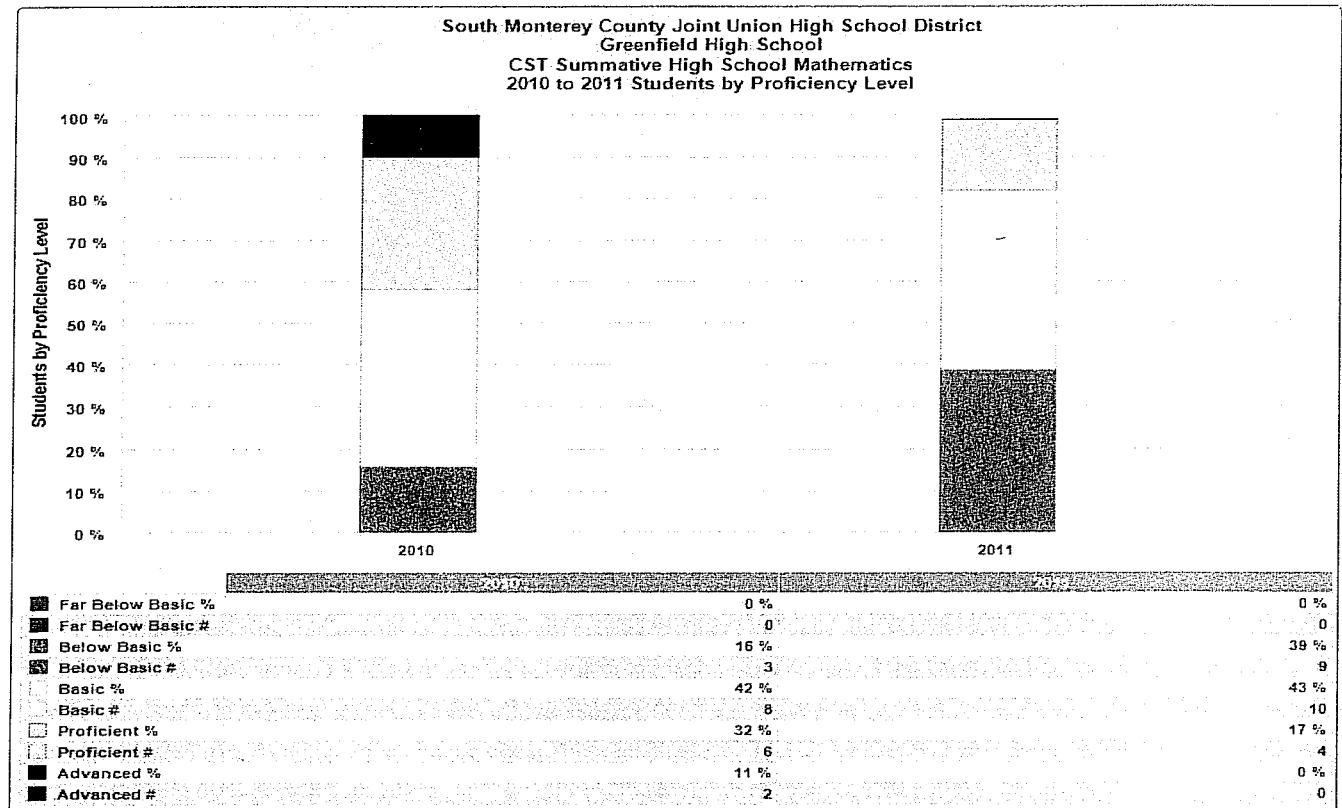
South Monterey County Joint Union High School District
Greenfield High School
CST Algebra II
2010 to 2012 Students Percent Proficient or Above by Grade



How does this goal align to your Local Educational Agency Plan goals?

The LEA plan identifies specific issues causing low achievement and designates a plan to address the issues in order to attain the growth indicated in this goal. The primary issues mentioned in the LEA plan is the transitioning of English learners. The lack of fluency is negatively affecting the attainment of the growth targets. The curriculum coach will assist teachers in EDI and CM strategies that increase the rigor in the classroom and promote student engagement.





What did the analysis of the data reveal that led you to this goal?

The data revealed that the performance of our primary subgroups (Hispanic, socio-economically disadvantaged, English learners) regressed. This regression is significant because these subgroups constitute a majority of our student population.

Which stakeholders were involved in analyzing data and developing this goal?

The math department and administration of Greenfield High School analyzed the data and developed this goal.

Who are the focus students?

All students enrolled in mathematics courses at Greenfield High School will be included in this goal.

What is the expected growth?

The target goals for each group represent the percentage of increase measured from the proficient level.

- Socioeconomically Disadvantaged: from 29.9% to 34.9% for a growth of 5%
- Hispanic: from 32.9% to 37.9% for a growth of 5%
- English Learner: from 30.3% to 35.3% for a growth of 5%

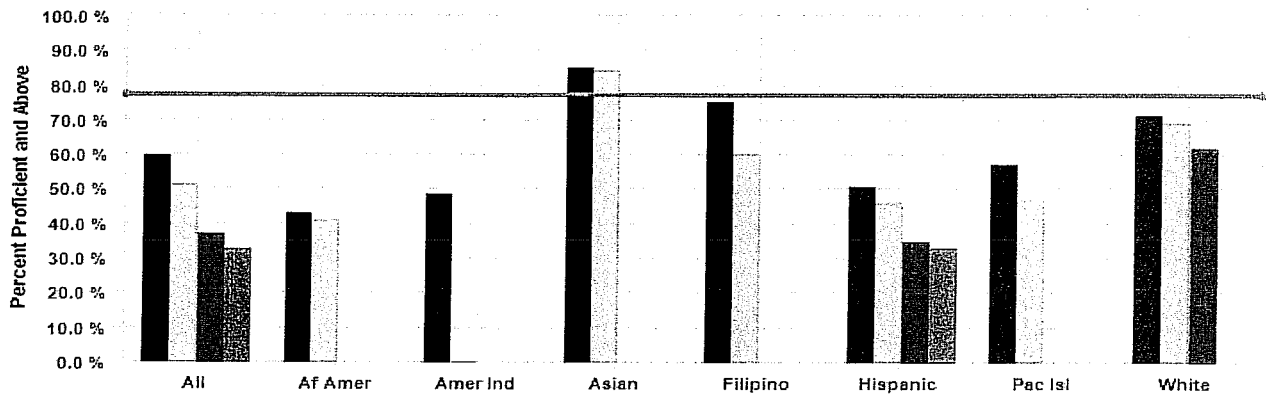
- Algebra I: from 3% to 8% for a growth of 5%
 - 9th grade: from 5% to 10% for a growth of 5%
 - 10th grade: from 1% to 6% for a growth of 5%
 - 11th grade: from 0% to 5% for a growth of 5%

- Geometry: from 4% to 9% for a growth of 5%
 - 9th grade: from 14% to 19% for a growth of 5%
 - 10th grade: from 1% to 6% for a growth of 5%
 - 11th grade: from 0% to 5% for a growth of 5%

- Algebra II: from 15% to 20% for a growth of 5%
 - 10th grade: from 29% to 34% for a growth of 5%
 - 11th grade: from 8% to 13% for a growth of 5%

- Summative High School Mathematics: from 17% to 22% for a growth of 5%
 - 11th grade: from 17% to 22% for a growth of 5%

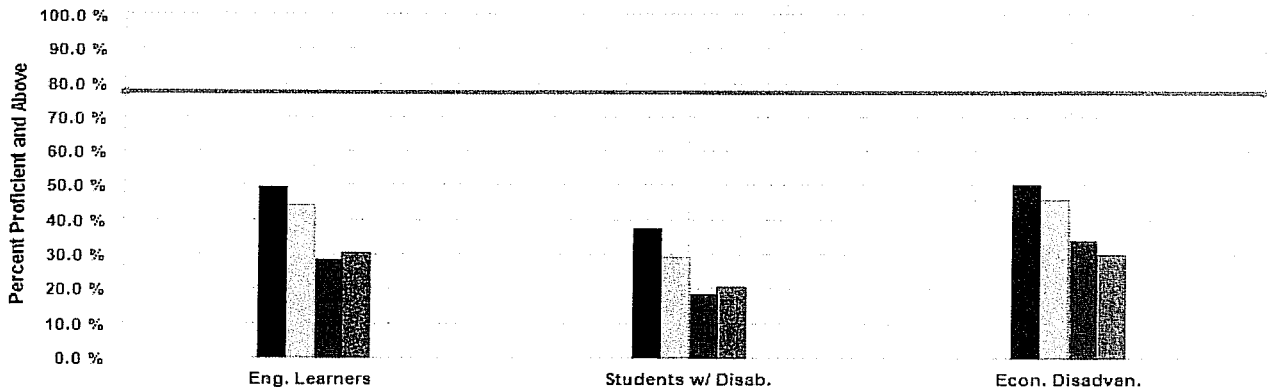
Greenfield High School Comparisons
Percent Proficient - Annual Measurable Objectives (AMOs)
2012 Mathematics



2012 AYP Percent Proficient Target 77.4 %

	All	Af Amer	Amer Ind	Asian	Filipino	Hispanic	Pac Isl	White
California %	59.5 %	42.9 %	48.6 %	84.8 %	75.1 %	50.6 %	56.9 %	71.1 %
California #	2,203,168	105,392	11,842	271,734	73,110	981,083	11,863	684,051
Monterey County %	51.3 %	40.9 %	0.0 %	84.1 %	60.3 %	46.1 %	46.8 %	69.2 %
Monterey County #	20,723	225	612	443	13,958	44	4,274	21
South Monterey County Joint Un District %	36.9 %					34.8 %		
South Monterey County Joint Un District #	174					147		
Greenfield High School %	32.7 %					32.9 %		
Greenfield High School #	74					73		

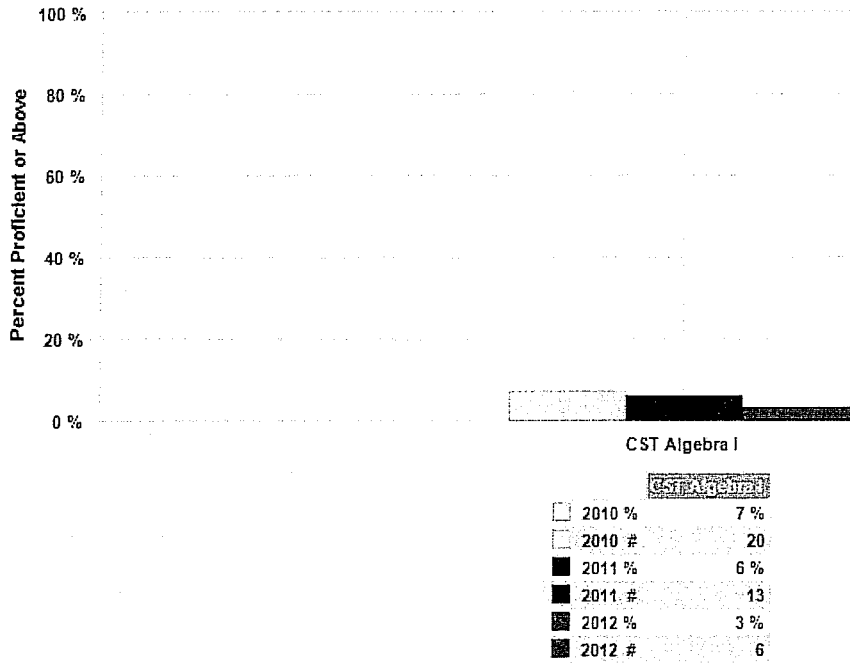
Greenfield High School Comparisons
Percent Proficient - Annual Measurable Objectives (AMOs)
2012 Mathematics



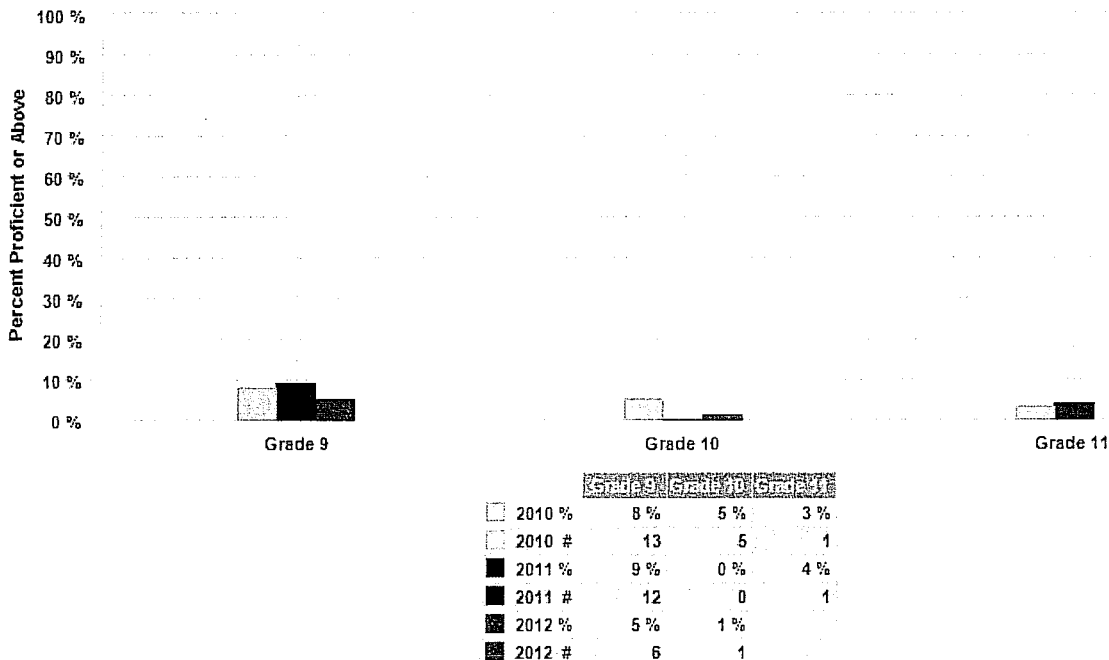
2012 AYP Percent Proficient Target 77.4 %

	Eng. Learners	Students w/ Disab.	Econ. Disadvan.
California %	49.5 %	37.2 %	50.2 %
California #	626,648	160,059	1,126,852
Monterey County %	44.0 %	29.3 %	45.9 %
Monterey County #	9,956	1,164	13,799
South Monterey County Joint Un District %	28.5 %	18.3 %	33.8 %
South Monterey County Joint Un District #	93	11	129
Greenfield High School %	30.3 %	20.7 %	29.9 %
Greenfield High School #	53	6	60

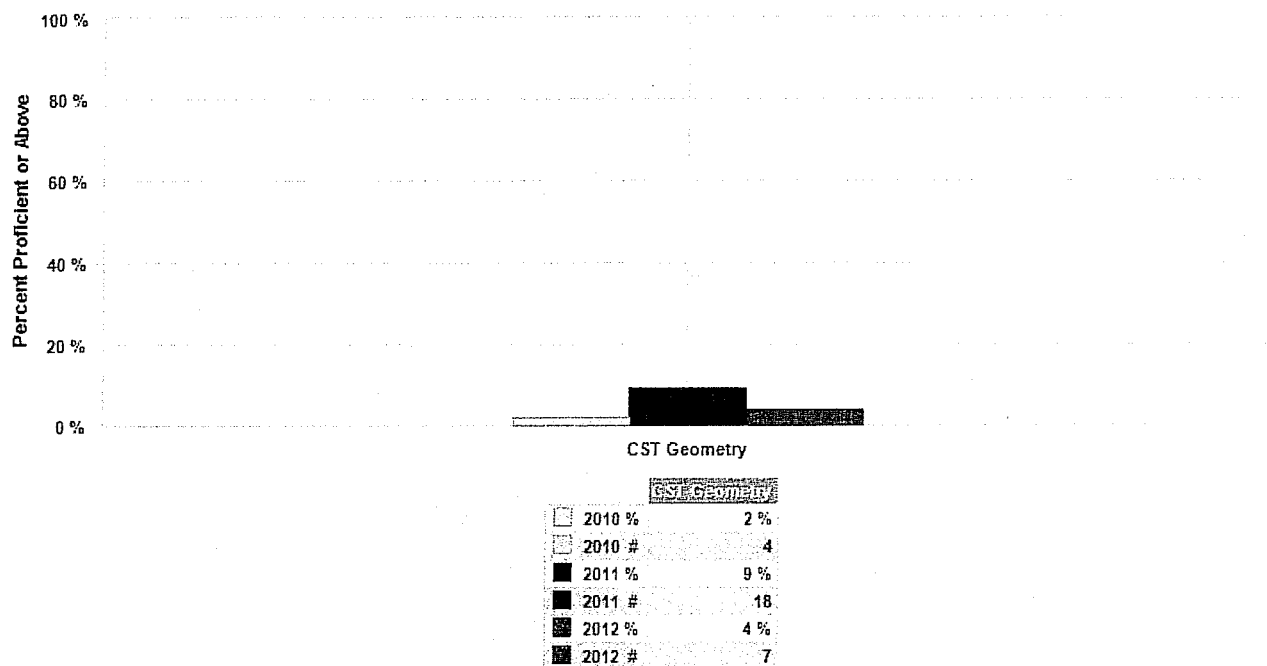
South Monterey County Joint Union High School District
Greenfield High School
CST Algebra I
2010 to 2012 Students Percent Proficient or Above



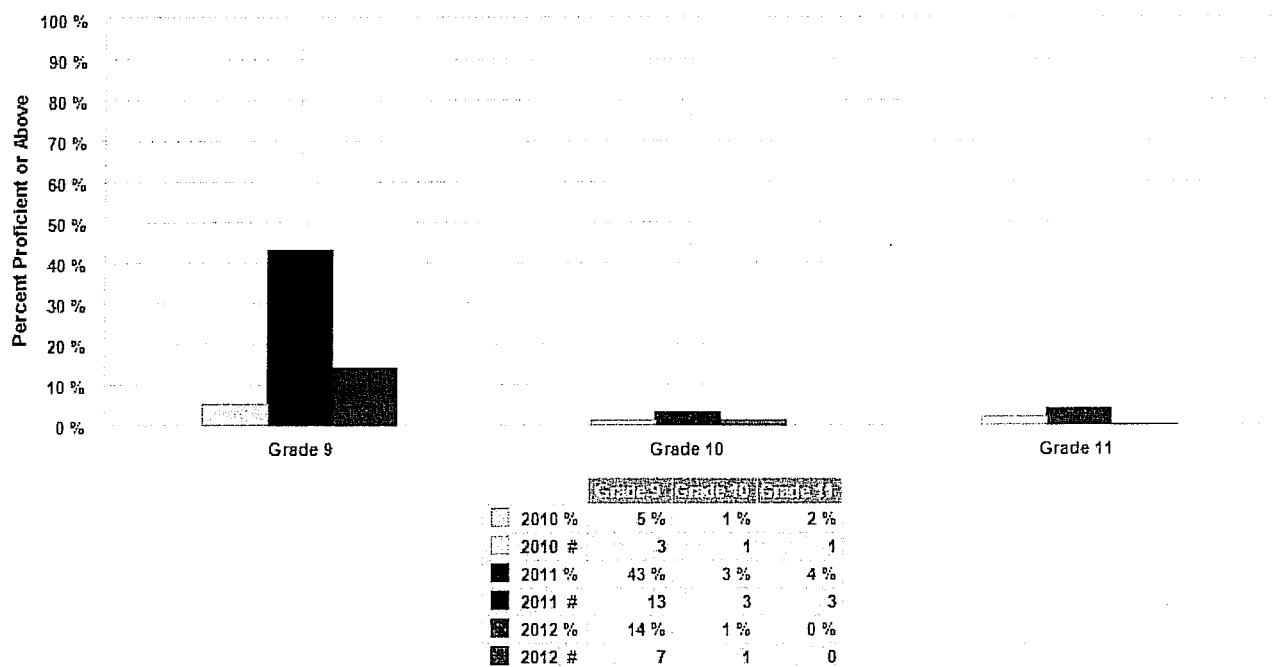
South Monterey County Joint Union High School District
Greenfield High School
CST Algebra I
2010 to 2012 Students Percent Proficient or Above by Grade



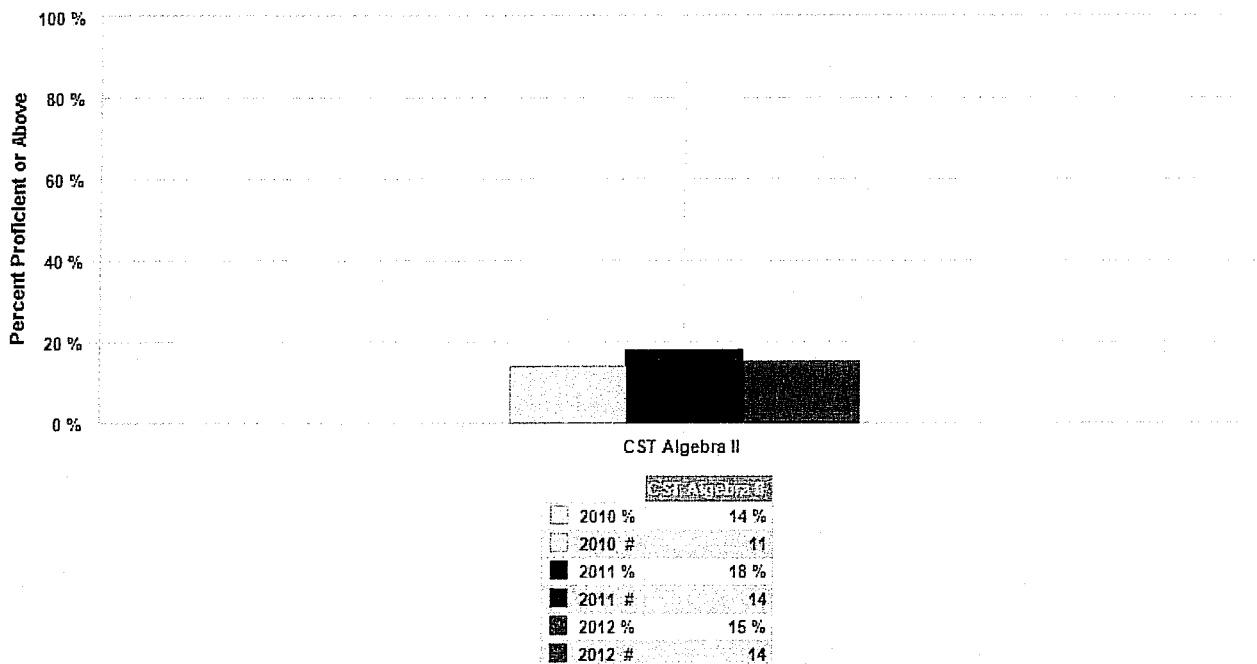
South Monterey County Joint Union High School District
Greenfield High School
CST Geometry
2010 to 2012 Students Percent Proficient or Above



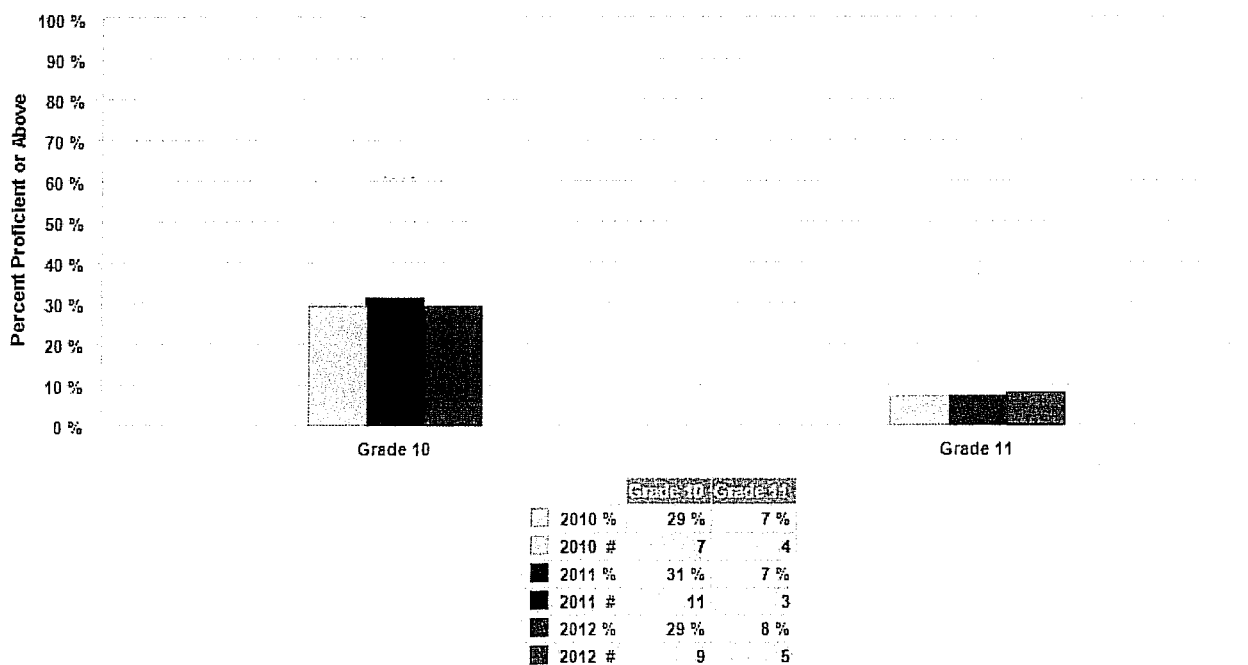
South Monterey County Joint Union High School District
Greenfield High School
CST Geometry
2010 to 2012 Students Percent Proficient or Above by Grade



South Monterey County Joint Union High School District
Greenfield High School
CST Algebra II
2010 to 2012 Students Percent Proficient or Above



South Monterey County Joint Union High School District
Greenfield High School
CST Algebra II
2010 to 2012 Students Percent Proficient or Above by Grade



What data will be collected to measure student achievement?

- Standards-based benchmark assessments and common formative assessments of power standards per mathematics course
- Mathematics California Standards Test (CST)
- California High School Exit Exam (CAHSEE)
- Greenfield High School Subject Diagnostic Test Results, Collegial Learning Walks, CM Walk-throughs with Instructional/EL coach

Student Data disaggregated by:

- Grade Level
- Mathematics course
- Ethnicity
- Socioeconomically Disadvantaged
- English Learners

What process will you use to monitor and evaluate the data?

- 1) Tests will be administered.
- 2) Tests will be scored.
- 3) Data will be disaggregated and analyzed by math teachers with assistance of curriculum coach.
- 4) Weak areas will be identified.
- 5) It will be determined which weak areas need to be re-taught or simply reviewed with appropriate CM strategies.
- 6) Revised assessments will be administered to determine if there is improvement in weak areas and re-teaching will occur as needed.

Actions to improve achievement to exit program improvement (if applicable).

Create SMART Goal cycles to include before and after data of EL and EO students based on benchmarks and common assessments of power standards through the use of USA Test Prep and SchoolPlan twice per semester per department during the 2012-13 school year. Teachers collaborate around the creation of the SMART goals and the common formative assessments and the results during PLCs. The SMART goal will include the CM teaching strategies to be utilized during the cycle and next steps per level achieved.

Action Title: Modify Instructional Curriculum Maps and Pacing Guides

Means of Achievement: Alignment of instruction with content standards

Tasks :

Software License is provided by SchoolPlan, which houses the school's data

- Modify quarterly benchmarks for each grade level
- Collaboration time
- Review CST data
- Review benchmark data
- Practice released test questions
- After school tutoring from teachers and peers

Calibrate curriculum maps and pacing guides to Constructing Meaning Strategies and Common Core Standards

Measures :

Curriculum map and assessment guide created and used for each grade level

- Analysis of scores for quarterly benchmarks
- Administrative walk through observations

Agendas, minutes, next steps and quarterly SMART goals based on data will be collected and monitored

People Assigned :

- All Math teachers
- Principal
- Vice Principal

Start Date : 8/7/2012

Completion Date : 6/1/2013

Funding Resources	Project Expenditures	Funding Code
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Software License	\$1,500

Action Title: Close achievement gap of English Learners (WASC Schoolwide Critical Area for Follow-up #3)

Means of Achievement: Alignment of instruction with content standards

Tasks :

- Students are placed in Algebra SDAIE or Geometry SDAIE classes if they are second language learners.
- Students receiving special education services may be placed in an Algebra SDAIE or Geometry SDAIE classes if they are mainstreamed.

Provide supplemental instruction through ELD, Math CAHSEE prep, Intensive and Strategic classes and Credit Recovery during the school day, after school and on Saturday for English Language Learners.

Measures :

CST scores, Progress report and report card grades, Benchmarks, CELDT

People Assigned :

- Principal,
- Assistant principal
 - Math teachers
 - Curriculum Coach,
- Counselor

Start Date : 8/7/2012

Completion Date : 6/1/2013

Funding Sources	Related Expenditures	Estimated Cost
Economic Impact Aid: Limited English Proficiency (LEP)	Salaries and Benefits for Math Support Classes	\$30,000

Goal Area: Mathematics

Goal Title: WASO Goal 1B: Improve 10th grade student achievement on the Mathematics portion of the CAHSEE

By June 2013, Greenfield High School's student data will indicate a 14% increase in the passing rate for 10th grade students in the Mathematics portion of the California High School Exit Exam (CAHSEE):

Strategic Goal:

Interventions:

- Standard Based Curriculum
- After School Tutoring

Person(s) Responsible:

- Teachers
- Counselors
- Students

Methods to Access and Evaluate Evidence:

- California Standards Test (CST) Data
- California High School Exit Exam (CAHSEE) Results
- Grades
- Greenfield High School Algebra 1 Diagnostic Test Results

Resources:

- Supplemental Materials for basic educational needs (graphing calculators, protractors, compasses, etc.)
- State Adopted mathematics curriculum
- Supplemental materials for state adopted texts in all courses
 - Substitutes for Collaboration time
- Computer lab and iPad use for supplementary instruction
- Specifically Designed Academic Instruction in English (SDAIE) curriculum and materials
- Smart Boards/Mimeo-Board and Programs for all math teachers
- Document cameras and projectors
 - Enrichment Activities

Program Funding:

- Department budget
- School Site Council

Intensive Goal:

Interventions:

- Standard Based Curriculum
- After School Tutoring
- Algebra 1 Support Classes
- Algebra Readiness + Support classes

Person Responsible:

- Teachers
- Counselors
- Students

Methods to Access and Evaluate Evidence:

- California Standards Test (CST) Data
- California High School Exit Exam (CAHSEE) Results
- Grades
- Greenfield High School Algebra 1 Diagnostic Test Results

Resources:

- Supplemental Materials for basic educational needs (graphing calculators, protractors, compasses, etc.)
- State Adopted mathematics curriculum
- Supplemental materials for state adopted texts in all courses
 - Substitutes for collaboration time
- Computers and iPads
- Specifically Designed Academic Instruction in English (SDAIE) curriculum and materials
- Smart Boards/Mimeo-Board and Programs for all math teachers

Greenfield High 2012-13

Single Plan For Student Achievement Report

- Document cameras and projectors
- Enrichment Activities

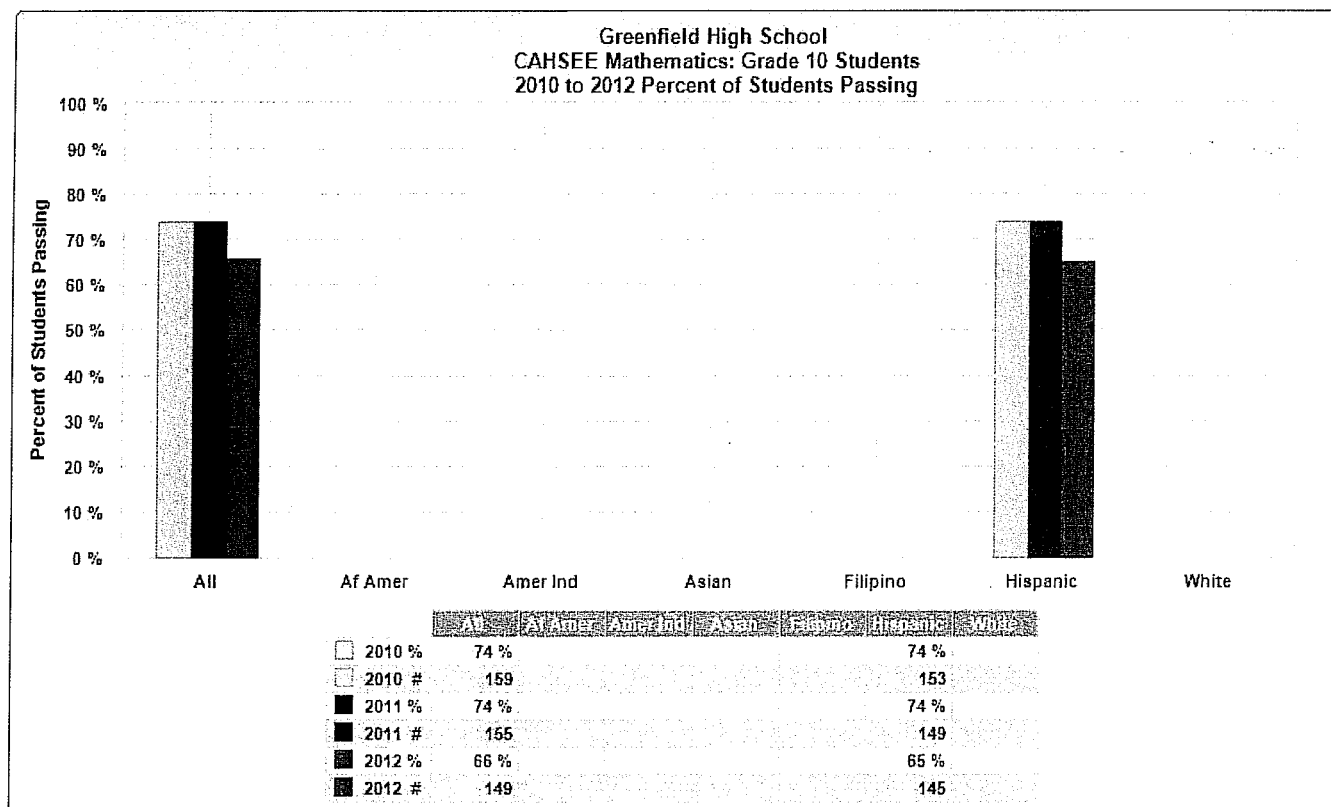
Program Funding:

- Department budget
- School Site Council

Essential Program Components									
EPG#	1	2	3	4	5	6	7	8	9
Have		✓	✓		✓	✓	✓	✓	✓

What data did you use to form this goal (findings from data analysis)?

The CAHSEE results from the 2011-2012 school year were used to form this goal.



How does this goal align to your Local Educational Agency Plan goals?

The LEA plan identifies specific issues causing low achievement and designates a plan to address the issues in order to attain the growth indicated in this goal. The primary issues mentioned in the LEA plan is the transitioning of English learners. The level of English fluency and student engagement is negatively affecting the attainment of the growth target. CM strategies and coaching directly align to the LEA plan.

What did the analysis of the data reveal that led you to this goal?

The data revealed that the performance of English learner subgroup regressed. This regression is significant because this subgroup constitutes a large number of our student population. The socio-economic subgroup performed the same as last year.

Which stakeholders were involved in analyzing data and developing this goal?

The math department and administration of Greenfield High School analyzed and developed this goal.

Who are the focus students?

Greenfield High 2012-13

Single Plan For Student Achievement Report

All 10th grade students enrolled at Greenfield High School who are enrolled in a math course will be included in this goal.

What is the expected growth?

Student data will indicate a 14% increase in the passing rate for the Mathematics portion of the California High School Exit Exam (CAHSEE) from 66% to 80% for all 10th grade students who are on track to graduate from Greenfield High School.

What data will be collected to measure student achievement?

- Standards based benchmark assessments per mathematics course
- Mathematics California Standards Test (CST)
- California High School Exit Exam (CAHSEE)
- Greenfield High School Algebra 1 Diagnostic Test Results
- SMART goal data
- CM walkthroughs with curriculum coach
- Collegial Learning Walks
- Administrative Walk-throughs

Student Data disaggregated by:

- Grade Level: passing scores for Mathematics portion of California High School Exit Exam (CAHSEE) of 10th graders

What process will you use to monitor and evaluate the data?

1) Tests will be administered. 2) Tests will be scored. 3) Data will be disaggregated and analyzed by math teachers according to student performance levels. 4) Weak areas will be identified. 5) It will be determined whether the weak areas need to be re-taught or simply reviewed and CM strategies utilized. 6) Revised assessments will be administered to determine if there is improvement in weak areas.

Actions to improve achievement to exit program improvement (if applicable).

Create SMART Goals based on benchmarks and common assessments in departments during collaboration. SMART Goal cycles include data results of common assessments prior to and after teaching a CAHSEE power strand to include before and after data of significant CAHSEE-prep student subgroups through the use of USA Test Prep. Teachers collaborate around the creation of the SMART goals and the common formative assessments and the results during PLCs. The SMART goal will include the CM teaching strategies to be utilized during the cycle and next steps. SMART goal cycles will occur twice per semester per department during the school year.

Action Title: Update benchmarks

Means of Achievement: Alignment of instruction with content standards

Tasks :

- Create and revise CAHSEE prep and math pacing guides,
 - Modify quarterly benchmarks to include CST/CAHSEE-related questions
 - Review CST/CAHSEE questions, standards, pacing guides, blueprints.
 - Collaboration time
 - Review CST/CAHSEE data
 - Review benchmark data
 - Provide after school tutoring specific to CAHSEE from teachers and peers
- CM walk throughs,
Collegial Learning walks,
Students create attainable goals

Measures :

- Emphasis of CAHSEE concepts in pacing and assessment guides
- Analysis of scores for quarterly benchmarks
- Principal and Vice Principal walk through observation sheets

Utilization of USA Test-prep and SchoolPlan databases,
SMART goal data

People Assigned :

- All Math teachers,
- PLCs,
- Principal
 - Vice Principal
- CM Coach, Admin Coach, Gear Up, Migrant Ed

Start Date : 8/7/2012

Completion Date : 6/1/2013

Funding Resources	Related Expenditures	Estimated Cost
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Software License	\$2,000

Goal Area: English Language Arts

Goal Title: WASC Goal 10: Improve schoolwide student achievement in English Language Arts

By June 2013, student data will indicate a growth of 5 percentage points from 33% to 38% as measured by the 2012-13 CST English Language Arts results through the continued implementation of Greenfield High School's standards based curriculum.

Strategic Goal:

For each grade level, the spring 2013 CST results will indicate a growth of 5 percentage points of students of each significant subgroup to the Basic Level to Proficient or Advanced on the English Language Arts portion of the test.

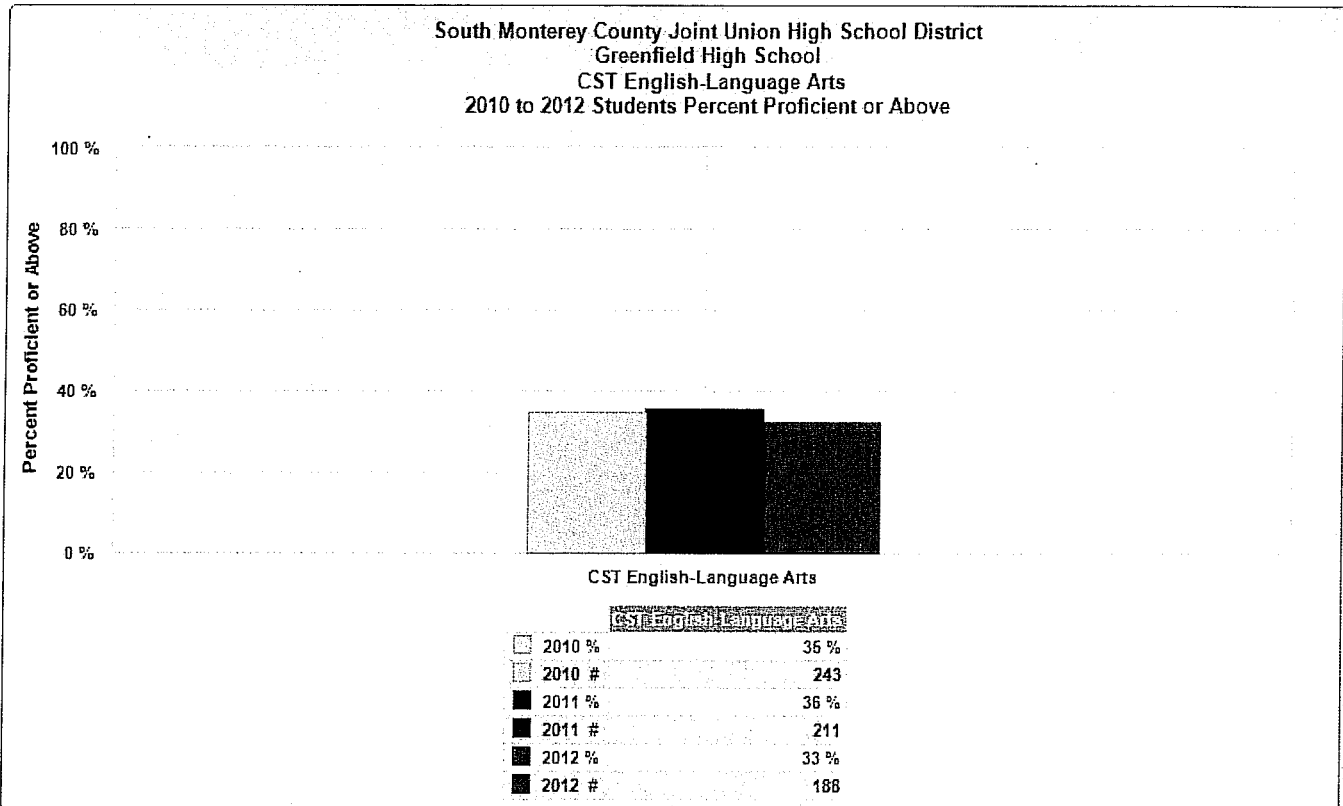
Intensive Goal:

For each grade level, the spring 2013 CST results will indicate a growth of 5 percentage points of students from either Far Below Basic to Below Basic or from Below Basic to Basic on the English Language Arts portion of the test.

Essential Program Components										
EPC#	1	2	3	4	5	6	7	8	9	10
Have		✓	✓		✓	✓	✓	✓	✓	✓

What data did you use to form this goal (findings from data analysis)?

The 2011-2012 English Language Arts CST data was used.



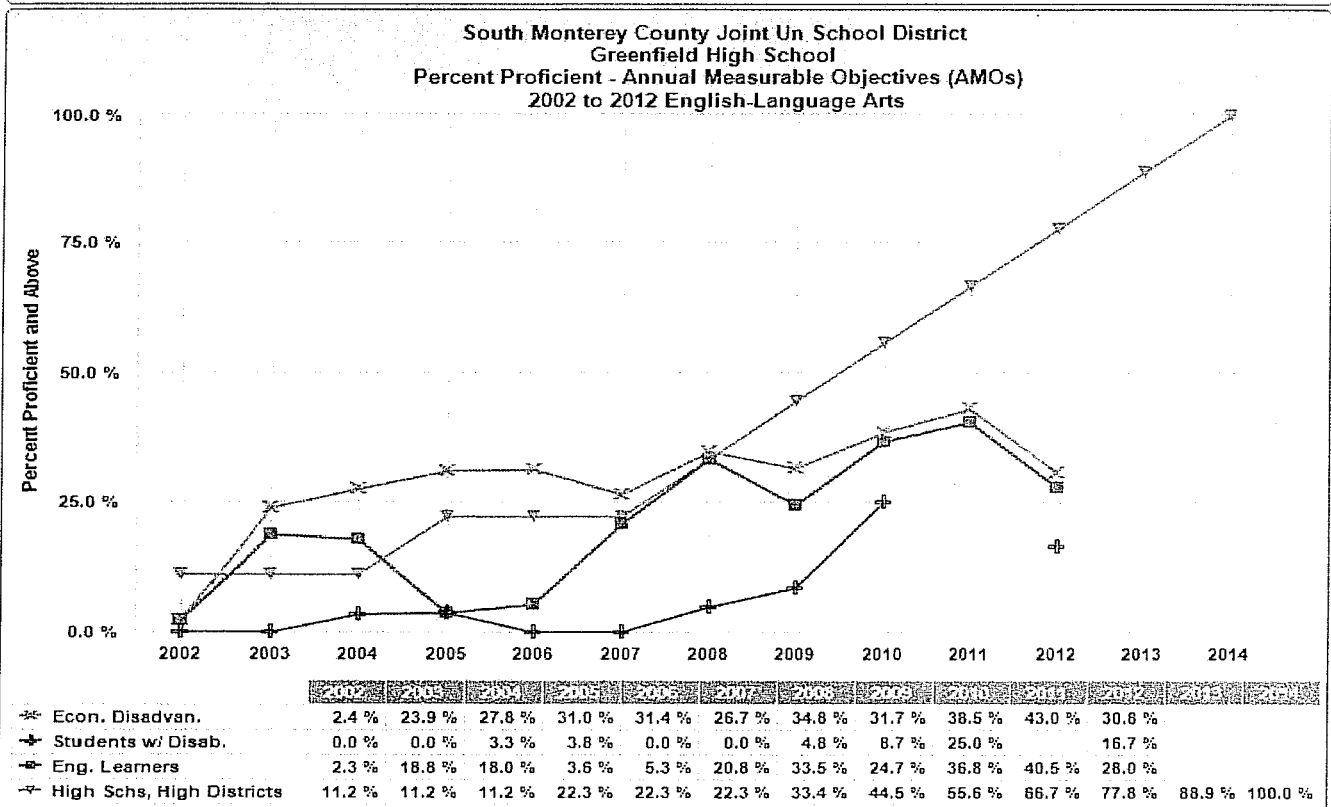
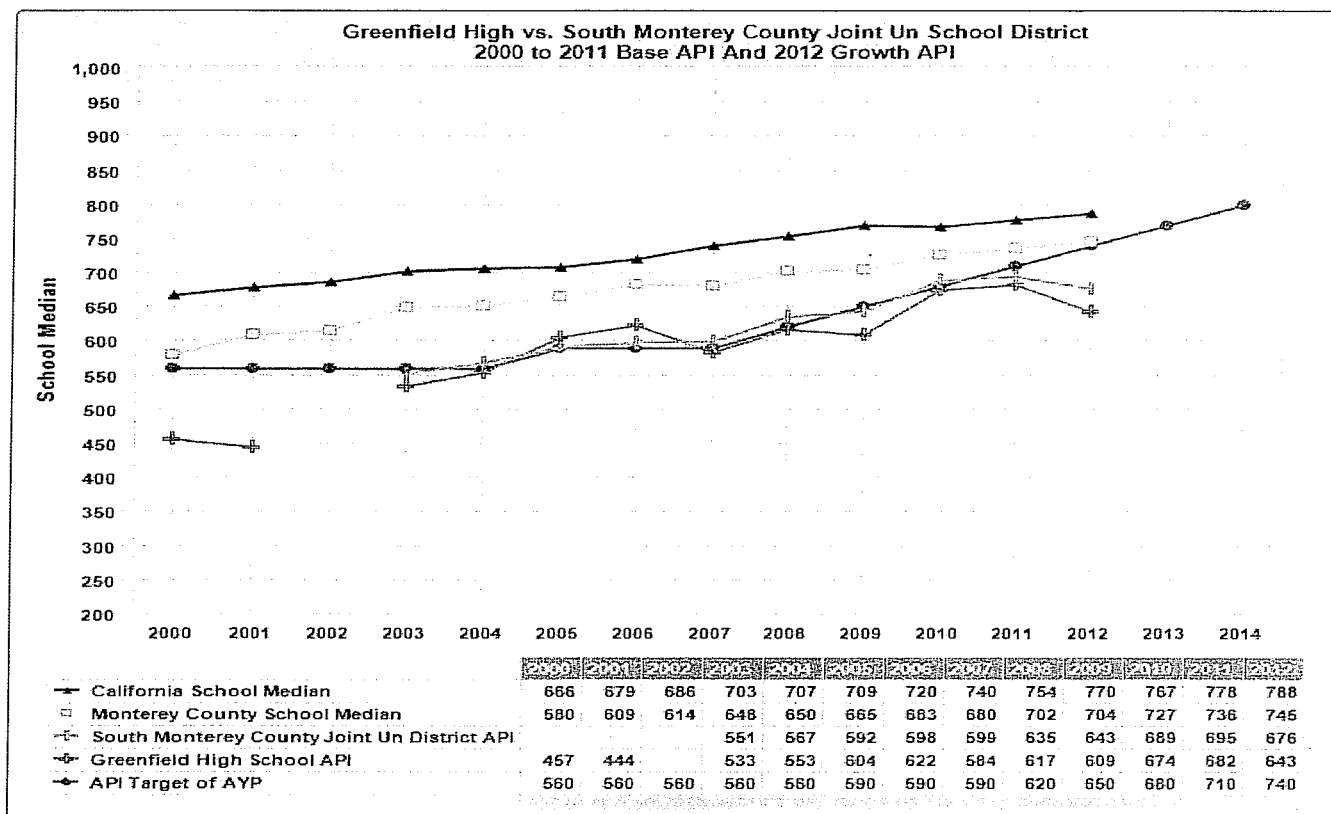
How does this goal align to your Local Educational Agency Plan goals?

Greenfield High School met 9 of the 18 AYP criteria. One of the LEA plan's objective is that schools will meet the state target growth for API, AYP and graduation rates. The LEA plan shows the need for the school to support significant subgroups of ELs, socio-economically disadvantaged and Hispanic students. The curriculum coach will assist certificated staff in CM strategies designed to improve student engagement and increase instructional rigor in the classroom. The services of the administrative and curriculum coaches will be utilized to promote the achievement of this goal.

What did the analysis of the data reveal that led you to this goal?

From 2006-07 to 2011-12, Greenfield High School's API has increased from 584 to 643. The economically disadvantaged student subgroup moved from 26.7% proficient to 30.8% proficient (4.1 percentage points). The English Learner subgroup moved from 20.8% proficient to 28% proficient (7.2 percentage points). From 2009, the English Language Arts CST results indicate a growth of 11 percentage points from 22% proficient to 33% proficient. The data reveals that Greenfield High School is making progress in moving students out of the Far Below Basic and Below Basic categories to the Basic category, yet the data also reveals that our students are not moving consistently from the Basic category into Proficient and Advanced. Greenfield High School did not meet the participation rate for ELA on the CSTs.

Greenfield High 2012-13
Single Plan For Student Achievement Report



Which stakeholders were involved in analyzing data and developing this goal?

Greenfield High 2012-13 Single Plan For Student Achievement Report

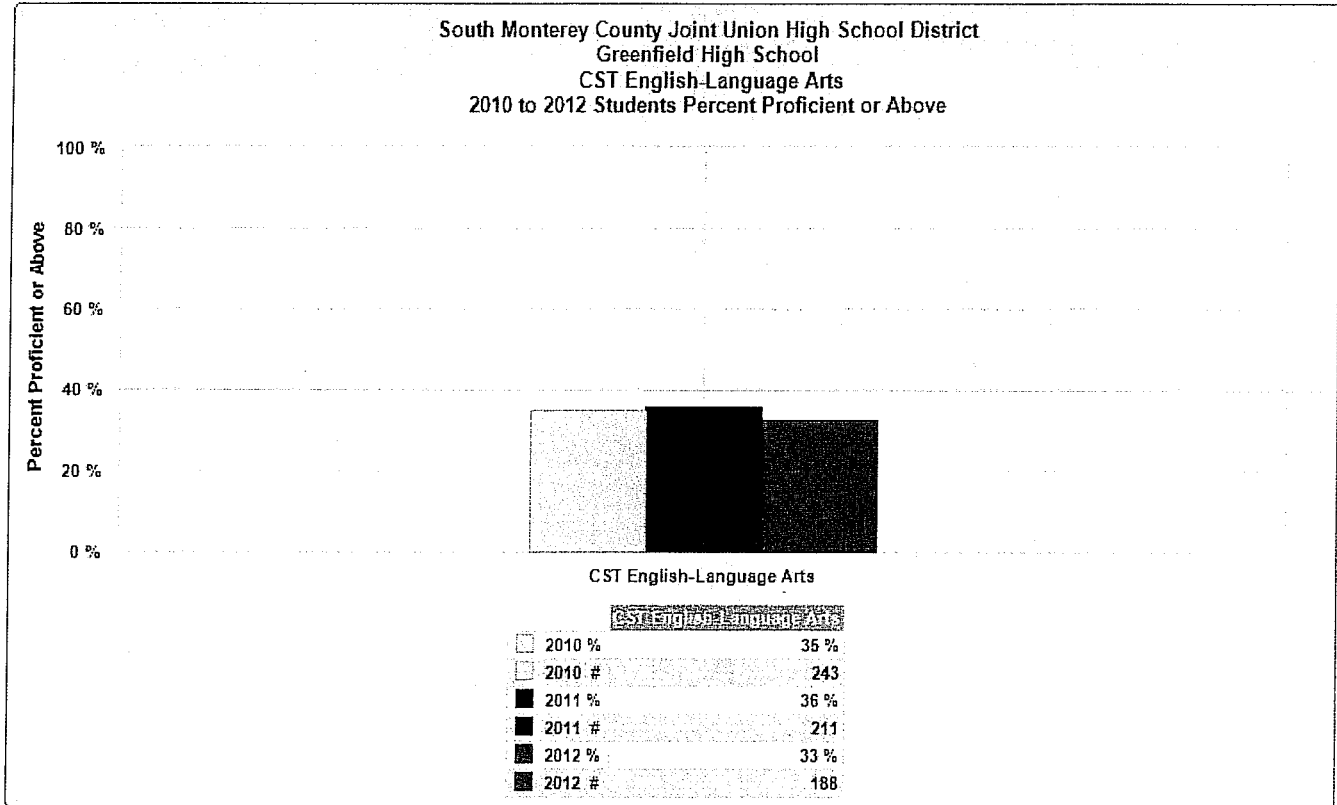
The English department and administration of Greenfield High School analyzed and developed this goal.

Who are the focus students?

All students enrolled in a core English Language Arts course at Greenfield High School will be included in this goal.

What is the expected growth?

- Socioeconomically Disadvantaged: from 32% to 37% for a growth of 5 percentage points
- Hispanic: from 32% to 37% for a growth of 5 percentage points
- English Learners: 1% to 6% for a growth of 5 percentage points
- English 9th Grade: from 30% to 35% for a growth of 5 percentage points
- English 10th Grade: from 30% to 35% for a growth of 5 percentage points
- English 11th Grade: from 39% to 44% for a growth of 5 percentage points



What data will be collected to measure student achievement?

The following assessments will be used to evaluate student progress:

- CST in English Language Arts

Other measurement tools will also be used to monitor student progress:

- CELDT
- CAHSEE
- Local Assessments will include a benchmark assessment for writing standards given four times a year.
- Quarterly benchmarks for each grade level,

Common formative assessments through USA test prep, results disaggregated per proficiency level per significant subgroup through SchoolPlan.

What process will you use to monitor and evaluate the data?

To monitor student achievement in English Language Arts, teachers and instructional coach will review annual and benchmark assessment data. Teachers will also utilize research-based strategies including EDI and CM and pacing guides to move students to higher academic levels. In addition, staff members will collaborate to discuss strategies and student models that have been successful, with the assistance of the instructional coach. Teachers will analyze student work to determine mastery and identify standards that need to be retaught.

Actions to improve achievement to exit program improvement (if applicable).

Increase participation rate during CST administration to meet AMO participation rate. Create SMART Goal cycles to include before and after data of EL and EO students based on benchmarks and common assessments of power standards through the use of USA test prep. Cycles will occur twice per semester per department during the school year. Teachers collaborate around the creation of the SMART goals and the common formative assessments and the results during PLCs. The SMART goal will include the CM teaching strategies to be utilized during the cycle and next steps per level achieved.

Action Title: Instructional Pacing Guides, Benchmark Assessments to raise student achievement

Means of Achievement: Alignment of instruction with content standards

Tasks :

- Create and modify instructional pacing guides for each grade level
- Create and modify quarterly benchmarks and common formative assessments for each grade level
- Correctly identify and appropriately place students in corresponding English courses
- English SDAIE and Strategic course for Basic, Far Below Basic and Below Basic students
- READ 180 implemented for intensive intervention for students who score Far Below Basic
- Collaboration time focused on research based instructional strategies and PLCs to inform instruction based on data
- Review CST data

Utilize CM strategies in the classroom

Provide after school tutoring

Provide Credit Recovery, ELA, ELD and Math support classes after school

Measures :

- Pacing and assessment guide for each grade level
 - Analysis of scores of quarterly benchmarks and common formative assessments
 - Lesson plans
 - Administrative walk through observations,
- Collegial learning walks,
CM walk-throughs with curriculum coach

People Assigned :

- Principal
- Assistant principal
- English teachers
- Curriculum Coach

Start Date : 8/7/2012

Completion Date : 6/1/2013

Funding Resources	Related Expenses	Estimated Cost
Economic Impact Aid: Limited English Proficiency (LEP)	Salaries and Benefits for English Language Support Teachers	\$30,000

Goal Area: English Language Arts

Goal Title: WASC Goal ID: Improve 10th grade student achievement on the ELA portion of the CAHSEE

By June 2013, student data will indicate that there will be a 5 percentage point increase in the passing rate for the English Language Arts portion of the CAHSEE from 64% to 69% among all 10th grade students at Greenfield High School.

Strategic Goal: By June 2013, Economically Disadvantaged student data will indicate that there will be a 5 percentage point increase in the passing rate for the English Language Arts portion of the CAHSEE from 61% to 66%.

Interventions:

- Standards-based curriculum
- After school tutoring
- After school ELA support classes
- CAHSEE prep classes offered during the school day

Persons Responsible:

- Teachers
- Student Services Coordinator
- Counselor
- Site administration

Methods to Access and Evaluate Evidence:

- CST Data
- CAHSEE Results
- Grades
- CELDT test
- Scholastic Reading Inventory (SRI) test
- Benchmark tests

Resources:

- Supplemental Materials for basic educational needs
- Updated state adopted textbooks
- READ 180
- CAHSEE computer program
- EL curriculum and materials (EDGE program)
- Smart boards and document cameras
- Computer lab and iPads
- Supplemental materials for state adopted texts
- Enrichment activities
- Training in researched-based instructional strategies during collaboration days
- GEAR-UP tutors

Intensive Goal: By June 2013, English Learner student data will indicate that there will be a 5 percentage point increase in the passing rate for the English Language Arts portion of the CAHSEE from 21% to 26%.

Interventions:

- Standards-based Curriculum
- After School Tutoring
- After School CAHSEE support classes
- CAHSEE prep class offered during the school day

Persons Responsible:

- Teachers
- Student Services Coordinator
- Counselor
- Site Administration
- GEAR-UP Program

Methods to Assess and Evaluate Evidence:

- CST Data
- CAHSEE Results
- Grades

- CELDT test
- Benchmark tests
- Scholastic Reading Inventory (SRI) test

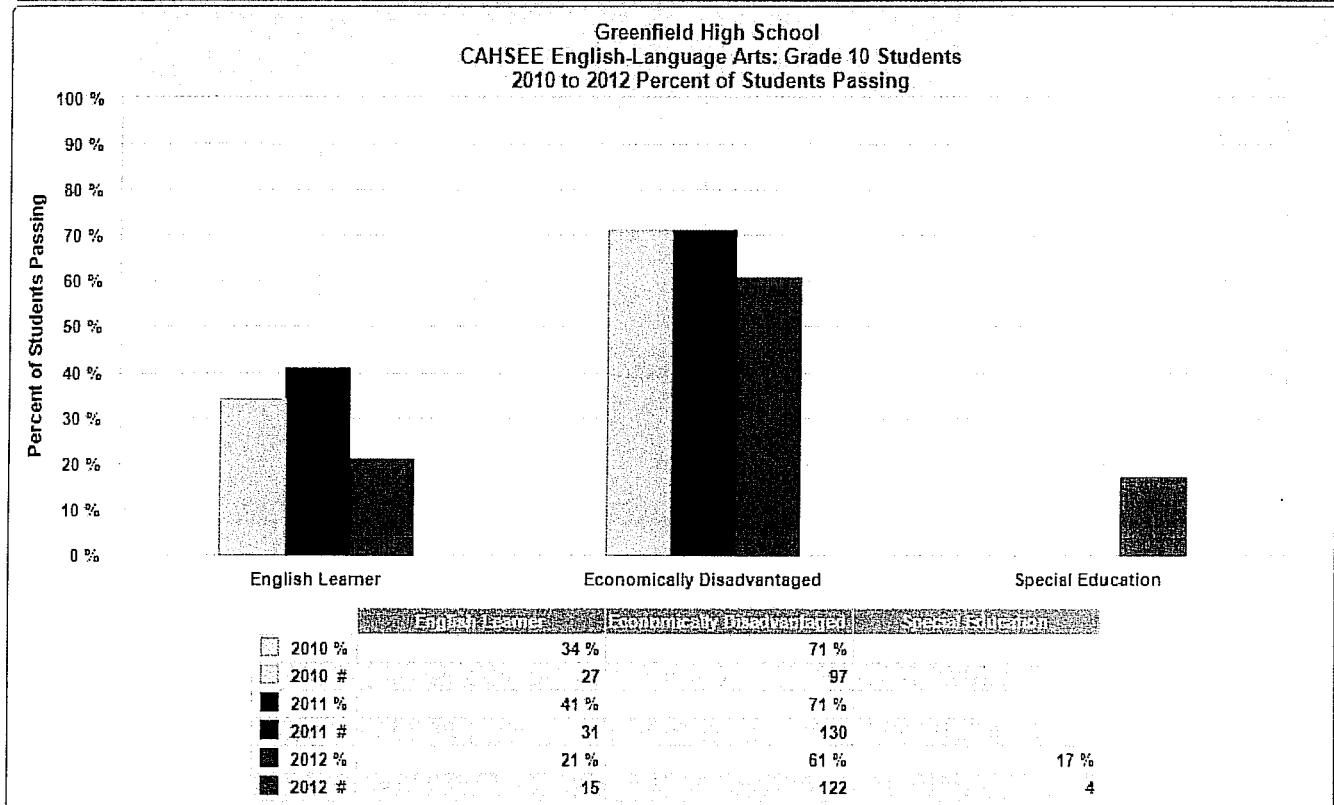
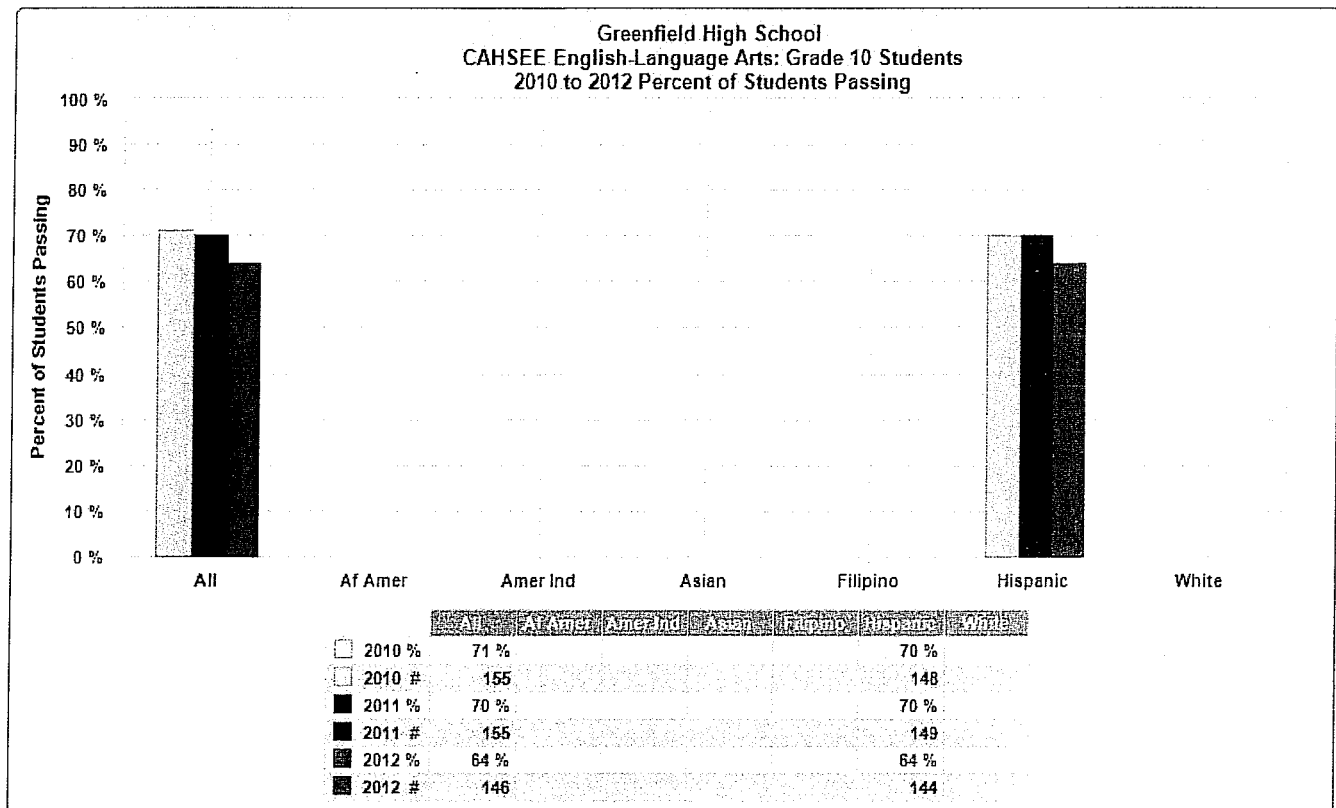
Resources:

- Supplemental Materials for basic educational needs
- Updated state adopted textbooks
- READ 180
- CAHSEE computer program
- EL curriculum and materials (EDGE program)
- Smart boards and document cameras
- Computer lab and iPads
- Supplemental materials for state adopted texts
- Enrichment activities
- Training in researched based instructional strategies during collaboration days
- GEAR-UP tutors

Essential Program Components									
EPC#	1	2	3	4	5	6	7	8	9
Have		✓	✓		✓	✓	✓	✓	✓

What data did you use to form this goal (findings from data analysis)?

The English Language Arts Department and site administration used 2011-2012 CAHSEE data for the English Language Arts portion to form this goal.



How does this goal align to your Local Educational Agency Plan goals?

Greenfield High 2012-13

Single Plan For Student Achievement Report

The district's LEA plan addresses the need to increase student achievement and graduation rates. The CAHSEE is an essential component in that goal. The district and Greenfield High School provide CAHSEE preparation and intervention for identified students.

What did the analysis of the data reveal that led you to this goal?

An analysis of this data revealed that our English Learner population is still significantly behind on passing the English Language Arts portion of the CAHSEE on their first attempt. The analysis also revealed that Greenfield High School is still behind the Monterey County average for 10th graders passing on their first attempt.

Which stakeholders were involved in analyzing data and developing this goal?

Greenfield High School English Department and administration were involved in analysis and development of this goal.

Who are the focus students?

All students enrolled in a 9th or 10th grade English Language Arts or English Language Development or English CAHSEE prep classes at Greenfield High School will be included in this goal.

What is the expected growth?

GHS student data will indicate that there will be a 5 percentage point increase in the passing rate for the English Language Arts portion of the CAHSEE from 64% to 69% of all 10th grade students at Greenfield High School.

What data will be collected to measure student achievement?

The following assessments will be used to evaluate student progress:

- CAHSEE English Language Arts test results

Other measurement tools will also be used to monitor student progress:

- CELDT
 - CST
 - Local Assessments will include a benchmark assessment for writing standards given four times a year.
 - Scholastic Reading Inventory (SRI) test,
- SMART goal data

What process will you use to monitor and evaluate the data?

To monitor and evaluate the data, all English teachers will review 2012 ELA CAHSEE results. We will review the areas where we were successful. We will also explore strategies to improve our weak areas. Additionally, we will review other assessment data including local assessments, common formative assessments and CSTs. CM strategies will be implemented to teach academic language and improve oral and written English language skills.

Actions to improve achievement to exit program improvement (if applicable).

Create SMART Goals based on benchmarks and common assessments in departments during collaboration. SMART Goal cycles include data results of common assessments prior to and after teaching a CAHSEE power strand to include before and after data of significant CAHSEE-prep student subgroups through the use of USA Test Prep. SMART goal cycles will occur twice per semester per department during the school year. Teachers collaborate around the creation of the SMART goals and the common formative assessments and the results during PLCs. The SMART goal will include the CM teaching strategies to be utilized during the cycle and next steps.

Action Title: All Students on Diploma Track Pass ELA CAHSEE

Means of Achievement: Alignment of instruction with content standards

Tasks :

- Create and modify instructional curriculum map
 - Create and modify benchmarks
 - After school tutoring
 - English SDAIE and Strategic courses for Far Below Basic and Below Basic students
 - CAHSEE prep English classes in the master schedule for junior and senior students who have not yet passed the high school exit exam
 - Correctly identify and place students into the CAHSEE prep classes
 - Review the CAHSEE data,
- Implement and maintain the use of CM Strategies,
Students set goals with steps on how to reach the goals

Measures :

- CAHSEE test results
 - USA Test Prep
 - Curriculum map and assessment guide for each grade level
 - Analysis of scores for quarterly benchmarks
 - Lesson plans
 - Administrative walk throughs
- CM curriculum Coach Support and Walk throughs
Collegial Learning Walks,
Student goal samples,
AVID program

People Assigned :

- Principal
- Assistant principal
- English teachers,
- Counselor,
- Curriculum Coach,
- Admin Coach,
- Gear Up,
- Migrant Ed

Start Date : 8/7/2012

Completion Date : 6/1/2013

Funding Resources	Related Expenditures	Estimated Cost
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Salaries and benefits for CAHSEE support teachers	\$8,000

Goal Area: English Language Arts

Goal Title: WASO Goal 1E: Close the achievement gap of English Learners (WASO Policy 404.6)

By June 2013, English Learner student data will indicate a 5 percentage point increase in achievement levels on the CELDT test.

Strategic Goal:

By June 2013, English Learner student data will indicate a 5 percentage point increase (from 37% to 42%) in students achieving Early Advanced and above on the CELDT test.

Intensive Goal:

By June 2013, English Learner student data will indicate a 5 percentage point decrease (from 25% to 20%) in students achieving Early Intermediate or below on the CELDT test.

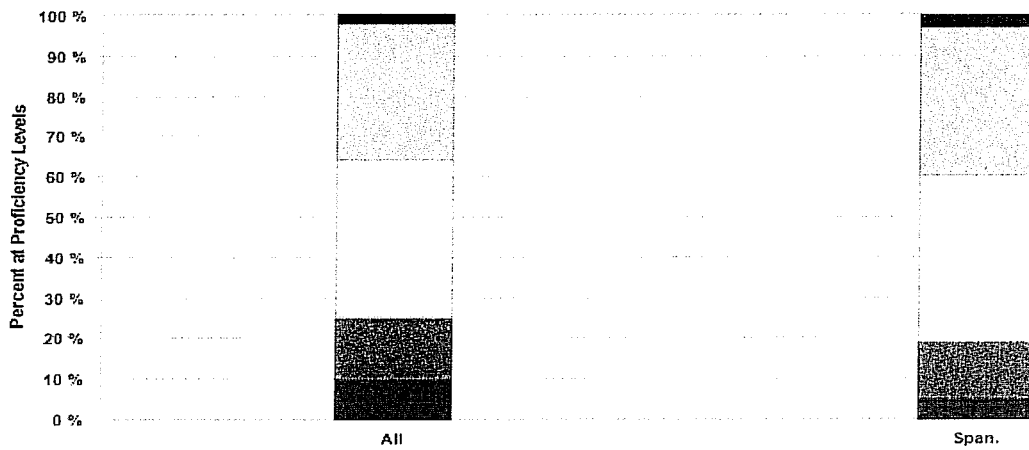
Essential Program Components

EPG#	1	2	3	4	5	6	7	8	9
Have	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>							

What data did you use to form this goal (findings from data analysis)?

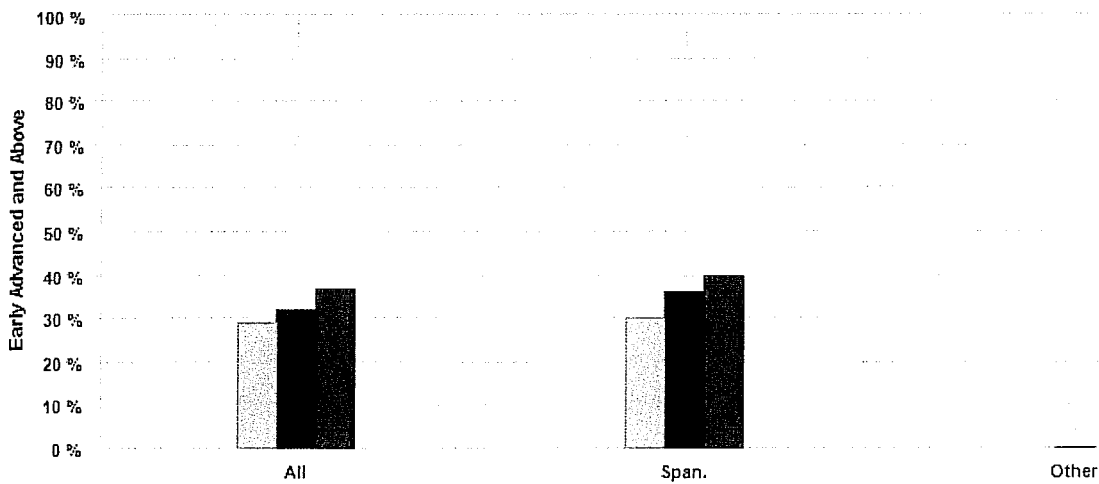
2011-12 CELDT test data was studied to form this goal.

Greenfield High School
CELDT – Annual Assessment by Primary Language
2012 Percent of Students at Each Overall Proficiency Level



	All	Span.
Beginning %	10 %	5 %
Beginning #	26	11
Early Intermediate %	15 %	14 %
Early Intermediate #	40	34
Intermediate %	39 %	41 %
Intermediate #	104	99
Early Advanced %	34 %	37 %
Early Advanced #	90	89
Advanced %	3 %	3 %
Advanced #	8	8

Greenfield High School
California English Language Development Test (CELDT)
2010 to 2012 Early Advanced and Above



	All	Span.	Other
2010 %	29 %	30 %	0 %
2010 #	89	88	0
2011 %	32 %	36 %	0 %
2011 #	94	92	0
2012 %	37 %	40 %	0 %
2012 #	98	97	0

How does this goal align to your Local Educational Agency Plan goals?

Greenfield High School met 9 of the 18 AYP criteria. One of the LEA plan's objective is that schools (including significant subgroups) will meet the state target growth for API, AYP and graduation rates. The district criteria for EL's and the Hispanic population in English language arts was not met. The LEA plan recommends the need for the school to adapt to support these subgroups. Support provided in the plan includes the development and implementation of an EL plan, identification of students and proper placement within English language development courses, and staff development training regarding ELD strategies.

What did the analysis of the data reveal that led you to this goal?

The analysis of the 2011-12 CELDT data revealed that Greenfield High School students are achieving a level of Intermediate, but are becoming stagnated at that level. This seems to indicate the need for our course offerings and pacing guides to provide a more rigorous curriculum to ensure these students move to higher proficiency levels.

Which stakeholders were involved in analyzing data and developing this goal?

English Department, Department Chairs and administration were involved in analysis and development of this goal.

Who are the focus students?

All English Learners are the focus students for this goal.

What is the expected growth?

Our goal is providing for a 5 percentage point growth on the CELDT among all English Learners.

What data will be collected to measure student achievement?

2012-13 CELDT results will be collected and analyzed to track student achievement.

What process will you use to monitor and evaluate the data?

Student data will be monitored and evaluated as part of our academic placement process. Development of an English Learner plan is essential so that student achievement can be assessed to ensure proper placement and growth for this subgroup. This year, Greenfield High School created a two-period non-interrupted block class for each ELD level. Those classes are scheduled at the same time of the school day to allow for greater flexibility for appropriate student placement. We will continue to monitor student achievement within those classes at the semester point and make appropriate changes. Through this process we will also be analyzing CST and CELDT results to ensure we are redesignating students.

Actions to improve achievement to exit program improvement (if applicable).

Each department will create SMART Goals based on benchmarks, common assessments and CELDT data twice per semester and will analyze and evaluate results of EL students and use data from the SMART goals to direct instruction.

Action Title: Correct Identification and Placement of English Learners

Means of Achievement: Alignment of instruction with content standards

Tasks :

Identify and place EL students in classes appropriate to their EL level within the master schedule. Revise student schedules per most recent CELDT score.

- Students who scored CELDT level 1 or 2 (Beginning - Early Intermediate) are to be placed in ELD 1/2 for a two period non-interrupted block of ELD
- Students who scored CELDT level 1 or 2 (Beginning - Early Intermediate) are to be placed in SDAIE core classes.
- Students who scored CELDT level 3 (Intermediate) are to be placed in ELD 3 for a two period non-interrupted block.
- Students who scored CELDT level 1-3 may be placed in a higher English class if they scored proficient or advanced on the CST.
- Students who have scored level 3 (Intermediate) on the CELDT for 2 or more consecutive years and have not been reclassified are to be placed in a grade level SDAIE class for a two period non-interrupted block.
- Students who scored Below Basic on the CST are to be placed in a core English class with an additional strategic English class in a non-interrupted block.
- Students who score Far-Below Basic on the CST will be placed in a two period non-interrupted block of Read 180 class.
- Students who score Basic on the CST are placed in a college prep English class.

Create appropriate class sections in master schedule

Staff with personnel to teach the SDAIE, ELD and Read-180 class sections.

Measures :

- CST data
- Benchmark assessments
- Curriculum maps
- Lesson plans
- CAHSEE data
- CELDT data,
- SMART Goal data

People Assigned :

- State Administrator
- Principal
- Assistant principal
- Teachers
- Counselor,
- EL Coordinator/Curriculum Coach

Start Date : 8/7/2012

Completion Date : 6/1/2013

Funding Resources	Related Expenditures	Estimated Cost
Economic Impact Aid: Limited English Proficiency (LEP)	Salaries and Benefits for EL Support, Read 180, CAHSEE Class, Support ELA Classes and Materials	\$30,000

Goal Area : WASC

Goal Title : WASC Goal 2: Refinement and modification of benchmark and curriculum maps

Benchmarks and curriculum maps are regularly updated and modified contingent upon data obtained from formative and summative assessments and improvements in curriculum.

EPCC#	Essential Program Components								
	1	2	3	4	5	6	7	8	9
Have	✓	✓	✓		✓	✓	✓	✓	

What data did you use to form this goal (findings from data analysis)?

CST data and CAHSEE data was used to form this goal.

How does this goal align to your Local Educational Agency Plan goals?

The LEA plan indicates the need for revisions and continued implementation of district wide benchmark assessments and pacing guides in order to improve student achievement. District benchmarks are being implemented and aligned to the CAHSEE, EAP and the common core standards.

What did the analysis of the data reveal that led you to this goal?

The analysis of data revealed the need for a more rigorous curriculum in our college prep English classes to move students from the Basic category to the Proficient and Advanced categories as measured by the CSTs.

Which stakeholders were involved in analyzing data and developing this goal?

Greenfield High School staff and administration analyzed data and developed this goal.

Who are the focus students?

All students of all grade levels will participate in this goal.

What is the expected growth?

The anticipated average growth on the CSTs for all groups is 5 percentage points.

What data will be collected to measure student achievement?

- CST data
- Benchmark assessments
- Curriculum maps
- Lesson plans
- CAHSEE data
- CELDT data

What process will you use to monitor and evaluate the data?

Each year teachers and administrators will review assessment data to make modifications to existing benchmarks and curriculum maps. Modifications will be evidenced by lesson plans, administrator classroom walk-throughs, CM strategy implementation and new assessment data.

Actions to improve achievement to exit program improvement (if applicable).

Improve academic achievement through rigorous, standards-based, engaging instruction.

Action Title: Use data to drive instruction (WASC Schoolwide Critical Area for Follow-up #4)

Means of Achievement: Alignment of instruction with content standards

Tasks :

Software Licenses are purchased and provided by a companies entitled SchoolPlan, which houses the school's data, and USA Test Prep, which provides standards-based question banks and teacher-generated standards-based assessments.

- Review CST data and released test items from the previous year. Revise benchmark exams to reflect CST format.
- Revise curriculum maps in all subject areas.
- Continue to discuss and analyze data as a faculty to better understand what the numbers indicate and to determine how teachers can use the data to improve instruction.
- USA Test Prep software
- SchoolPlan data analysis software
- Creating a data team on campus to assist teachers in analyzing and disaggregating data.
- Create and revise standardized curriculum maps and benchmark testing.
- Departmental time during collaboration days to analyze data, benchmark tests, and curriculum maps.
- Create departmental SMART goals twice per semester based on data comparisons of formative and summative assessments and analyzed significant subgroups and proficiency levels.

Measures :

- CST scores
 - CAHSEE results
 - Benchmark tests
 - Grades
 - Training sign in sheets and agendas
 - Department minutes and agendas
 - Powerpoints and handouts from meetings
- Revisions in curriculum maps to reflect academic language and CM strategies,
SMART goal sheets

People Assigned :

- State Administrator
 - Principal
 - Assistant principal
 - All teachers
- Curriculum Coach

Start Date : 8/7/2012

Completion Date : 6/1/2013

Funding Resources	Related Expenditures	Estimated Cost
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Software Licenses	\$2,000

Goal Area: WASC

Goal Title: WASC Goal 3: Collaboration time for vertical and horizontal articulation

Staff will be assigned time for interdepartmental, intradistrict, and interdistrict collaboration.

Essential Program Components

EPSC#	1	2	3	4	5	6	7	8	9
Have		✓	✓		✓	✓	✓	✓	✓

What data did you use to form this goal (findings from data analysis)?

The 2011-2012 English Language Arts and Mathematics CST and CELDT data was used.

How does this goal align to your Local Educational Agency Plan goals?

The LEA plan addresses the need that collaboration time is valuable and must be used effectively to address professional development goals. Vertical and horizontal collaboration will be used as a tool to increase student achievement.

What did the analysis of the data reveal that led you to this goal?

As evidenced by the 2012 English Language Arts CST scores, Greenfield High School students are moving out of the Far Below Basic and Below Basic categories, but are failing to advance to Proficient and Advanced categories. As evidenced by the 2012 CELDT scores, our students are moving into the Intermediate category, but are failing to move into the Early Advanced and Advanced categories. The use of collaboration time to continue to adapt our curriculum is essential to further student achievement.

The 2012 CST mathematics scores showed an increase in performance. Although the target goal wasn't met, the data indicates improvement. The target goal for next year doesn't reflect as large of an increase as last year but the growth is still projected.

Which stakeholders were involved in analyzing data and developing this goal?

Greenfield High School staff and administration developed this goal to address WASC concerns.

Who are the focus students?

All students of all grade levels will be the focus of this goal.

What is the expected growth?

The anticipated average growth on the CSTs for all groups is 5 percentage points.

What data will be collected to measure student achievement?

- CST data
- Benchmark assessments
- Curriculum maps
- Lesson plans
- CAHSEE data
- CELDT data

PLC minutes, sign-ins, agendas and next steps

What process will you use to monitor and evaluate the data?

Staff and administration will collect and produce collaboration time minutes, pacing guides, and benchmarks as evidence for the process of collaboration. We will continuously review our test data to drive our future collaboration.

Actions to improve achievement to exit program improvement (if applicable).

Action Title: Focus on research based instructional strategies (WASC Schoolwide Critical Area for Follow-up #5)

Means of Achievement: Staff development and professional collaboration

Tasks :

- Prioritize implementing teacher training on research based strategies: school-wide note taking, cooperative learning, nonlinguistic representation (graphic organizers), reciprocal teaching, CM and EDI.
- AVID summer institute or trainings.
- Coordinate with all departments to help support ELA writing applications and strategies with an emphasis on non-fiction reading.
- Coordinate with all departments to implement the use of sentence frames.
- Coordinate with all departments to implement the use of Cornell notes.
- Coordinate with all departments to implement the use of Constructing Meaning Strategies and Materials for English Learners.
- Use curriculum maps and current standards to compare with, study and implement the Common Core Standards into curriculum.

Train teachers on ELA and math support across all curricular domains

Measures :

- CST / CAHSEE improvement
- Benchmark improvement
- Overall academic improvement
- Collaboration minutes, sign-ins, agendas and next steps
- Lesson plans,

Learning objectives,

PLC Learning Walks timesheets and peer support sheets,

CM Learning Walks and observation sheets,

ELA Benchmark calibration across all curricular domains to support ELA across the curriculum,

Critical thinking and problem solving within lessons and instructional delivery throughout all curricular domains to support mathematics across the curriculum,

Professional development and PLC minutes, agendas, notes, sign-ins and next steps

People Assigned :

- Principal
- Assistant Principal
- All teachers,

Curriculum Coach, Administrator Coach

Start Date : 8/7/2012

Completion Date : 6/1/2013

Funding Resources	Related Expenditures	Estimated Cost
Economic Impact Aid: Limited English Proficiency (LEP)	Supplemental Instructional Materials, CM Materials	\$5,000

Action Title: Articulate with colleagues within the district and with feeder schools district

Means of Achievement: Staff development and professional collaboration

Tasks :

- Continue developing articulation with Vista Verde Middle School and King City High School to align curriculum maps and benchmarks.
- Establish articulation with Vista Verde Middle School to align curriculum maps and benchmarks and to share instructional practices.
- Collaborate with colleagues within the district and the elementary feeder district by department and across departments during PLCs with focus on student achievement, instructional practices and student engagement.
- Create a sequential curriculum with curriculum maps, pacing guides and benchmarks during articulation.
- Continue training with Instructional coach and administrative coach.
- Train all staff and implement EDI (Explicit Direct Instruction through Universal Design) and CM (Constructing Meaning) strategies.
- Share AVID instructional strategies with all staff during faculty meeting.
- Engage in CELDT analysis across departments during Department meeting.

Measures :

- CST / CAHSEE improvement
- Benchmark improvement
- District and site curriculum maps
- Overall academic improvement per benchmark and CST data
- Staff meeting agendas,
- Committee meeting minutes
- Change in lesson strategies evidenced through CM learning walks and lesson plans
- PLC meeting and Dept. meeting agendas, sign-ins, minutes and next-steps
- CELDT analysis documentation including written strategies for each department

People Assigned :

- State Administrator
- Principal
- Assistant principals
- All teachers
- AVID teacher
- Curriculum Coach
- administrative coach

Start Date : 8/7/2012

Completion Date : 6/1/2013

Finding Resources	Related Expenditures	Estimated Cost
Economic Impact Aid: Limited English Proficiency (LEP)	Substitutes during Articulation	\$1,000

Goal Area - WASC

Goal Title - WASC Goal 4 - Increase sense of ownership, responsibility and belonging at Greenfield HS

Greenfield High School will create a shared sense of responsibility and pride in order to motivate students toward improving academic success.

Essential Program Components

EPs:	1	2	3	4	5	6	7	8	9
Have	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>							

What data did you use to form this goal (findings from data analysis)?

Part of the analysis that led to the formation of this goal was studying the WASC recommendations. Looking at our CST, CAHSEE, and CELDT scores over the course of three years has provided further evidence to the relevance of this goal.

How does this goal align to your Local Educational Agency Plan goals?

The LEA plan outlines strategies to increase parent and community involvement in school. This goal focuses on creating more student and community participation in school-related matters.

What did the analysis of the data reveal that led you to this goal?

Through the WASC process, we discovered that a lack of student engagement in the curriculum is an obstacle in raising our school's test scores. This goal is created to research and implement events to increase student, parent, and community involvement and representation.

Which stakeholders were involved in analyzing data and developing this goal?

Greenfield High School staff and administration were involved in studying data and developing this goal.

Who are the focus students?

All students and parents of all grade levels will be the focus of this goal.

What is the expected growth?

The academic result of an increased sense of student ownership, responsibility, and belonging is hard to anticipate; however, our anticipated average growth on the CSTs for all groups is 5 percentage points.

What data will be collected to measure student achievement?

- CST data
- CAHSEE data
- Attendance reports
- Student grades
- SAT, ACT, and AP scores
- Graduation rates

What process will you use to monitor and evaluate the data?

Staff and administration will monitor student and parent participation in extra-curricular meetings and activities. Administration will review attendance, grades, and graduation rates to determine if there is an increase in student ownership and responsibility resulting from increased parent participation. As a staff and student body, we will also search for increased ways for students and parents to gain ownership and belonging at Greenfield High School. We will also review all test data on an ongoing basis.

Actions to improve achievement to exit program improvement (if applicable).

A sense of ownership and pride in the school will encourage students to perform their best on CSTs as increased opportunities are created for parent and student involvement.

Action Title: Regularly Share Student Performance w/ Parents & Increase Parent Involvy (WASC Critical Follow-up #1)

Greenfield High 2012-13
Single Plan For Student Achievement Report

Means of Achievement: Involvement of staff, parents and community

Tasks :

- Website training for teachers.
- Utilize technology including email and Aeries parent portal to communicate with parents about student achievement.
- Weekly progress reports may be requested by parents/guardians or generated by teacher.
- Parent conferences requested by either teachers or parents/guardians.
- Phone calls to parents/guardians.
- School wide progress reports every five weeks which will include letter grades.
- The marquee will be used to inform community of calendared events, progress reports, and upcoming activities on a regular basis,
 - Promote Cal Grip Grant: 4 Cities for Peace,
 - Develop and maintain school website as a parent communication tool,
 - Principal newsletter on website,
 - Parent Information Nights in conjunction with Police Dept. and community groups each semester
 - Public access to online school calendar of events,
 - Develop ELAC that meets at least every semester,
 - Maintain a functioning School Site Council that meets monthly,
 - Increase ASB activities and events on campus,
 - Use AlertNow telephone communication system,
 - Purchase Student Planners for 2013-14 and provide each student with a planner upon enrollment; the planner is to be used as a school to home communication tool, a school calendar, an organizer, a location in which to record homework assignments and goals and a study tool.

Measures :

- ELAC postings, ballots, agendas and minutes
- SSC postings, ballots, agendas and minutes
- Distribution of Aeries Parent Portal information and instructions
- Five week progress reports
- Sign-in sheets for Aeries training,
 - Sign-in of staff school website training,
 - Website monitored for current information,
 - Committee and event agendas, sign-ins, next-steps, minutes,
 - Club charters and minutes, rallies,
 - School calendar,
 - Newspaper clippings of school-related events,
 - Marquee message changes in marquee computer system,
 - Yearly comparison of activities on campus to measure increase,
 - AlertNow messages,
 - Purchase order for Student Planner

People Assigned :

- Principal
- Assistant principal
- All teachers and staff members
- Parents/Guardians
- Counselor,
 - Gear Up,
 - Athletic Director,
 - Leadership/ASB,
 - Technology Department

Start Date : 8/7/2012

Completion Date : 6/1/2013

Funding Resources	Related Expenditures	Estimated Cost
Economic Impact Aid: Limited English Proficiency (LEP)	Supplies for ELAC & SSC	\$500
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Student Planner	\$2,300

Action Title: Increase student participation in educational development

Means of Achievement: Alignment of instruction with content standards

Tasks :

- Implement a student program that promotes a positive learning atmosphere for the school community:
 - student of the month each month
 - 4.0 reception at close of school year
 - Honor Roll at close of each semester
 - academic rallies / test rally

Meet with each student to devise 4-yr. plan, beginning with Freshmen in the Fall

- Hold a college fair in Winter of 2013
- Math Fair
 - question booths
 - math trivia /quiz show
 - Mathletes
- Promote CST, CAHSEE, PSAT, SAT and AP testing

Measures :

- CELDT and CAHSEE improvement
- Benchmark improvement
- Overall academic improvement as measured by benchmark and CST results
- Increased graduation rate
- Increased college enrollment,

Lesson plans,
Copies of student academic achievement goals,
Honor Roll list and certificates,
Brochures, flyers, postings

People Assigned :

- State Administrator
- Principal
- Assistant principals
- All teachers,
counselor,
students,
Gear Up,
Academic Talent Search

Start Date : 8/7/2012

Completion Date : 6/1/2013

Goal Area - Professional Development

Goal Title - Staff Engages in Prof. Dev. & PLCs to Enhance Instructional Strategies

Staff will engage in professional development consistent with an ongoing effort to improve their teaching strategies, increase student engagement and the learning of all students through Constructing Meaning (CM), Differentiation of Instruction through Universal Design (DIUD), Explicit Direct Instruction (EDI) and CA Common Core Standards (CCCS). The school site will establish, facilitate and maintain PLCs and weekly collaboration day themes consistent with collaboration around CM, DIUD, EDI, and CCCS. in support of moving the school out of program improvement. Data from benchmark exams and common assessments plus cross-curricular training and support will form the basis for SMART goals for each department each semester.

Essential Program Components										
EPCC#	1	2	3	4	5	6	7	8	9	10
Have	✓			✓		✓	✓	✓	✓	✓

What data did you use to form this goal (findings from data analysis)?

Findings indicate that a disproportionate percentage of students of all significant subgroups are performing below the state's proficiency levels in all subject areas.

How does this goal align to your Local Educational Agency Plan goals?

Increase CELDT levels of second language learners and improve student proficiency levels as measured by the CSTs, CAHSEE and CELDT.

What did the analysis of the data reveal that led you to this goal?

The percentage of students below grade level on CSTs and CELDT shows the need for increased student engagement and more rigorous instructional strategies. Student performance in basic skills such as writing, reading comprehension, number sense and algebraic expression are significantly below grade level.

Which stakeholders were involved in analyzing data and developing this goal?

District Office Administration, School Site Administration, School Coach, School Site Council, Site and District Leadership Teams, inter-departmental PLCs, Departmental PLCs, WASC Focus on Learning Teams (FOLTs) and school committees.

Who are the focus students?

PLCs, inter- and intra-curricular support and instructional strategies found in CM, EDI and Differentiation of Instruction contained in this goal benefit all teachers and all students throughout the school.

What is the expected growth?

Increase in proficiency levels as measured by pre- and post-assessment scores on the CSTs, CAHSEE and CELDT. Increase in passing grades on progress reports and report cards.

What data will be collected to measure student achievement?

CST, CAHSEE and CELDT scores to measure growth and trends. SMART goal data sheets and CM walk-through sheets to monitor the use of and frequency of CM strategies throughout all content areas.

What process will you use to monitor and evaluate the data?

Agendas, norms, sign-ins, next steps, PowerPoints, handouts and study materials, Learning Walks, lesson plans, observations, evaluations, and evidence of use of strategies in Differentiation of Instruction, Explicit Direct Instruction and Constructing Meaning. Student success rate after scaffolding CM strategies.

Actions to improve achievement to exit program improvement (if applicable).

Teachers sharing data analysis, CM strategies, student success information and SMART goals promote teachers learning from each other, therefore increasing their skills in what they can offer to students. A deeper skill set will prepare teachers and students for the rigor and depth of the Common Core Standards. Support from the curriculum coach will provide direct assistance to all teachers in EL, CM, lesson planning and goal implementation.

Action Title: PLC Training

Means of Achievement: Staff development and professional collaboration

Tasks :

PLC Training, Vision, Set Norms

Measures :

Observations, Sign-in, Admin. PowerPoint, Hand-outs, Agenda, Completed Worksheets, Written Norms, Next Steps

People Assigned :

School-wide PLCs

Start Date : 8/8/2012

Completion Date : 8/31/2012

Funding Resources	Related Expenditures	Estimated Cost
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	substitute teachers, materials, release time	\$1,000

Action Title: Constructing Meaning Training and Implementation

Means of Achievement: Staff development and professional collaboration

Tasks :

Implement curriculum support through curriculum coach for certificated staff with focus to include CM strategies to enhance language production of EL students through PLC design and instructional practices. Implement administrator coach to support school improvement plan. Training on writing and direct instruction through universal design to reach all levels of EL students to be incorporated into daily lessons to increase language and content learning of EL students. Establish PLC Learning Walks to observe learning goals and phase in of CM strategies in colleagues' classrooms. Phase in at least one component of Constructing Meaning/EDI Training monthly, including but not limited to student learning goals, Cornell notes, graphic organizers, equity sticks, choose and give two meanings, sentence frames, academic language production, think-pair-share and CM strategies.

Measures :

Agendas, sign-in, next steps, learning goal sheets, sample learning goals written for each subject area, sentence frames for different levels of language production, PLC Learning Walk Schedule, observations, SMART Goals comparison of data between ELs and EOs, phase-in of CM Strategies measured by CM walk-through sheets

People Assigned :

School-wide Interdepartmental and Departmental PLCs consisting of all teachers, site administration, EL/CM Instruction coach, administrative coach

Start Date : 9/5/2012

Completion Date : 6/7/2013

Funding Resources	Related Expenditures	Estimated Cost
Economic Impact Aid: Limited English Proficiency (LEP)	Instructional/EL Coach for Certificated, Administrator Coach	\$20,000

Greenfield High 2012-13
Single Plan For Student Achievement Report

Goal Area - Other

Goal Title: Increase the Number of Students Prof. and Adv. in English and Math as Measured by the CSTs

Show adequate yearly progress by making Safe Harbor in 2012-13: reduce the number of students within each significant subgroup who are not yet proficient or advanced by 10% as measured by the CST, gain at least 5 points on the API and make participation rate.

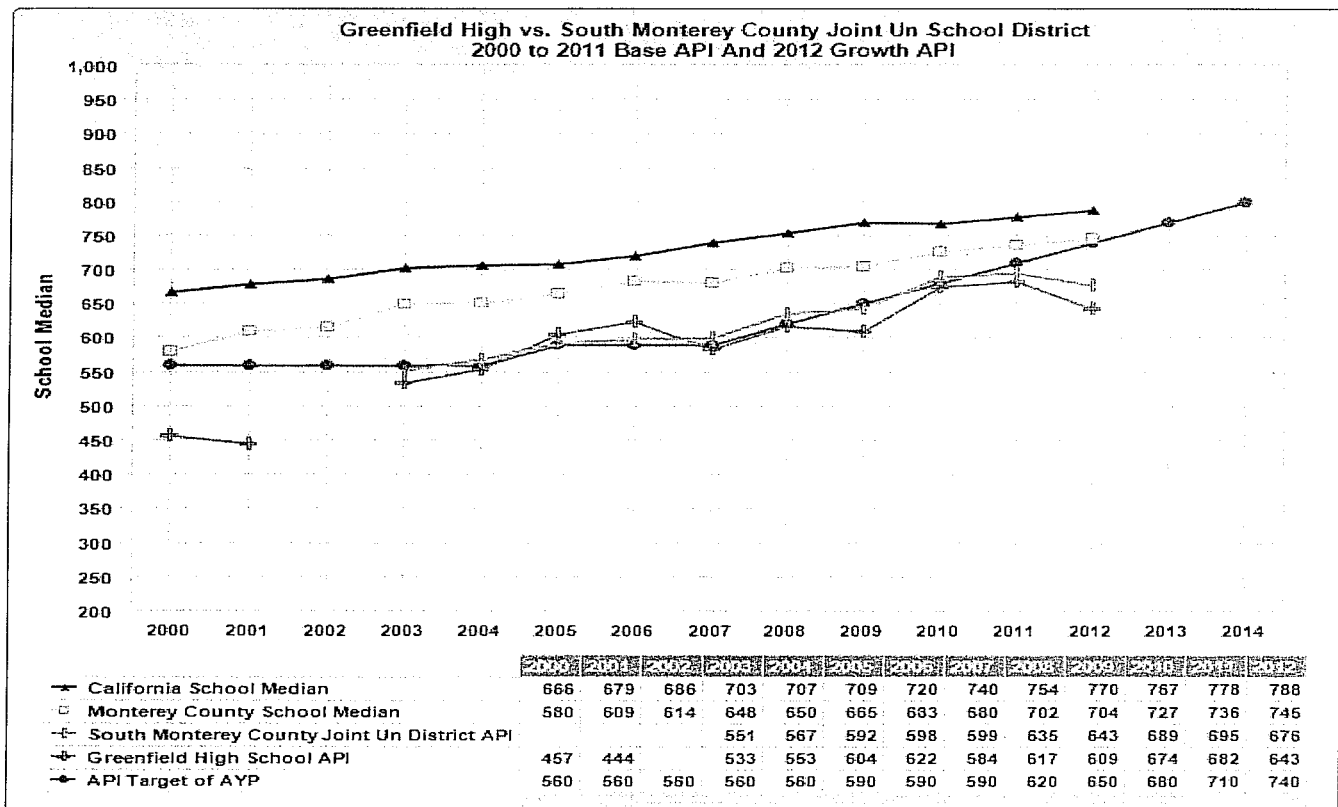
- Establish focus students based on proficiency levels and subgroups in fall of 2012.
- Students set goals and how to attain them in winter of 2013.
- Teachers set and evaluate SMART goals to inform instruction and measure achievement in 2 cycles per semester.
- View previous and current data, determine areas of need, fact-finding during PLCs
 - Per department
 - Per teacher
 - Per school
 - Per subgroup
- Create SMART goals twice per semester in departments based on data from common formative assessments.
- Benchmark comparisons
- Cross-curricular support
- CM
- PLCs
- STAR incentives

Essential Program Components

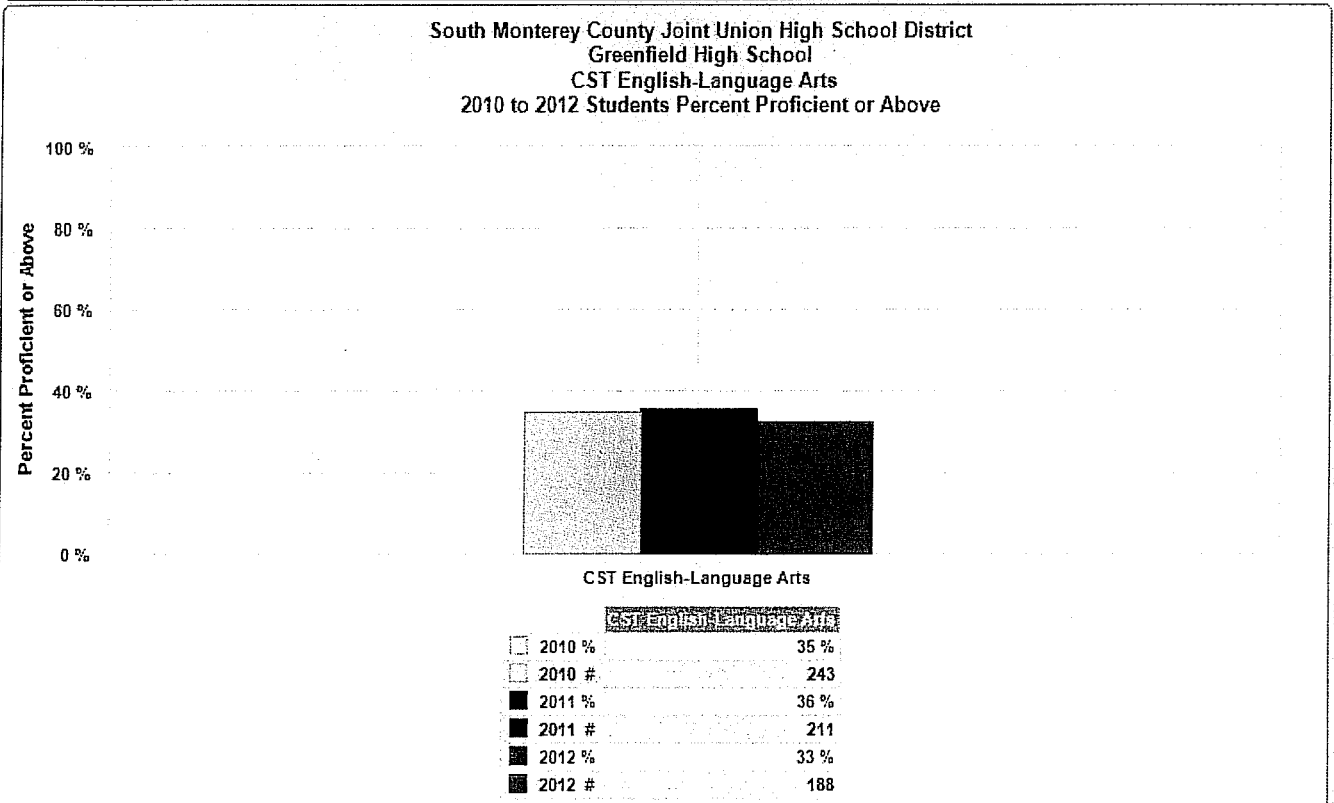
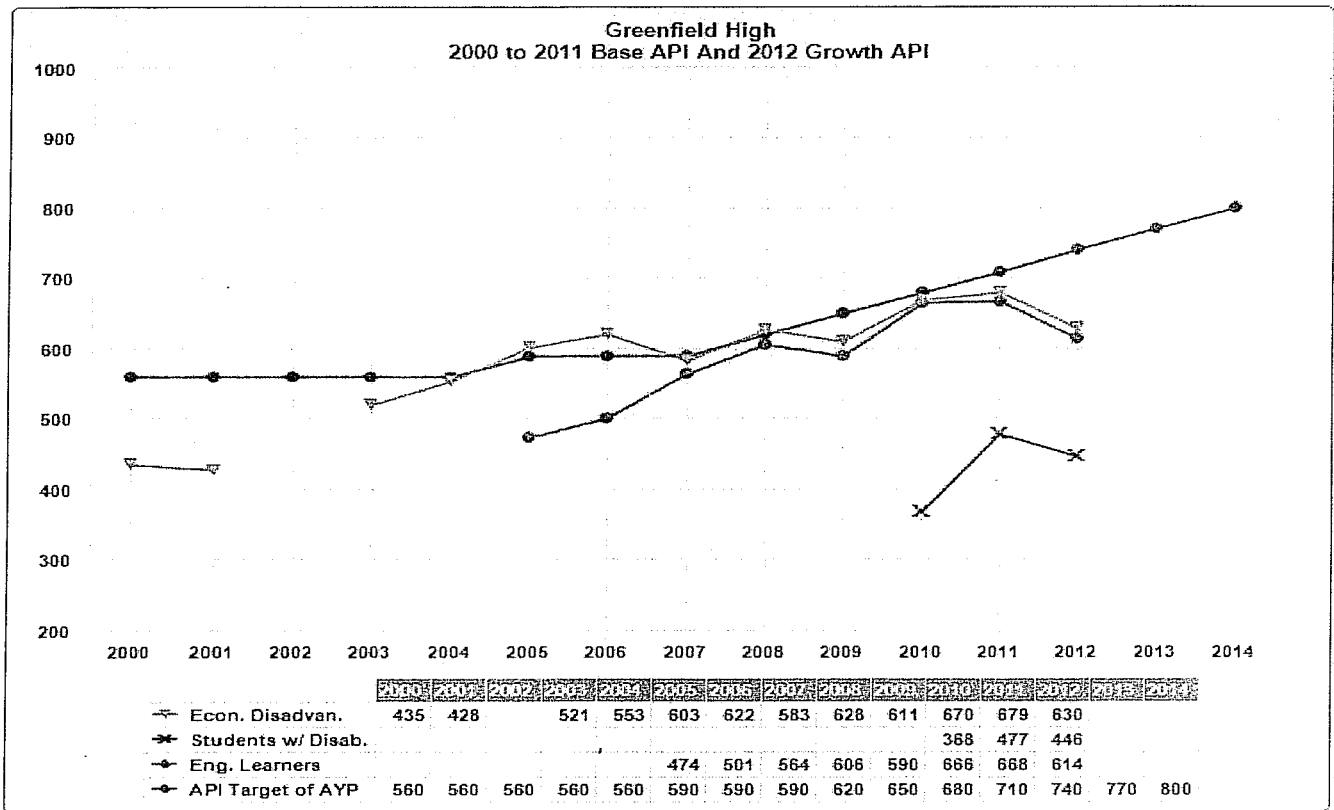
EPCA	1	2	3	4	5	6	7	8	9
Have	✓	✓	✓		✓	✓	✓	✓	✓

What data did you use to form this goal (findings from data analysis)?

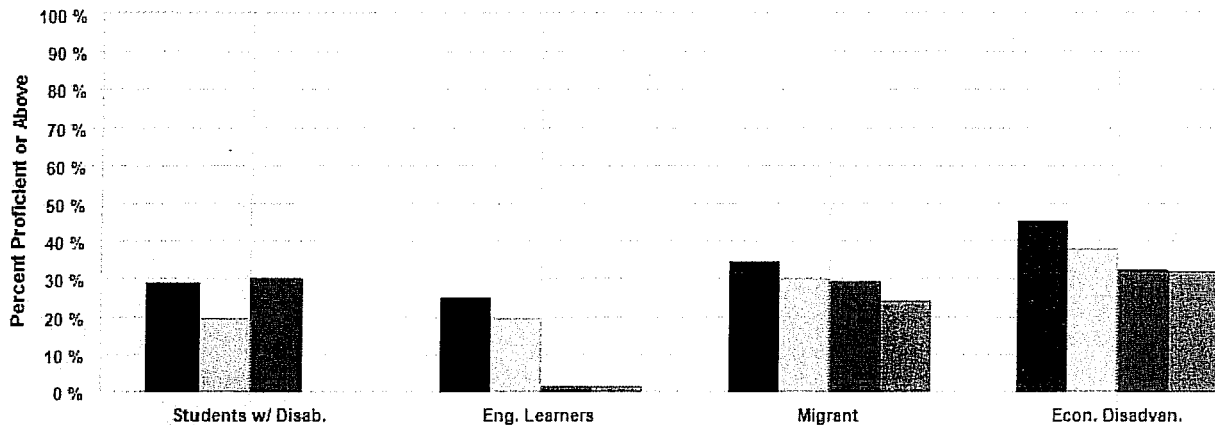
CST results were used and show inconsistent improvement and areas of decreased academic achievement in English and Math for 2011-12. The overall API (Academic Performance Index) dropped 39 points from 682 in 2010-11 to 643 in 2011-12.



Greenfield High 2012-13
Single Plan For Student Achievement Report

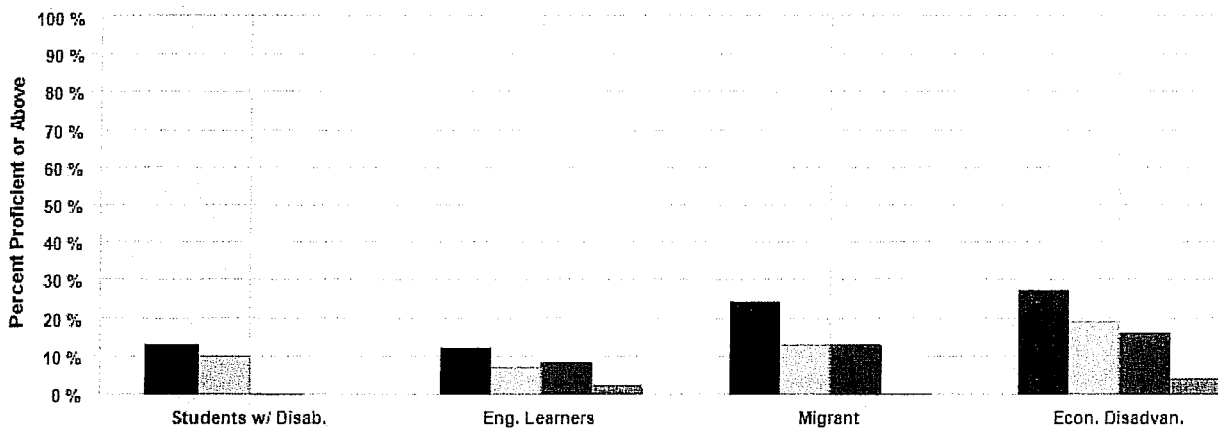


Greenfield High School Comparisons
CST English-Language Arts
2012 Students Percent Proficient or Above by Subgroups



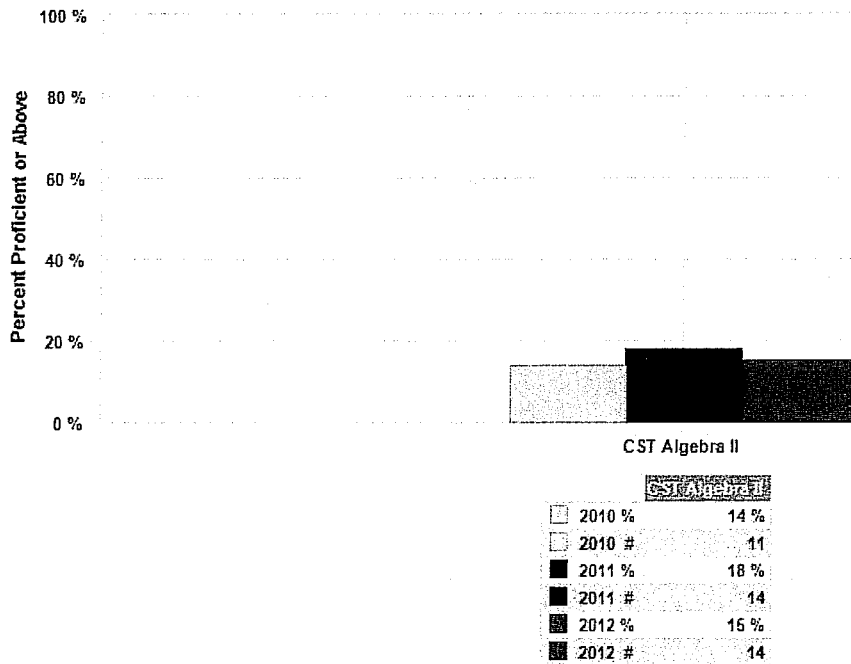
	Students w/ Disab.	Eng Learners	Migrant	Econ. Disadvan.
State of California %	29 %	25 %	35 %	45 %
State of California #	68,308	223,520	19,623	1,174,253
Monterey County %	20 %	20 %	30 %	38 %
Monterey County #	452	3,585	988	13,882
South Monterey County Joint Union High District %	30 %	1 %	29 %	32 %
South Monterey County Joint Union High District #	8	4	22	330
Greenfield High School %		1 %	24 %	32 %
Greenfield High School #		2	8	156

Greenfield High School Comparisons
CST Algebra I
2012 Students Percent Proficient or Above by Subgroups



	Students w/ Disab.	Eng Learners	Migrant	Econ. Disadvan.
State of California %	13 %	12 %	24 %	27 %
State of California #	5,405	13,170	2,255	115,233
Monterey County %	10 %	7 %	13 %	19 %
Monterey County #	38	145	84	1,021
South Monterey County Joint Union High District %	0 %	8 %	13 %	16 %
South Monterey County Joint Union High District #	0	14	5	73
Greenfield High School %		2 %	0 %	4 %
Greenfield High School #		2	0	7

South Monterey County Joint Union High School District
Greenfield High School
CST Algebra II
2010 to 2012 Students Percent Proficient or Above

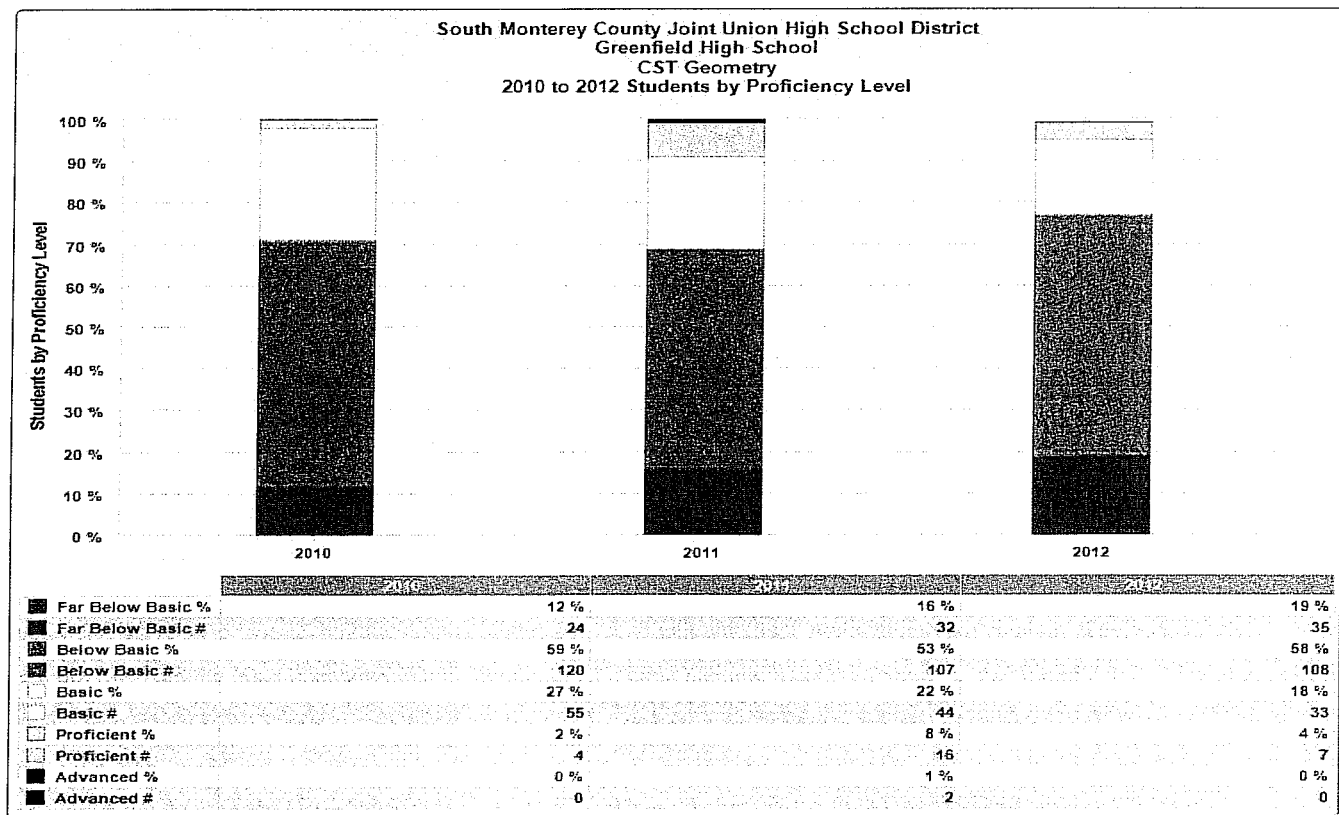


South Monterey County Joint Union High School District
Greenfield High School
CST Algebra II
2010 to 2012 Students by Proficiency Level



	2010	2011	2012
Far Below Basic %	10 %	13 %	12 %
Far Below Basic #	8	10	11
Below Basic %	35 %	28 %	43 %
Below Basic #	28	22	40
Basic %	41 %	41 %	31 %
Basic #	32	32	29
Proficient %	14 %	15 %	12 %
Proficient #	11	12	11
Advanced %	0 %	3 %	3 %
Advanced #	0	2	3

Greenfield High 2012-13
Single Plan For Student Achievement Report



How does this goal align to your Local Educational Agency Plan goals?

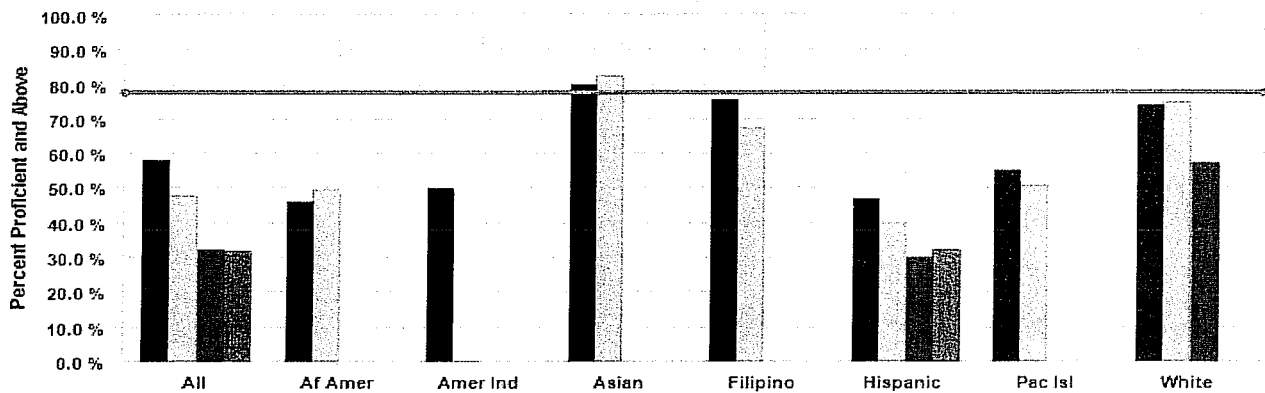
Assists in improving student learning, rigorous instruction, and improving assessment results measured by CSTs which are indicators toward moving out of program improvement

What did the analysis of the data reveal that led you to this goal?

The analysis reveals that GHS's significant subgroups have not been making adequate progress in core subject areas as measured by the CSTs. There is an on-going learning gap between the EL and EO subgroups.

Greenfield High 2012-13
Single Plan For Student Achievement Report

Greenfield High School Comparisons
Percent Proficient - Annual Measurable Objectives (AMOs)
2012 English-Language Arts



2012 AYP Percent Proficient Target 77.8 %

	California %	California #	Monterey County %	Monterey County #	South Monterey County Joint Un District %	South Monterey County Joint Un District #	Greenfield High School %	Greenfield High School #
California %	58.1 %	2,152,805	47.7 %	19,304	32.2 %	152	31.9 %	72
California #	46.1 %	113,199	49.5 %	272	0.0 %	0		
Monterey County %	49.7 %	12,128	82.3 %	598				
Monterey County #	80.0 %	256,481	67.4 %	495				
South Monterey County Joint Un District %	75.4 %	73,449	39.9 %	12,075	30.1 %	127	32.0 %	71
South Monterey County Joint Un District #	46.9 %	908,062	50.5 %	48				
Greenfield High School %	55.0 %	11,481	50.5 %	48				
Greenfield High School #	74.0 %	711,676	74.7 %	4,615	57.1 %	20		

Which stakeholders were involved in analyzing data and developing this goal?

Teachers and site administration

Who are the focus students?

All students are the focus; students who are at the cusp of moving from one proficiency level to the next in ELA, Math, Science and History as measured by CSTs are those of primary focus for this goal.

What is the expected growth?

The expected growth is 10% fewer students below the level of proficient as measured by the CSTs to bring about Safe Harbor for significant subgroups.

What data will be collected to measure student achievement?

Benchmarks, Common Assessments and CST trends. SMART goal data measured and compared from one SMART goal cycle to the next in each department.

What process will you use to monitor and evaluate the data?

Extrapolate information based on assessments during inter-departmental and departmental PLCs

Actions to improve achievement to exit program improvement (if applicable).

Improvement in student performance and in teacher implementation of constructing meaning strategies and standards-based lessons: The creation of SMART Goal cycles to include before and after data of EL and EO students based on benchmarks and common assessments of power standards through the use of USA test prep. Teachers collaborate around the creation of the SMART goals and the common formative assessments and the results during PLCs. The SMART goal will include the CM teaching strategies to be utilized during the cycle and next steps per level achieved. Cycles will occur twice per semester per department during the school year.

Action Title: After-School Tutoring

Means of Achievement: Increased educational opportunity

Tasks :

Provide After School Tutoring for Students Not at Grade Level

Measures :

Grades in Content Areas, CST Results, CELDT Results

People Assigned :

Credentialed Teachers

Start Date : 10/15/2012

Completion Date : 6/2/2013

Funding Resources	Related Expenditures	Estimated Cost
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	After School Tutoring	\$4,000

Action Title: Technology

Means of Achievement: Alignment of instruction with content standards

Tasks :

Purchase at least two class sets of iPads to begin the transition to e-books and to assist with instruction as well as on-line assessment of common core standards and benchmarks for EL students and socio-economically disadvantaged students. iPad use in the ELA and Math CAHSEE prep courses and in intensive reading and math courses will support and enhance instruction and engagement for students who are academically behind and for students who are emergent English language learners. Purchase additional technology, including computers for computer labs and credit recovery for ELs and students working below grade level. Train staff on the use of the technology. Maintain current licenses for credit recovery and SES programs. Continue Read180 as core course, including the technology component, for freshmen students who are greater than two years below grade level.

Measures :

Adding computers will help accommodate larger classes, use measured by log-ins and student enrollment. iPad usage monitored through log-ins and results of on-line assessments. Lesson plans and curriculum revisions to incorporate the use of such technology. Grades in CAHSEE prep classes, intensive classes and the Read180 classes including pre and post assessments to measure student progress will be included. CAHSEE passage rate will be monitored.

People Assigned :

IT Department, classroom teachers, site administration, counselor, SES program

Start Date : 10/2/2012

Completion Date : 6/2/2013

Funding Resources	Related Expenditures	Estimated Cost
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Technology	\$5,000
Economic Impact Aid: Limited English Proficiency (LEP)	Technology	\$6,000

Action Title: Supplemental Education Services (SES)

Means of Achievement: Alignment of instruction with content standards

Tasks :

Contract with Aavanza Online to provide instruction and live tutoring of CA standards-based supplemental educational services in English and Math for students to improve achievement levels during the Spring of 2013.

Measures :

Pre and pose assessments measure and document achievement gains in ELA and Math

People Assigned :

counselor,
vice principal, principal,
Aavanza personnel

Start Date : 1/14/2013

Completion Date : 6/1/2013

Funding Resources	Related Expenditures	Estimated Cost
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Aavanza Online	\$4,500

Goal Area: English Language Development

Goal Title: Increase English Language Development Level of English Language Learners

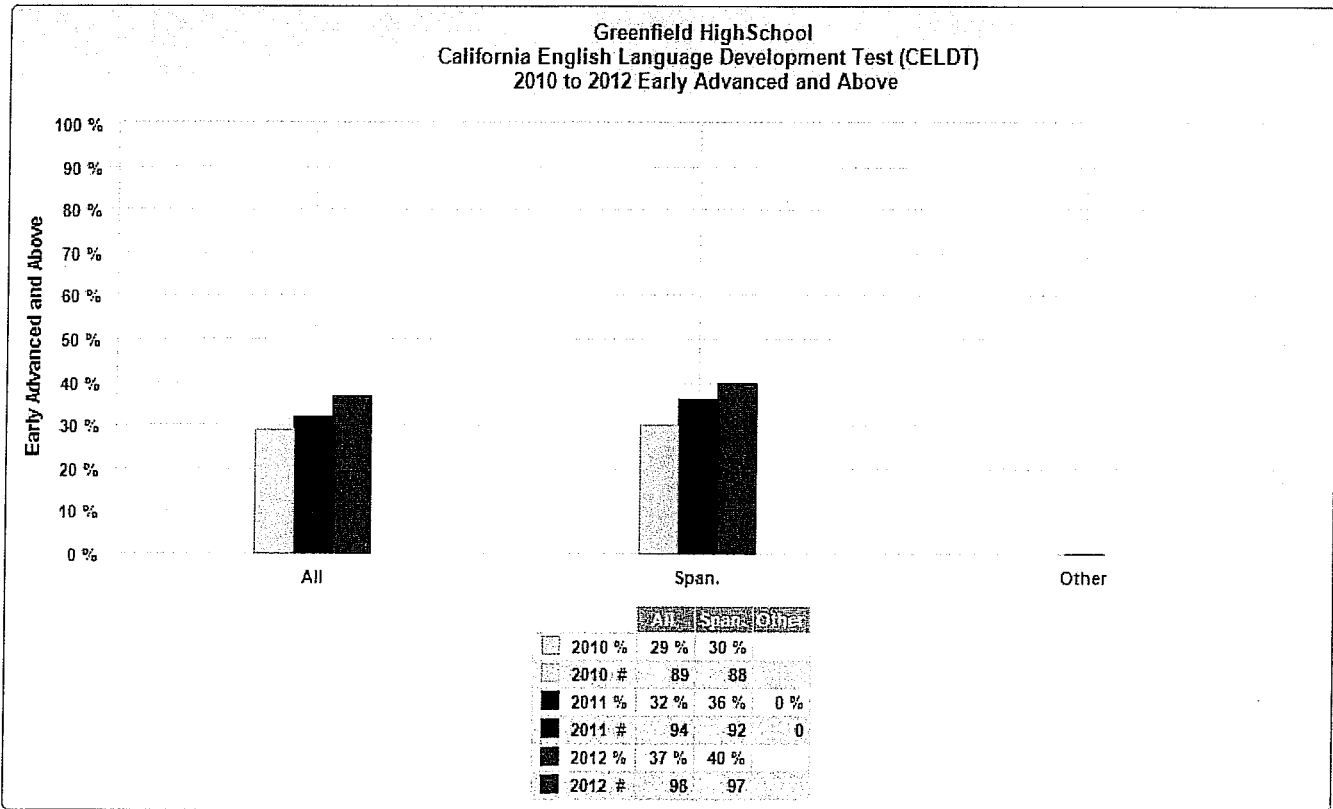
Show annual progress of English Learners by making AMAO1: meeting the state target of 57.5% from one proficiency level to the next; and by making AMAO2: meeting the state target of 37.3% into the English proficient range by close of 2013.

Essential Program Components

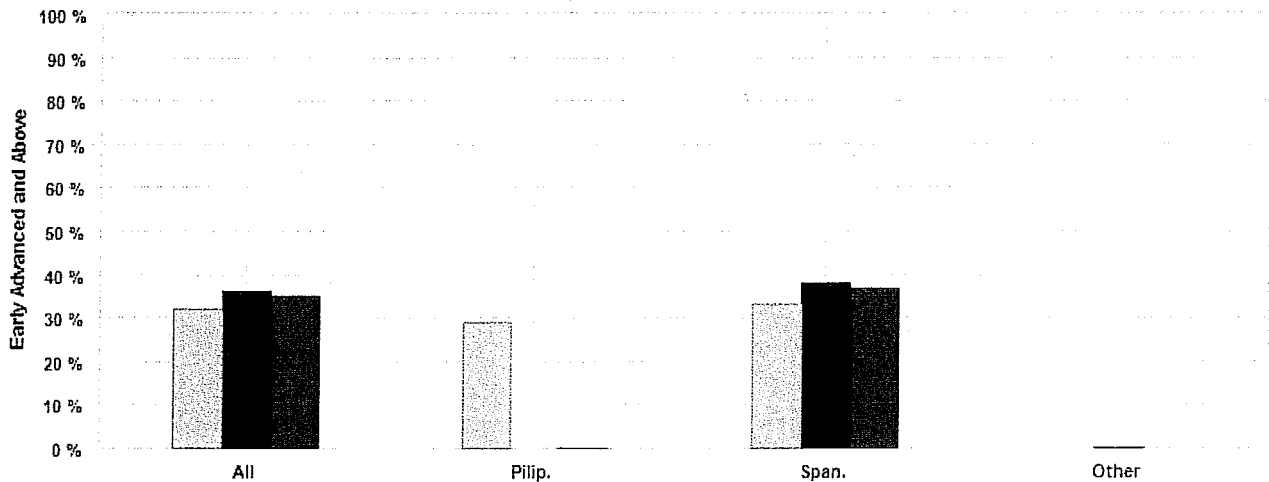
ERC#	1	2	3	4	5	6	7	8	9
Have	✓	✓				✓	✓	✓	✓

What data did you use to form this goal (findings from data analysis)?

Analysis of CELDT results, CELDT domain criterion and state targets of AMAOs led to creating this goal to improve the academic progress and CELDT level of English Learners. Demographic data indicates that 70% of Greenfield High School students comprise the EL subgroup.

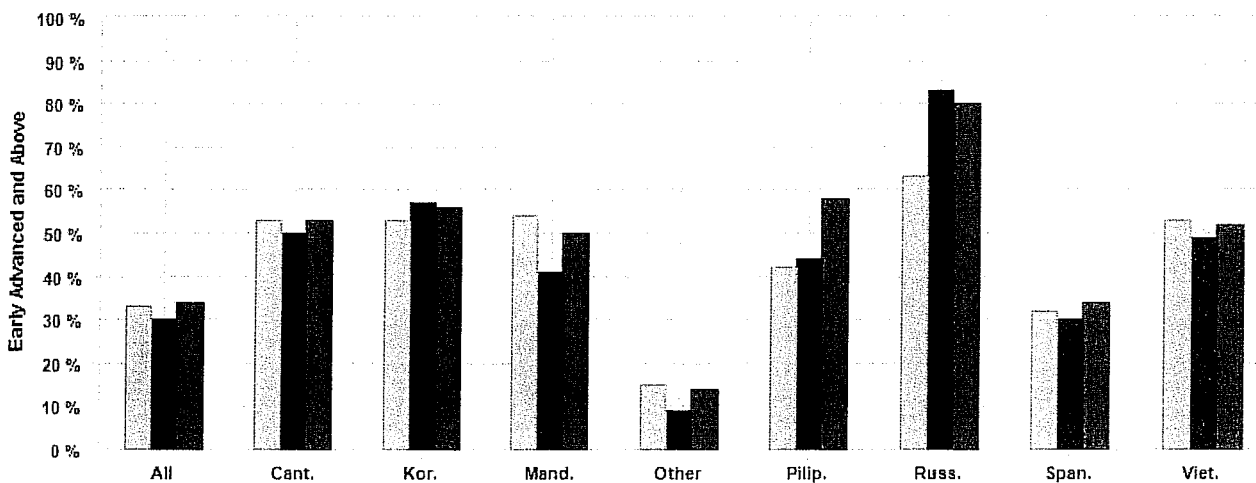


King City Joint Union High School District
California English Language Development Test (CELDT)
2010 to 2012 Early Advanced and Above



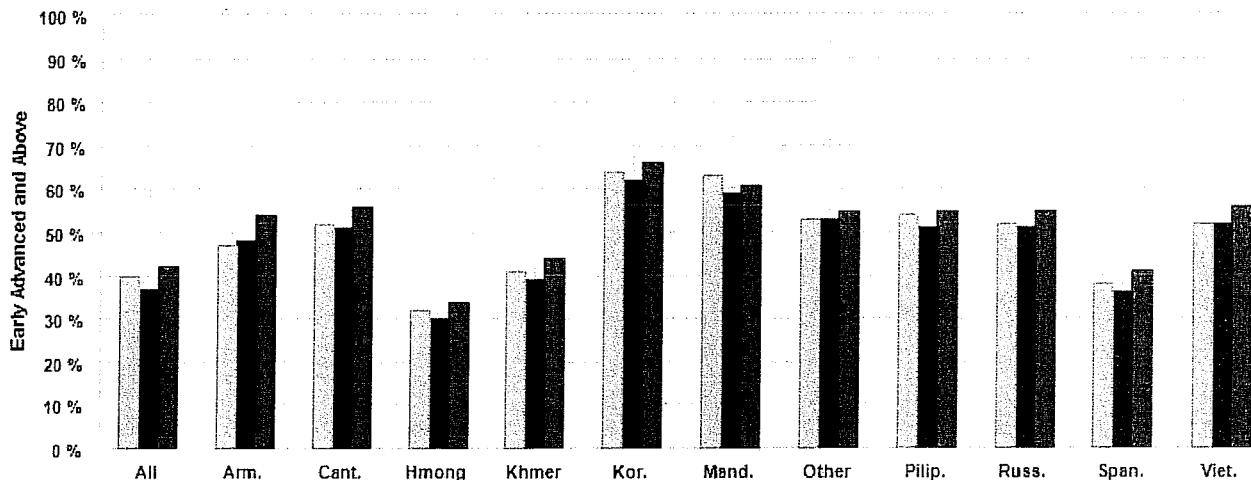
	All	Pilip.	Span.	Other
2010 %	32 %	29 %	33 %	
2010 #	200	2	196	
2011 %	36 %		38 %	0 %
2011 #	199		195	0
2012 %	35 %	0 %	37 %	
2012 #	192	0	191	

Monterey County
California English Language Development Test (CELDT)
2010 to 2012 Early Advanced and Above



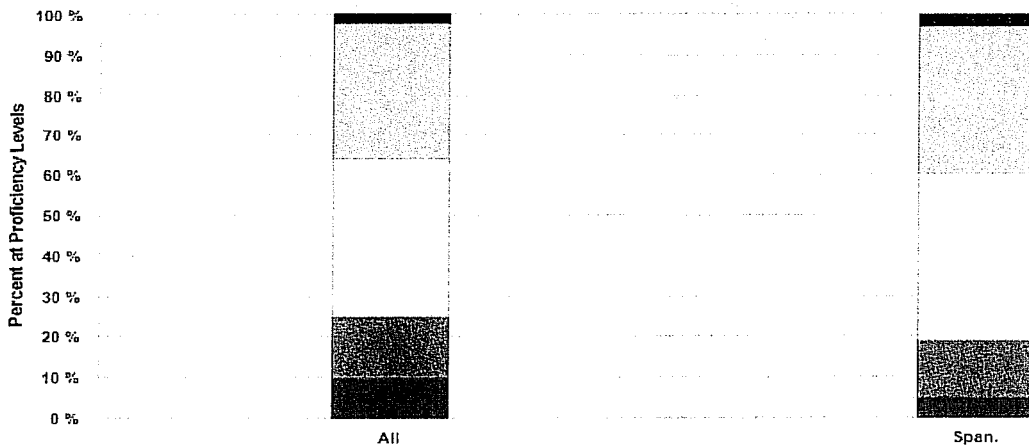
	All	Cant.	Kor.	Mand.	Other	Pilip.	Russ.	Span.	Viet.
2010 %	33 %	53 %	53 %	54 %	15 %	42 %	63 %	32 %	53 %
2010 #	7,907	9	25	6	27	75	5	7,574	45
2011 %	30 %	50 %	57 %	41 %	9 %	44 %	83 %	30 %	49 %
2011 #	7,240	8	16	7	19	85	5	6,926	42
2012 %	34 %	53 %	56 %	50 %	14 %	58 %	80 %	34 %	52 %
2012 #	8,369	10	15	10	32	110	4	7,988	37

California State
California English Language Development Test (CELDT)
2010 to 2012 Early Advanced and Above



	All	Arm.	Cant.	Hmong	Khmer	Kor.	Mand.	Other	Pilip.	Russ.	Span.	Viet.
2010 %	40 %	47 %	52 %	32 %	41 %	64 %	63 %	53 %	54 %	52 %	38 %	52 %
2010 #	514,023	3,163	9,159	4,695	2,308	7,705	6,112	6,170	9,841	2,945	418,595	16,077
2011 %	37 %	48 %	51 %	30 %	39 %	62 %	59 %	53 %	51 %	51 %	36 %	52 %
2011 #	468,380	3,157	8,721	4,076	2,028	6,816	5,882	6,547	8,817	2,772	378,072	15,785
2012 %	42 %	54 %	56 %	34 %	44 %	66 %	61 %	55 %	55 %	55 %	41 %	56 %
2012 #	522,261	3,506	9,523	4,176	2,133	6,953	6,380	5,996	9,672	3,100	424,880	16,691

Greenfield High School
CELDT – Annual Assessment by Primary Language
2012 Percent of Students at Each Overall Proficiency Level

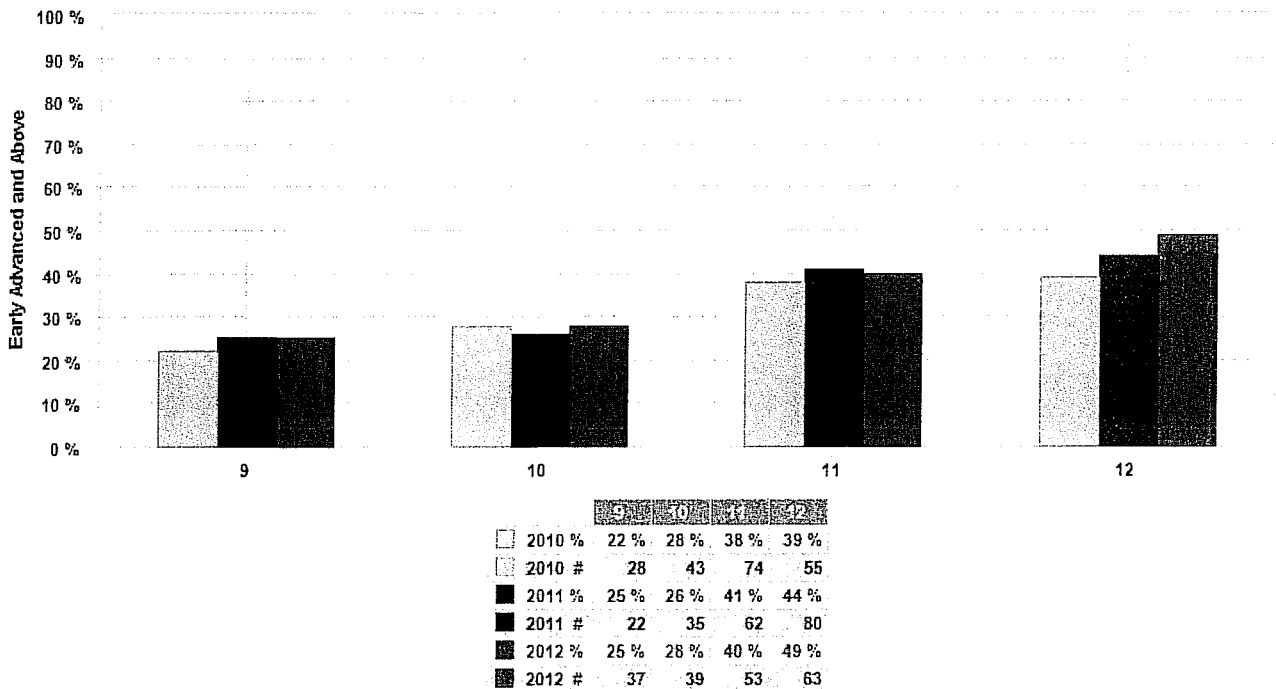


	All	Span.
Beginning %	10 %	5 %
Beginning #	26	11
Early Intermediate %	15 %	14 %
Early Intermediate #	40	34
Intermediate %	39 %	41 %
Intermediate #	104	99
Early Advanced %	34 %	37 %
Early Advanced #	90	89
Advanced %	3 %	3 %
Advanced #	8	8

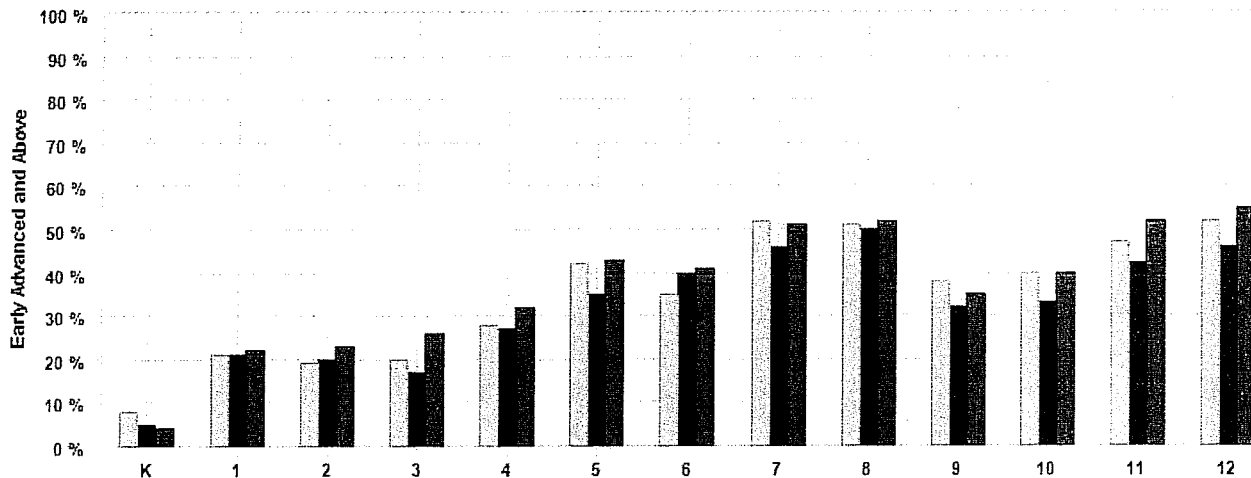
Greenfield High School
California English Language Development Test (CELDT)
2010 to 2012 Early Advanced and Above



King City Joint Union High School District
California English Language Development Test (CELDT)
2010 to 2012 Early Advanced and Above

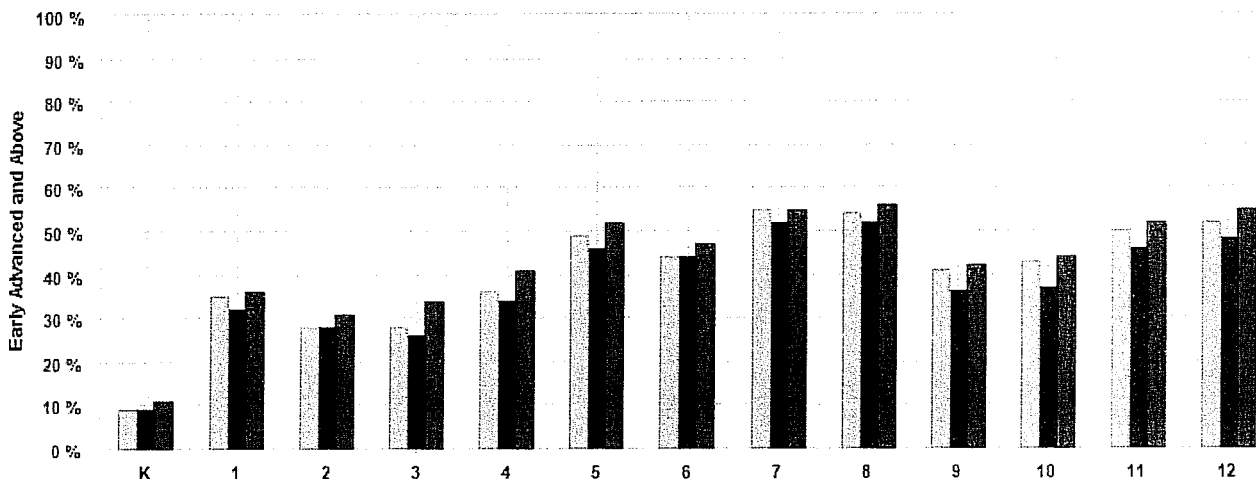


Monterey County
California English Language Development Test (CELDT)
2010 to 2012 Early Advanced and Above



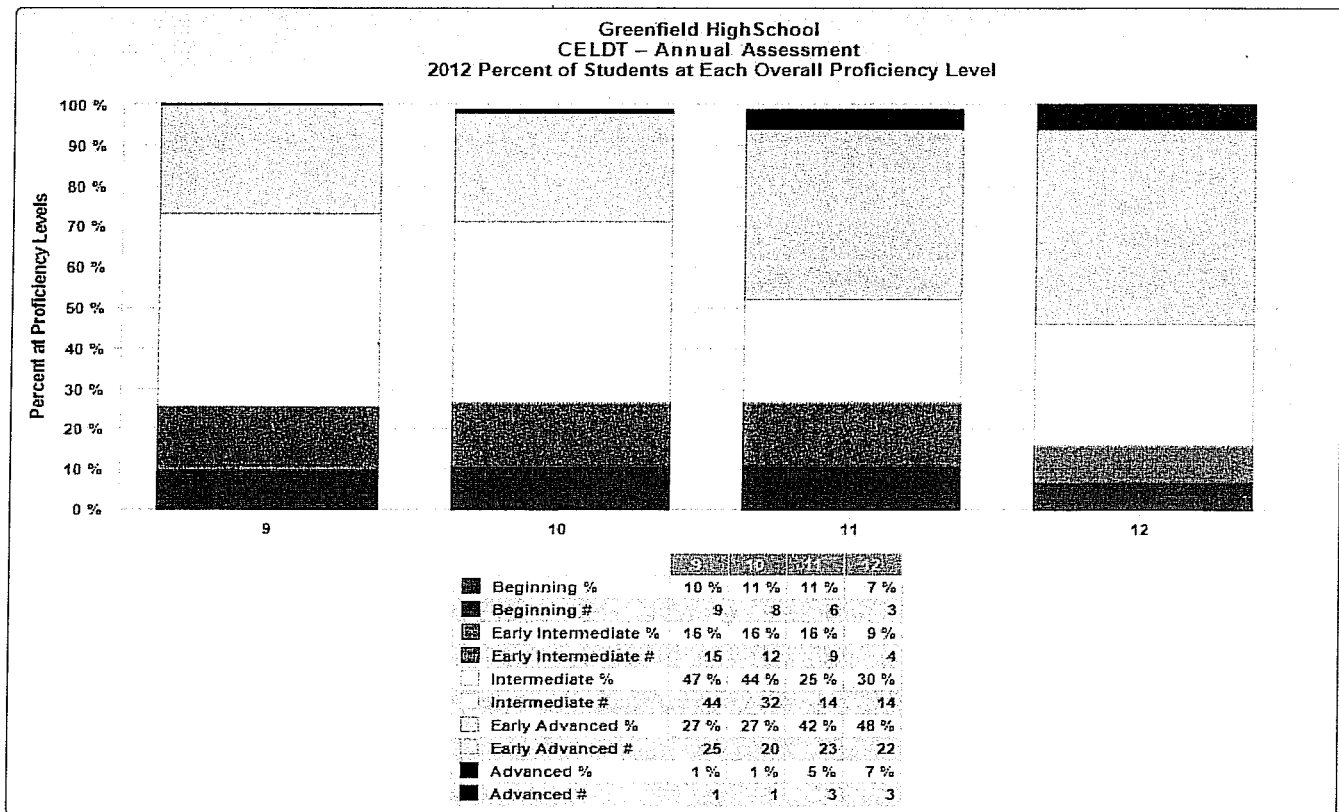
	K	1	2	3	4	5	6	7	8	9	10	11	12
2010 %	8 %	21 %	19 %	20 %	28 %	42 %	35 %	52 %	51 %	38 %	40 %	47 %	52 %
2010 #	8	750	624	644	701	912	610	792	703	483	523	586	571
2011 %	5 %	21 %	20 %	17 %	27 %	35 %	40 %	46 %	50 %	32 %	33 %	42 %	46 %
2011 #	7	662	686	539	743	746	667	688	675	369	408	500	550
2012 %	4 %	22 %	23 %	26 %	32 %	43 %	41 %	51 %	52 %	35 %	40 %	52 %	55 %
2012 #	5	803	822	818	885	1,001	705	724	679	382	434	560	551

California State
California English Language Development Test (CELDT)
2010 to 2012 Early Advanced and Above



	K	1	2	3	4	5	6	7	8	9	10	11	12
2010 %	9 %	35 %	28 %	28 %	36 %	49 %	44 %	55 %	54 %	41 %	43 %	50 %	52 %
2010 #	490	61,713	47,854	46,340	49,235	55,232	40,204	46,872	43,648	31,295	30,960	31,527	28,653
2011 %	9 %	32 %	28 %	26 %	34 %	46 %	44 %	52 %	52 %	36 %	37 %	46 %	48 %
2011 #	443	56,929	47,925	41,860	46,356	52,723	38,167	40,923	39,104	25,411	25,077	27,455	26,007
2012 %	11 %	36 %	31 %	34 %	41 %	52 %	47 %	55 %	56 %	42 %	44 %	52 %	55 %
2012 #	593	62,704	51,964	53,685	55,101	60,348	42,033	41,919	37,437	28,712	29,113	29,498	29,154

Greenfield High 2012-13
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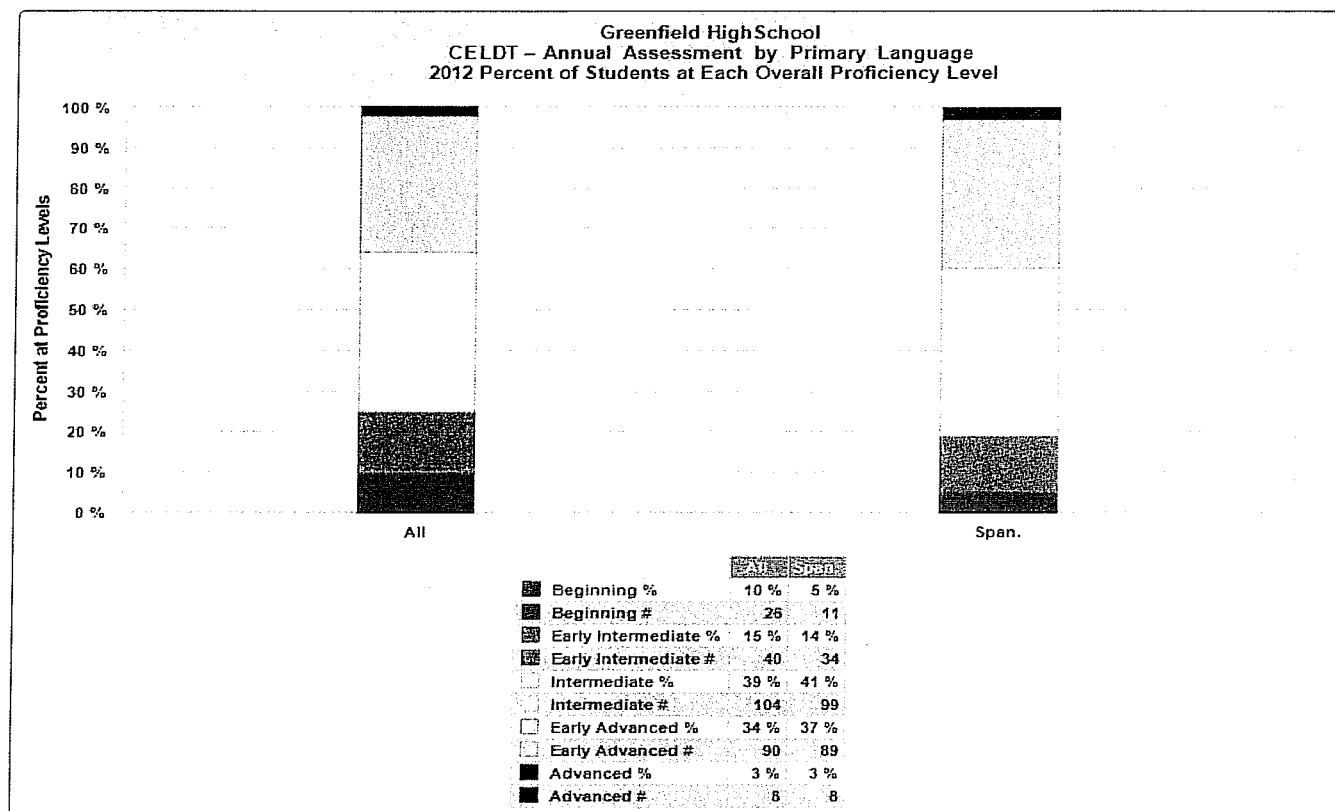


How does this goal align to your Local Educational Agency Plan goals?

SMCJUSD and Greenfield High School have not made AYP and AMOs. This is due in part to lack of increase in EL levels as measured by the CELDT and limited academic progress of students in the EL subgroup measured by AMAOs. The addition of a curriculum coach and an administrative coach will provide greater support of site and district goals toward EL academic improvement.

What did the analysis of the data reveal that led you to this goal?

Analysis of data revealed that EL students are not progressing by at least one CELDT level per year. Data also revealed that a disproportionate number EL students have plateaued at CELDT proficiency level 3 at every grade level.



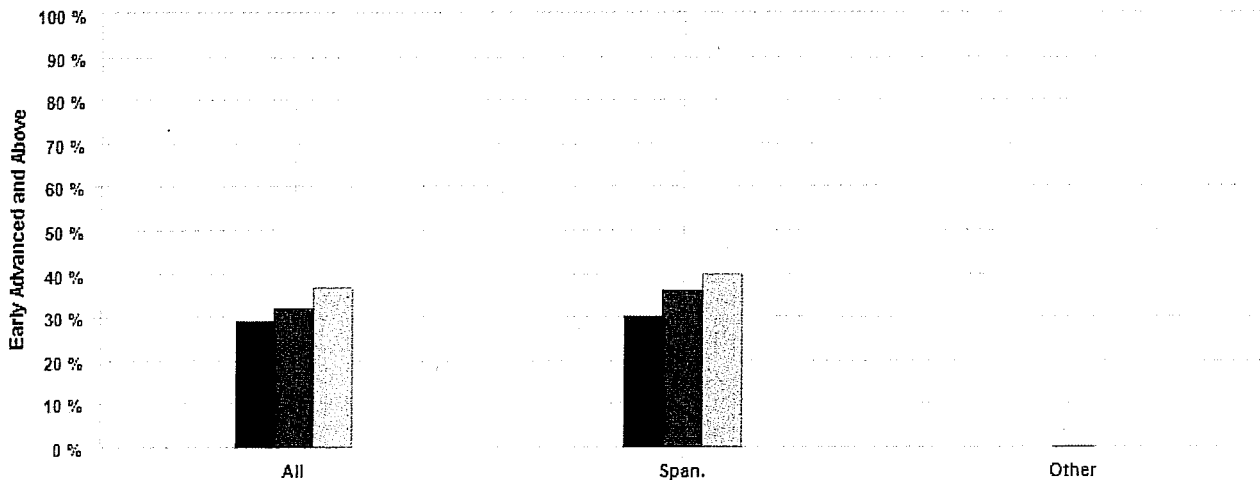
Which stakeholders were involved in analyzing data and developing this goal?

All teachers and administrators

Who are the focus students?

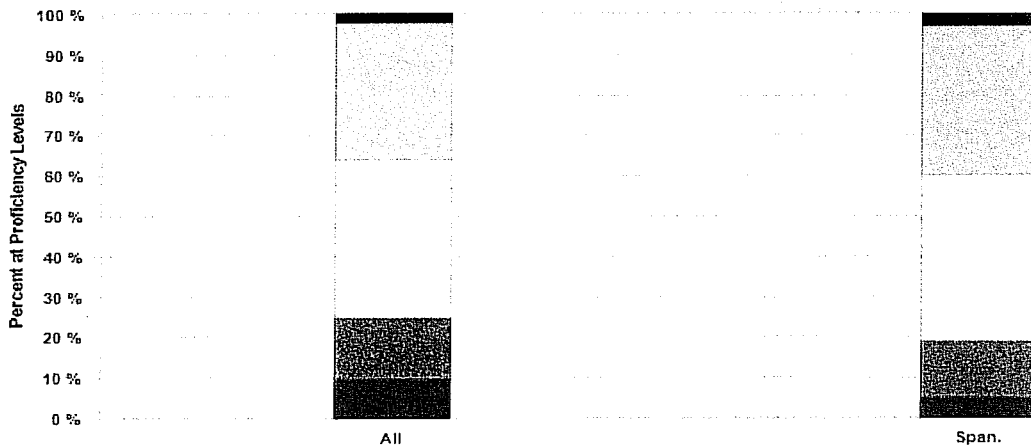
English Language Learners are the focus students. Classes will be established after school in ELA and Math and ELD for student who are English Learners. Additional focus is placed on those students who have plateaued for 3 or more years at the same CELDT level.

Greenfield HighSchool
California English Language Development Test (CELDT)
2010 to 2012 Early Advanced and Above



	All	Span.	Other
2010 %	29 %	30 %	
2010 #	89	88	
2011 %	32 %	36 %	0 %
2011 #	94	92	0
2012 %	37 %	40 %	
2012 #	98	97	

Greenfield HighSchool
CELDT – Annual Assessment by Primary Language
2012 Percent of Students at Each Overall Proficiency Level



	All	Span.
Beginning %	10 %	5 %
Beginning #	26	11
Early Intermediate %	15 %	14 %
Early Intermediate #	40	34
Intermediate %	39 %	41 %
Intermediate #	104	99
Early Advanced %	34 %	37 %
Early Advanced #	90	89
Advanced %	3 %	3 %
Advanced #	8	8

Greenfield High 2012-13
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What is the expected growth?

The expected growth is one CELDT proficiency level per year per student.

What data will be collected to measure student achievement?

Common assessment data and benchmark data will be analyzed to compare the growth of ELs to EOs in content areas. CELDT data will be analyzed to measure growth in ELD. Teachers complete CELDT analysis per class enrollment, Implementation of EL Strategies per teachers' CELDT analyses, walk-throughs, and CM strategies implemented monitored through learning walks

What process will you use to monitor and evaluate the data?

Data will be monitored and evaluated during departmental and interdepartmental PLCs, through Learning Walks, data collection, SMART goal data sheets, CELDT results, semester grades.

Actions to improve achievement to exit program improvement (if applicable).

All of the above including after school and weekend support classes for ELs each semester, EL student goal-setting, EL coordinator curriculum coach support. Create SMART Goal cycles that include before and after data of EL subgroup students based on benchmarks and common assessments of power standards through the use of USA test prep. Teachers collaborate around the creation of the SMART goals and the common formative assessments and the results during PLCs. The SMART goal will include the CM teaching strategies to be utilized during the cycle and next steps per level achieved. Cycles will occur twice per semester per department during the school year. The skills of the curriculum coach will be utilized for school-wide academic improvement.

Action Title: After School Program

Means of Achievement: Extended learning time

Tasks :

Develop an after school Program in Math, ELD and English for English Language Learners who are not achieving passing grades in English and/or Math during the regular school day. Focus students are those who have plateaued in their CELDT level.

Measures :

Pre and Post assessment, CELDT Scores and subject area (Math and English) course grades

People Assigned :

CLAD teachers in ELA and Math, counselor, administration, SES

Start Date : 10/15/2012

Completion Date : 6/1/2013

Funding Resources	Related Expenditures	Estimated Cost
Economic Impact Aid: Limited English Proficiency (LEP)	After School Math and English Support for EL Students, Materials	\$12,000

Action Title: Professional Development

Means of Achievement: Staff development and professional collaboration

Tasks :

Provide professional development for all certificated staff on increased engagement of ELs, increased rigor teaching and learning through curriculum support and explicit direct instruction through universal design including but not limited to Constructing Meaning, CELDT analysis for all departments, and cross-curricular support of English Language Development.

Measures :

Attendance at conferences and site and district professional development opportunities.

People Assigned :

certificated staff throughout content domains

Start Date : 10/2/2012

Completion Date : 6/2/2013

Funding Resources	Related Expenditures	Estimated Cost
Economic Impact Aid: Limited English Proficiency (LEP)	Professional Development, Materials	\$5,000

Greenfield High 2012-13
Single Plan For Student Achievement Report

Funding Programs Included in this Plan

Each state and federal categorical program in which the school participates.

Total Site Plan Budget : \$169,103

Total Annual Expenditures for Current School Plan: \$169,800

Funding Resource Code	Funding Resource Description	Funding Allocation	Expended Allocation	Balance Available
3010	NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	\$30,327	\$30,300	\$27
	After School Tutoring		\$4,000	
	All Students on Diploma Track Pass ELA CAHSEE		\$8,000	
	Modify Instructional Curriculum Maps and Pacing Guides		\$1,500	
	PLC Training		\$1,000	
	Regularly Share Student Performance w/ Parents & Increase Parent Involv (WASC Critical Follow-up #1)		\$2,300	
	Supplemental Education Services (SES)		\$4,500	
	Technology		\$5,000	
	Update benchmarks		\$2,000	
	Use data to drive instruction (WASC Schoolwide Critical Area for Follow-up #4)		\$2,000	
7091	Economic Impact Aid: Limited English Proficiency (LEP)	\$138,776	\$139,500	(\$724)
	After School Program		\$12,000	
	Articulate with colleagues within the district and with feeder school's district		\$1,000	
	Close achievement gap of English Learners (WASC Schoolwide Critical Area for Follow-up #3)		\$30,000	
	Constructing Meaning Training and Implementation		\$20,000	
	Correct Identification and Placement of English Learners		\$30,000	
	Focus on research based instructional strategies (WASC Schoolwide Critical Area for Follow-up #5)		\$5,000	
	Instructional Pacing Guides, Benchmark Assessments to raise student achievement		\$30,000	
	Professional Development		\$5,000	
	Regularly Share Student Performance w/ Parents & Increase Parent Involv (WASC Critical Follow-up #1)		\$500	
	Technology		\$6,000	
Total amount of categorical funds allocated to this school		\$169,103	\$169,800	(\$697)

School Site Council Membership

Education Code Section 64001(g) requires that the SPSA be reviewed and updated at least annually, including proposed expenditures of funds allocated to the School through the Consolidated Application, by the school site council. The current make-up of the school site council is as follows:

Name	Representing	Contact Info	RS/SPS/SA Plan Date
Lisa Mazza	Principal	831-674-2751	11/5/2012
Juana Botello	Other School Staff	831-674-2751	11/5/2012
Pilar Mendoza	Parent or Community Member	zancanuda@gmail.com	11/5/2012
Gail White	Parent or Community Member	gailstewartwhite@gma	11/5/2012
Daniel Villasenor	Classroom Teacher	dvillasenor@kingcity	11/5/2012
Allison Steinmann	Classroom Teacher	asteinmann@kingcity.	11/5/2012
Sandra Brusch	Classroom Teacher	swilson@kingcity.k12	11/5/2012
Jacklyn Trujillo	Secondary Student	Truehero55@yahoo.com	11/5/2012
Evelyn Sanchez	Secondary Student	eve_snz14@yahoo.com	11/5/2012
Luis Pacheco	Parent or Community Member		11/5/2012

Total Number of Committee Members

	Principal	Class Room Teacher	Other School Staff	Parent or Community Member	Secondary Student
Number of Members of each Category	1	3	1	3	2

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Recommendations and Assurances

The school site council recommends this school plan and proposed expenditures to the district governing board for approval and assures the board of the following:

Approval Date

1. School Site Council Members
2. Plan Review Due Date: 11/5/2012
3. The school site council is correctly constituted and was formed in accordance with district governing board policy and state law.
4. The school site council reviewed its responsibilities under state law and district governing board policies, including those board policies relating to material changes in the school plan requiring board approval.
5. The school site council sought and considered all recommendations from the following groups or committees before adopting this plan.

Language Arts Teachers	10/4/2012
Math Teachers	10/4/2012
School Site Council	10/4/2012
6. The school site council reviewed the content requirements for school plans of programs included in this Single Plan for Student Achievement and believes all such content requirements have been met, including those found in district governing board policies and in the LEA Plan.
7. This school plan is based on a thorough analysis of student academic performance. The actions proposed herein form a sound, comprehensive, coordinated plan to reach stated school goals to improve student academic performance.
8. Public Notice Due Date: 11/1/2012
9. District Governing Board Annual Review Due Date: 11/14/2012
10. This School Plan was adopted by the School Site Council at a public meeting on: 11/5/2012
11. Attested by School Principal: 11/5/2012
12. Attested by School Site Council Chairperson: 11/5/2012

Lisa Mazza

Typed name of school principal

Signature of school principal

Date

Daniel Villasenor

Typed name of SSC chairperson

Signature of SSC chairperson

Date

Analysis of Current Educational Practice

1. Use of state and local assessments to modify instruction and improve student achievement (ESEA):

Math: The math department uses results from CSTs, CAHSEE, and departmental benchmarks to assess students and the effectiveness of instruction. The CST results are used specifically to modify curriculum maps. The CAHSEE results are used to help identify the low performing areas of students who haven't passed the exit exam and target those areas when helping them prepare to retake the test. The CAHSEE results have also been used to help modify curriculum for the Algebra 1 courses. The overall results are studied and used to identify the low performing areas. Then these areas are targeted in the classroom during regular instruction. The sequence of math courses for meeting graduation has changed this year, with Geometry for grade 9, followed by Algebra 1, then Algebra 2. In past years, Algebra 1 was taught in Freshman year with Geometry in the Sophomore year followed by Algebra 2. Common Core standards in mathematics will be shared with all staff to improve critical thinking and problem solving throughout the curriculum.

Language Arts:

The English department uses results from the CSTs, CAHSEE, and departmental benchmarks to assess student learning and then modify instruction as needed. Curriculum maps are in place within most grade levels. The senior college preparatory English class teachers are currently using CSU's Expository Reading and Writing Course (ERWC) as their curriculum. Also, the GHS schedule allows for double period Strategic English classes for targeted students who have scored low on the CSTs. Read 180 classes were added two years ago for students who scored far below basic on the CSTs. Students' CELDT scores were also taken into consideration and a double period SDAIE English class was instituted at each grade level (9-11) for students scoring 3 - 5 on the CELDT and who have not been re-designated yet. CAHSEE prep classes have also been added into the master schedule for those students who have not yet passed the CAHSEE and are juniors and seniors. The district modified the bell schedule to increase course offerings and subsequently improve students' opportunities to meet graduation requirements. Common Core standards in ELA will be shared with all staff to improve writing and critical analysis throughout the curriculum.

2. Use of data to monitor student progress on curriculum-embedded assessments and modify instruction (EPC):

The English and Math departments are working on refining benchmarks and curriculum maps throughout each grade level and subject at the school site. School site credentialed personnel participate in the site's and district's Curriculum Advisory Committees. All departments have reviewed the data available in SchoolPlan and revised their curriculum maps to address core standards, instructional strategies, common assessments and targeted academic vocabulary. Also, the departments use SchoolPlan to upload data from quarterly benchmark exams and then analyze data to modify instruction. Grade level tests/quizzes aligned to standards are given frequently so that student performance can be monitored and instruction can be modified. Curriculum and benchmark exams are in the process of being aligned to the Common Core Standards. USA Testprep, an online test bank, will be utilized by all departments to help review, create goals, and meet standards.

3. Status of meeting requirements for highly qualified staff (ESEA):

The teaching staff consists of thirty-three credentialed teachers and one long term sub. One temporary teacher is teaching outside of the credentialed area at this time and one Special Ed teacher is teaching without the NCLB qualification in one subject area. The long term sub's teaching credential program anticipated completion date is December 2012. Administration is in possession of a 2012-13 teacher seniority list with dates of hire and credentials from the district's personnel department.

4. Principals' Assembly Bill (AB) 75 training on State Board of Education (SBE) adopted instructional materials (EPC):

The principal possesses a clear administrative credential and completed the AB 430 training prior to being employed by SMCJUHSD. An assistant principal has been hired as of the date of this revise; he will begin in November, 2012. Training can be provided should the vice principal not yet be in possession of the clear administrative credential and/or on SBE EPCs.

5. Sufficiency of credentialed teachers and teacher professional development (e.g., access to AB 436 training on SBE-adopted instructional materials) (EPC):

All teachers have been trained on Constructing Meaning strategies. Departmental and Inter-departmental PLCs each meet monthly. Teachers trained in PLCs over the summer are the PLC leaders for inter-departmental PLCs and department chairs are the leaders of the departmental PLCs. Ongoing PLC training occurred in the beginning of the school year and continues throughout the year. CM training and implementation continues. The district has a curriculum coach for the teachers and a coach for administrators. All permanent teachers have received training in state board adopted curriculum materials.

6. Alignment of staff development to content standards, assessed student performance, and professional needs (ESEA):

Departments have used data housed in SchoolPlan to modify curriculum maps. Results from benchmark assessments from last year were also used to make changes. Teachers use USA Test Prep to create standards-based assessments and goals based on those assessment.

Staff development has been focused on PLC training and implementation and CM strategies. Teachers use SchoolPlan to modify and refine curriculum maps and benchmarks. Also, the Greenfield High School teachers hope to continue to collaborate with their colleagues at King City High School to vertically and laterally align curriculum. Most students in the district are scoring not ready for college on the English portion and are enrolled in the CSU's Expository Reading and Writing Course (ERWC) course their senior year. The goal is to increase the number of students whose scores indicate they are ready for college. All departments will analyze the common core standards, compare them to the current CA state standards and align their curriculum maps to CCCS. All Greenfield High School English teachers are trained in Constructing Meaning strategies. Teachers use collaboration time to create units and lessons which implement these strategies (sentence stems, graphic organizers, backwards planning, etc.) in order to help our English Learners and lower achieving students be successful with academic language.

7. Ongoing instructional assistance and support for teachers (e.g., use of content experts and instructional coaches) (EPC):

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Curriculum and instructional coaching is provided for all teachers in all subject areas by a curriculum coach; the primary focus is on teaching strategies designed to engage students and increase instructional rigor through Constructing Meaning and EL strategies. Site administration receives coaching from the district administrative coach.

Math: All teachers in the math department work together in studying SchoolPlan data and benchmark data to help identify weak areas of study and low performing students.

English: English teachers work together to study data, create lessons and assessments.

The district and Greenfield High School employ instructional coaches. Greenfield High School's part time curriculum coach began in October, 2012. The instructional coach from KCHS trains and assists GHS teachers in CM implementation as needed.

Committees at the site provide additional support. The Curriculum Advisory Committee (CAC), which consists of members from each core department, will refine curriculum maps and align them to common core. The CAC will begin phase in of common core standards and lessons aligned with the common core, shared within their departments. CAC explores and aligns textbooks and supports the implementation of CM strategies at the school site.

The principal has experience in program improvement and curriculum and instructional strategies. Support is provided for Common Core Standard implementation. Cross-curricular support, particularly of math and English Language Arts, is promoted throughout all subject areas by all teachers with support from the curriculum coach and site administration. Professional development and support in teaching critical thinking, writing across the curriculum, problem solving, structured academic language practice, TAPPLE, the use of graphic organizers, sentence frames, Cornell Notes, differentiation of instruction, explicit direct instruction, backwards design and CM are themes for instructional assistance and professional development. Support for those are provided by instructional coaches and administration. Assistance from county content experts is being explored.

8. Teacher collaboration by grade level (K-8) and department (9-12) (EPC):

Every Wednesday teachers collaborate from 1:45 p.m. to 3:15 p.m. The purpose of collaboration is to promote and sustain the learning of all professionals in the school community with the collective purpose of enhancing student learning. The focus of collective inquiry is both a search for best practices for helping all students learn at high levels and an honest assessment of the current reality regarding teaching practices and student learning. Collaboration time will focus on the following:

- Examine assessment data and curriculum to determine the power standards for each core subject
- Develop curriculum maps to chronologically teach the power standards throughout the course
- Develop benchmark assessments for each subject taught
- Discuss best practices of instruction so students do achieve at higher levels
- Discuss and develop process and procedures for Special Education teachers to collaborate (collaborative teaching) in helping students reach higher levels of achievement
- Determine what "hidden skills of academic literacy" must be identified and taught across the curriculum (all subject areas, i.e. note taking to note making)
- Determine incentives for students to achieve that will be used in all departments, by all teachers

Response to Intervention

Teachers meet by grade level and department as well as cross-curricularly to collaborate on refining pacing guides and curriculum maps. Teachers discuss grade level curriculum to be taught and benchmarks to be given. Weekly collaboration days are structured by the principal to enable this collaboration and facilitate the sharing of ideas and curriculum. All teachers have been trained in Constructing Meaning strategies. Teachers use this time to work on creating units which implement these strategies (sentence stems, graphic organizers, etc) in order to help our English Learners and lower achieving students be successful with academic language. Teachers visit each other's classroom to support each other and learn from each other as we phase in all components of CM and focus on WASC components.

9. Alignment of curriculum, instruction, and materials to content and performance standards (ESEA):

Math:

The math department has used time inside and outside contract hours to update/modify curriculum maps. We have studied data taken from SchoolPlan to make these changes and to help guide our instruction. Work continues to align the department's curriculum maps, content and instructional strategies with CCCS and CM.

Language Arts:

In addition to the ongoing process of refining benchmarks and pacing guides across the grade levels, the department services the specific language levels of students. 12th grade English became Expository Reading and Writing Course (ERWC). This is a CSU developed curriculum designed to help college bound students become more college ready by practicing rhetorical strategies for reading and writing. The California 11th and 12th grade standards are incorporated and designated in the activities. EDGE curriculum was adopted to service the ELD population. Read 180 was adopted for the students who scored Far Below Basic on their CST Language tests. SDAIE methods are incorporated in the SDAIE double period classes, which give extra support to mainstream ELD students. The English department plans to continue to collaborate with the King City High School English department in order to have vertical alignment across the grades in regards to ERWC goals and academic language production. The plan is to create modules that will be incorporated at each grade level that provide readiness for those reading and writing standards. Work continues to align the department's curriculum maps, content and instructional strategies with CCCS and CM.

10. Adherence to recommended instructional minutes for reading/language arts and mathematics (K-8) (EPC):

Not Applicable (9-12)

11. Lesson pacing schedule (K-8) and master schedule flexibility for sufficient numbers of intervention courses (EPC):

Not Applicable (9-12)

12. Availability of standards-based instructional materials appropriate to all student groups (ESEA):

GHS is compliant with Williams legislation in availability of textbooks and instructional materials as well as in the area of structural soundness and good repair of the school facility. Instructional materials are available to all students. In many of the classes, especially in those courses in which textbooks have recently been purchased and adopted, students have a copy they can keep at home and a class set that they can use in the classrooms. Every student is issued a board adopted, standards-aligned textbook in each subject (there is not a textbook in PE). A list of textbooks and publishers is available.

CAHSEE practice books were purchased for use in the CAHSEE prep class and after school CAHSEE tutoring. Standards Plus, a standards based program, has been implemented this year in the algebra support classes. The program consists of 180 mini-lessons including assessments and will be shadowing the regular algebra classes.

Some subjects have older adoptions of the textbooks. Newer adoptions have not been purchased in order to save the funds to purchase Common Core-aligned textbooks upon phase-in of the CA Common Core standards. The senior college preparatory English Language Arts classes are using CSU's created Expository Reading and Writing Course (ERWC). The EDGE program is in use for Sp Ed and ELD students. The core material for Freshmen students scoring more than 2 years below grade level is Read 180. Computers are a component of Read 180 and are available in the classroom and in the 3 computer labs for the students to use.

13. Use of SBE-adopted and standards-aligned instructional materials, including intervention materials, and for high school students, access to standards-aligned core courses (EPC):

GHS has State and District Standards-aligned adopted instructional materials. There is a concern from the English Language Arts department that budget constraints prevented the English department from textbook adoption in 2007-2008 school year. As a result the English department is using outdated textbooks without many support materials for universal access. Hampton- Brown Edge Fundamentals and Edge Level A materials were purchased for ELD 1, ELD 2, and ELD 3 classes. Scholastic's READ 180/ System 44 was purchased for intensive intervention classes and implemented this year. Pearson College Algebra 1 (2007) was purchased for the Algebra 1 classes in 2008.

14. Services provided by the regular program that enable underperforming students to meet standards (ESEA):

Math: The Greenfield HS math department in collaboration with the King City HS math department, created an Algebra 1 diagnostic test. This test has been used since the 2010-2011 school year to help determine placement for freshmen. In addition, intensive classes which focus primarily on the power standards, have been designated specifically for the lower performing freshman.

Last year rigorous CAHSEE review was implemented the week before the test in all math classes composed primarily of 10th graders. The same study packets were distributed to 10th graders not in these classes. The review consists of packets that are focused on the 5 strands of the exam and each strand is given one full class period to review.

English:

English support classes (both SDAIE and Strategic) are offered for those students in grades 9-11 who are underperforming. A CAHSEE support class is offered for 11th and 12th grade students who have not yet passed the CAHSEE. READ 180 is being used to address the needs of underperforming students as well.

The AVID program assists underperforming students in academics and study-habits.

Support classes are provided after school in Math and English and credit recovery classes during the school day and on Saturdays. In-class and after school tutoring is available to students.

15. Research-based educational practices to raise student achievement at this school (ESEA):

The school offers an AVID section for 9th grade students and another section for 10th-12th grade students. Research-based Cornell Note taking educational practice is part of the daily curriculum. Language Arts: Read 180 (a double period class) was implemented for students scoring far below basic on the CSTs. This program is designed to teach the students basic skills in order to raise student achievement in their classes and on state mandated tests (CSTs and CAHSEE). The AVID elective class was added to the master schedule this year for a group of freshman students. Teachers who are part of the AVID site team attended an AVID workshop during the summer of 2012 and are implementing the use of Cornell notes in their subject area, and will train their colleagues AVID strategies and philosophies of educational practice. All English teachers have been trained in Constructing Meaning strategies (sentence stems, graphic organizers, etc.) in order to help our English Learners and lower achieving students be successful in academic language instruction. Teachers are using graphic organizers and sentence stems to help students experience success in their grade level assignments. Higher level questioning techniques are utilized in lessons. More training in researched-based educational practices is needed and planned for all Greenfield High School teachers. The addition of an instructional coach will promote a wider use of and a greater understanding of the need for Constructing Meaning, Explicit Direct Instruction, CA Common Core Standards and Differentiation of Instruction through Universal Design.

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16. Resources available from family, school, district, and community to assist under-achieving students (ESEA).

Technology: The purchase of two class sets of iPads will help begin the transition to e-books and will assist with instruction. The iPads will supplement reading and math intervention programs such as but not limited to CAHSEE prep, credit recovery, strategic and intervention classes. The iPads will also help transition students to electronic online testing via benchmark assessments and common core assessments.

Math: Since last year the math department has been using in-class tutors provided by Gear-up. After school tutoring was also offered on a weekly basis. This year with the assistance of Gear-Up/Title 1 money tutoring is being offered bi-weekly. Title 1 funds have also been used to provide new resources for students still needing to pass the CAHSEE.

English:

- SES tutoring
- ELAC
- GEAR-UP
- Academic Talent Search
- Migrant Ed
- VFW essay contest
- Scheid essay contest

17. Involvement of parents, community representatives, classroom teachers, other school personnel, and students in secondary schools, in the planning, implementation, and evaluation of consolidated application programs. (5 CCR 3932):

Stakeholders' representatives participate in the following: • WASC Self-Study • School Site Council • ELAC, DELAC, Parent Information Nights, Volunteering on campus and in the classroom, meetings with school staff

18. Services provided by categorical funds that enable underperforming students to meet standards (ESEA) :

Math: The math department began to take advantage of in-class tutors provided by the Gear-Up program. These tutors are mainly used in the algebra support classes but also in some of the regular math classes. The aid of these tutors is crucial in improving the performance of under-performing students. One tutor has also been assisting twice a week in after school tutoring for students in any math class and students studying for the CAHSEE.

English:

SES is required due to the school's PI (Program Improvement) status. In-class tutors provided by the Gear-Up program are utilized in the core classes.

19. Fiscal support (EPC):

Title 1, Title 11, Title 111, EIA and Lottery funds are used to support, not supplant, instructional programs, materials, personnel and professional development.

The District was taken over by the State of CA in the 2009-2010 school year and currently remains in state receivership. The District has a State Administrator, Dr. Daniel Moirao. The role of the SMCJUHSD Board of Education and the GHS School Site Council is to advise the State Administrator. The school and school district work closely with FCMAT toward regaining local control.

Nine Essential Program Components

1. Use of standards-based State Board of Education (SBE)-adopted (kindergarten through grade eight) or standards-aligned (grade nine through twelve) English/reading/language arts and mathematics instructional materials, including intensive interventions and * English Language Development materials.
2. Implementation of instructional minutes for basic core Reading/Language Arts and mathematics programs, intensive intervention and strategic support courses as well as additional instructional time for structured English Language Development at all grade levels.
3. Use of an annual district instructional/assessment pacing guide for grades K-8 and high school.
4. Implementation of School Administrator Instructional Leadership Training Program- Instructional materials based professional development and ongoing targeted professional development and support for instructional leaders to ensure the full implementation of the district adopted program and the EPCs.
5. Fully credentialed, highly qualified teachers, per the requirements of the Elementary and Secondary Education Act (ESEA) and professional development on SBE-adopted instructional materials.
6. Implementation of ongoing instructional assistance and support for R/LA, ELD and mathematics teachers through the use of content experts, specialists, and instructional coaches.
7. For all grade levels, implementation of a student achievement monitoring system that provides timely data from common formative and curriculum-embedded and summative assessments for teachers and principals to use to monitor ongoing student progress, identify student needs, inform instruction and determine effectiveness of instructional practices and implementation of the adopted programs.
8. Implementation of monthly structured teacher collaboration for all RLA/ELD and mathematics teachers by grade level (K-8) and common course and department levels (9-12) facilitated by the principal.
9. Implementation of Fiscal Support aligned to full implementation of EPCs.

2012-13 SINGLE PLAN FOR STUDENT ACHIEVEMENT



King City High School King City Joint Union High District

The District Governing Board
approved this revision of the School
Plan on: 10/17/2012

Principal:
Janet Sanchez Matos

Address:
720 Broadway St.
King City, California 93930-3311

Phone:
831-385-5461

Email:
jmatos@kingcity.k12.ca.us

Website:
www.kingcityhighschool.com



King City High 2012-13
Single Plan For Student Achievement Report

Goals and Actions	Start Date	Completion Date	Amount
English-Language Arts			
WASC Goal #1a: Improve student achievement in Language Arts and ELD			
Conferences Staff Development	7/2/2012	6/30/2013	\$10,500
Credit Recovery	7/1/2012	6/30/2013	\$15,000
Tutoring	7/1/2012	6/30/2013	\$10,000
Ipads	7/1/2012	6/30/2013	\$10,000
eBooks	7/1/2012	6/30/2013	\$10,000
EL Instructional Coach	7/1/2012	6/30/2013	\$60,000
WASC Goal #2a: Transition from the California Standards to the Common Core Standards in L/A			
US Test Prep	7/1/2012	6/30/2013	\$10,000
Mathematics			
WASC Goal #1b: Improve student achievement in Mathematics			
Benchmark Analysis	7/1/2012	6/30/2013	\$11,500
WASC Goal 2b: Transition from the California Standards to the Common Core Standards in Mathematics			
Out of District conferences and workshops	7/1/2012	6/30/2013	\$12,000
In District workshop	7/1/2012	6/30/2013	\$1,500
Classroom resources	7/1/2012	6/30/2013	\$30,000
Block Algebra Classes	7/1/2012	6/30/2013	\$30,000
Professional Development			
WASC Goal #3: Building Capacity through Professional Dev to Improve Student Learning			
CATE Conf	7/1/2012	6/30/2013	\$1,500
AP Implementation	7/1/2012	6/30/2013	\$3,500
AVID Conf	7/1/2012	6/30/2013	\$3,000
Core Release Days	7/1/2012	6/30/2013	\$10,000
Admin Coaching	7/1/2012	6/30/2013	\$20,000
School Climate			
WASC Goal #4: Build a Genuine Collaborative Culture			
Vertical Teaming	7/1/2012	6/30/2013	\$3,500
PLC Training	7/1/2012	6/30/2013	\$5,000
Subs for Peer Observation	7/1/2012	6/30/2013	\$3,000
Total Annual Expenditures in Current Site Plan: \$250,000.00			

Goals

Form A: Planned Improvements in Student Performance

The school site council has analyzed the academic performance of all student groups and has considered the effectiveness of key elements of the instructional program for students failing to meet API and AYP growth targets. As a result, it has adopted the following school goals, related actions, and expenditures to raise the academic performance of student groups not meeting state standards:

Goal Area - English Language Arts

Goal Title - WASC Goal #1a: Improve student achievement in Language Arts and ELD

1. During the 2012 - 13 school year, Hispanic English Learners will increase their percentage proficient in English Language Arts from 31% to 36% as measured by results provided through the 2013 AYP.
2. During the 2012 - 13 school year, Hispanic students qualified as English Learners for 3 years or more will increase their demonstration of Early Advanced or Advanced language skills from 31% to 51% as measured by the CELDT test to be delivered in the summer of 2013.
3. During the 2012 - 13 school year, 9th grade students scoring proficient or above on the CST will increase by 5%; 10th grade students will increase by 4%, and 11th grade students will increase by 7% as measured by the 2012-13 CST.

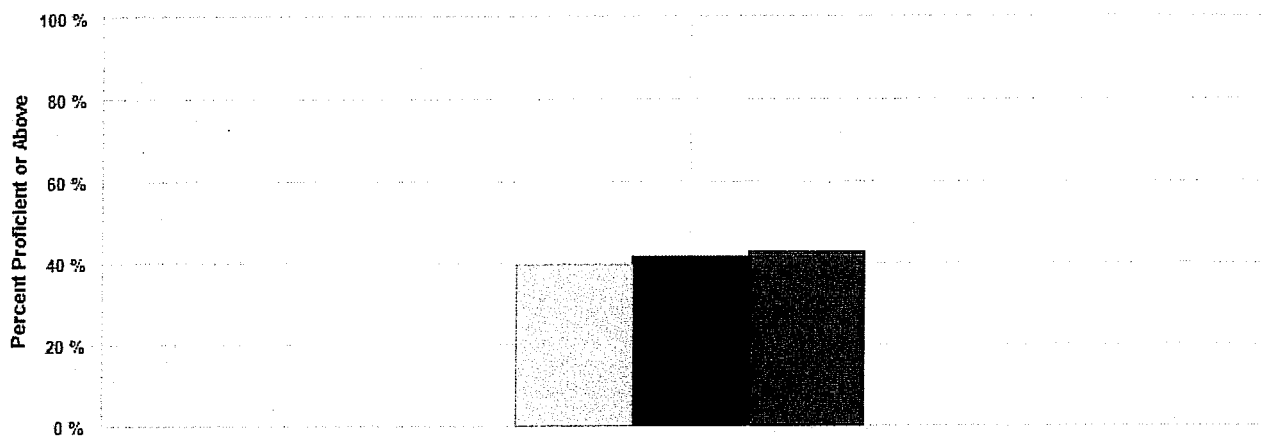
Essential Program Components

EPC#	1	2	3	4	5	6	7	8	9
Have	✓	✓	✓		✓	✓	✓	✓	✓

What data did you use to form this goal (findings from data analysis)?

1. A comparison chart from 2004 - 2011 revealed the average growth of English Learners scoring proficient in ELA to be 2.3%. An aggressive goal was set to double the average percentage of improvement.
2. From 2010 to 2012 the percentage of students scoring Early Advanced or above as measured by the CELDT dropped from 39% to 31%. A goal to increase student performance by 20% was established in response to the LEA goal 1a.
3. As measured by the CST, from 2010 to 2012 the percentage of students scoring proficient or above by grade level has varied: 9th graders have demonstrated 0% average growth since 2010; 10th graders have declined in proficiency by 1%; and 11th graders have seen an average 6.5% growth. Therefore, the targeted growth for each grade is different.

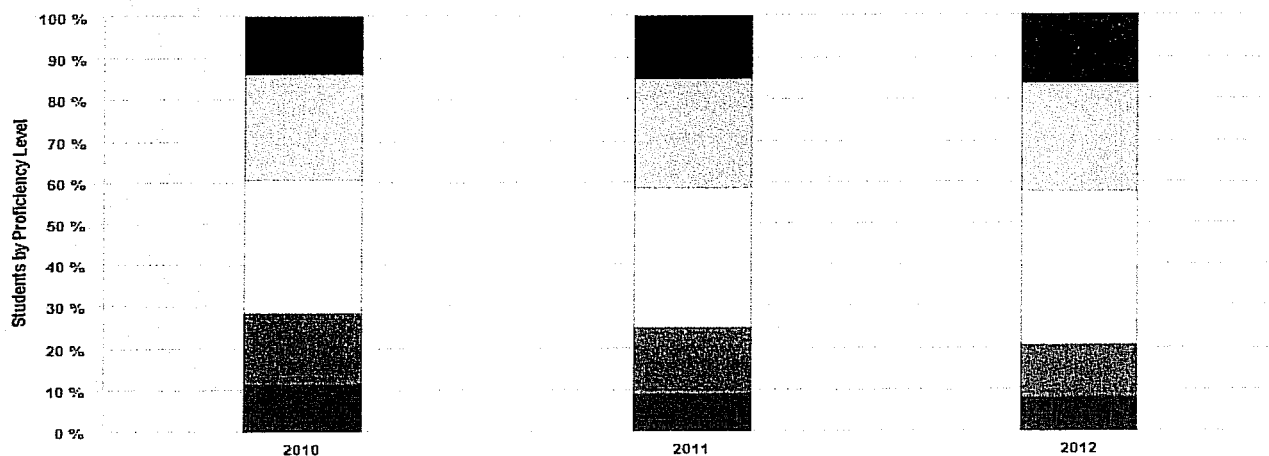
South Monterey County Joint Union High School District
King City High School
CST English-Language Arts
2010 to 2012 Students Percent Proficient or Above



CST English-Language Arts

CST English-Language Arts	
2010 %	40 %
2010 #	289
2011 %	42 %
2011 #	274
2012 %	43 %
2012 #	268

South Monterey County Joint Union High School District
King City High School
CST English-Language Arts
2010 to 2012 Students by Proficiency Level



	2010	2011	2012
Far Below Basic %	11 %	9 %	8 %
Far Below Basic #	83	60	51
Below Basic %	17 %	16 %	13 %
Below Basic #	126	104	79
Basic %	32 %	33 %	37 %
Basic #	233	220	229
Proficient %	26 %	27 %	26 %
Proficient #	187	176	165
Advanced %	14 %	15 %	17 %
Advanced #	102	99	103

How does this goal align to your Local Educational Agency Plan goals?

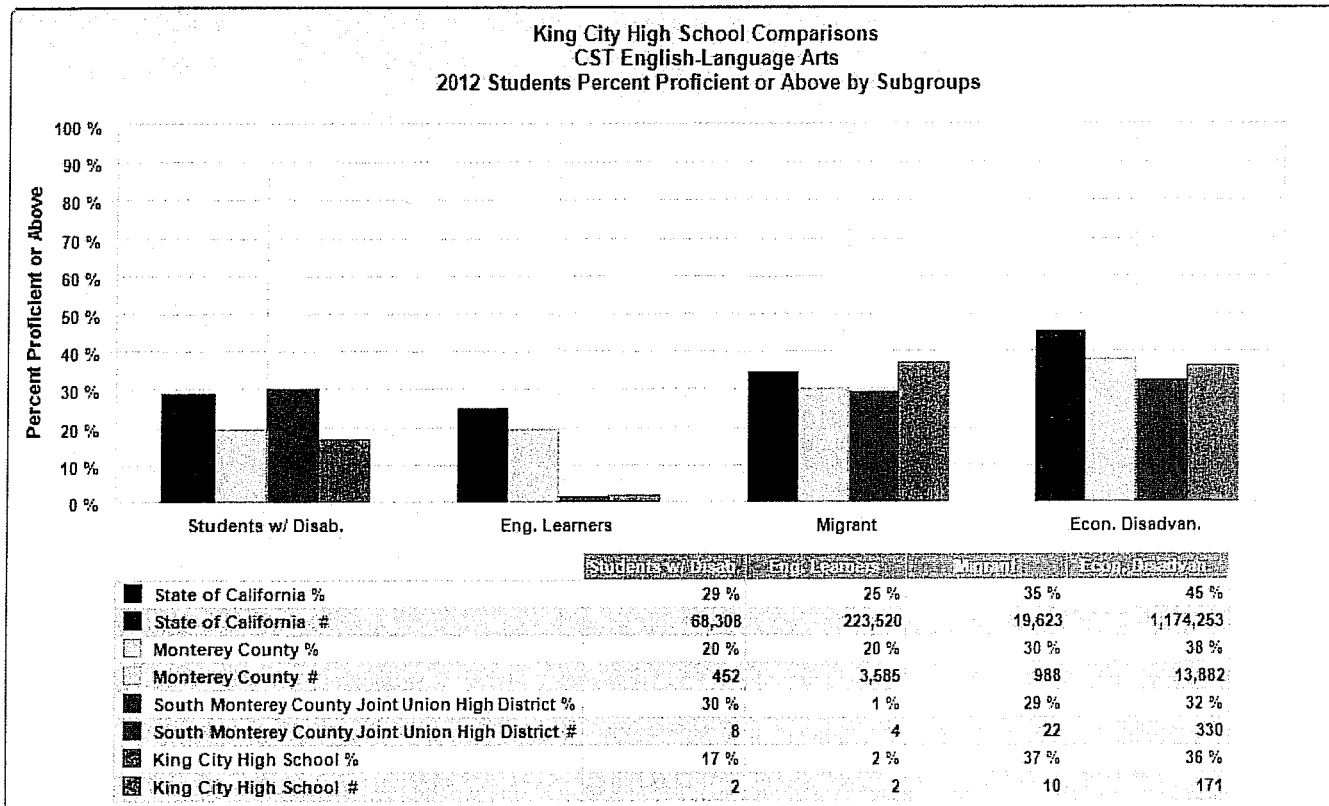
King City High 2012-13
Single Plan For Student Achievement Report

1. Goal 1 and 2 aligns to the following LEA goals:

- "During the 2012-13 academic year 20-25% of EL students will be reclassified as English proficient. That number will double in 2013 - 14 and continue until a rate of 90 - 95% of reclassification is achieved" (1a).
- "The professional development for certificated staff will focus on best instructional practices for all learners, with an emphasis on English Language Learners (Constructing Meaning)" (1c).
- "Create and implement a curriculum program that is equitable, accessible and rigorous to all students" (1g).

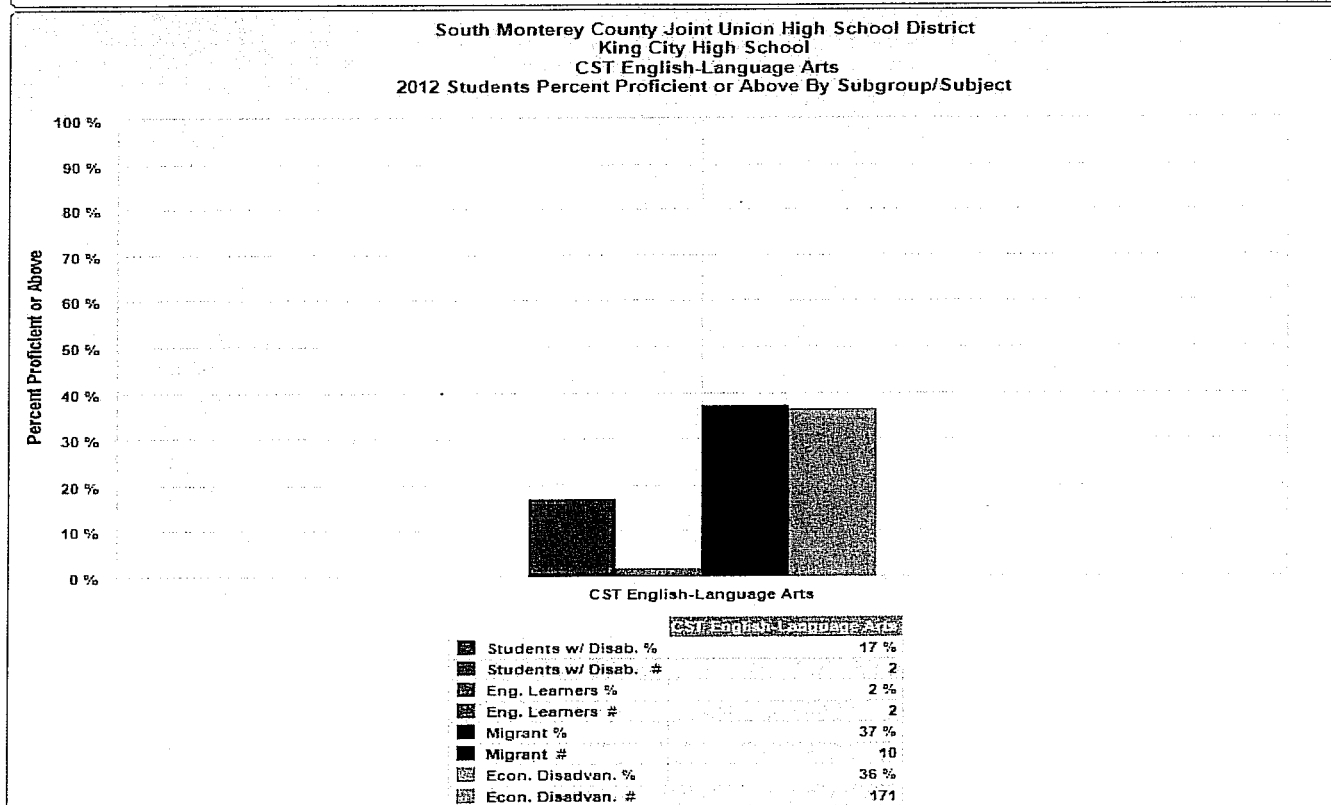
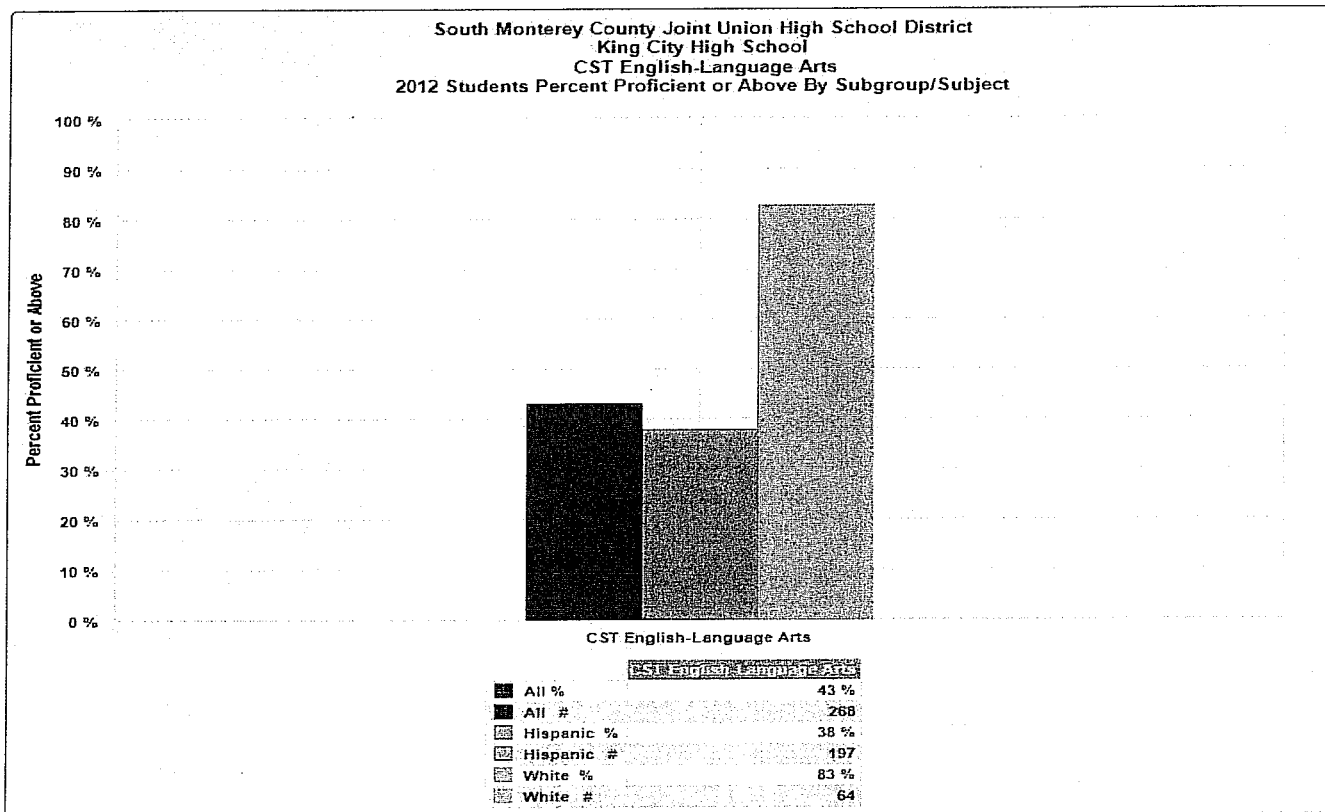
2. Goal 3 aligns to the following LEA goals:

- "Intervention strategies will be identified and implemented for all students especially those designated as 'safe harbor'" (1b).



What did the analysis of the data reveal that led you to this goal?

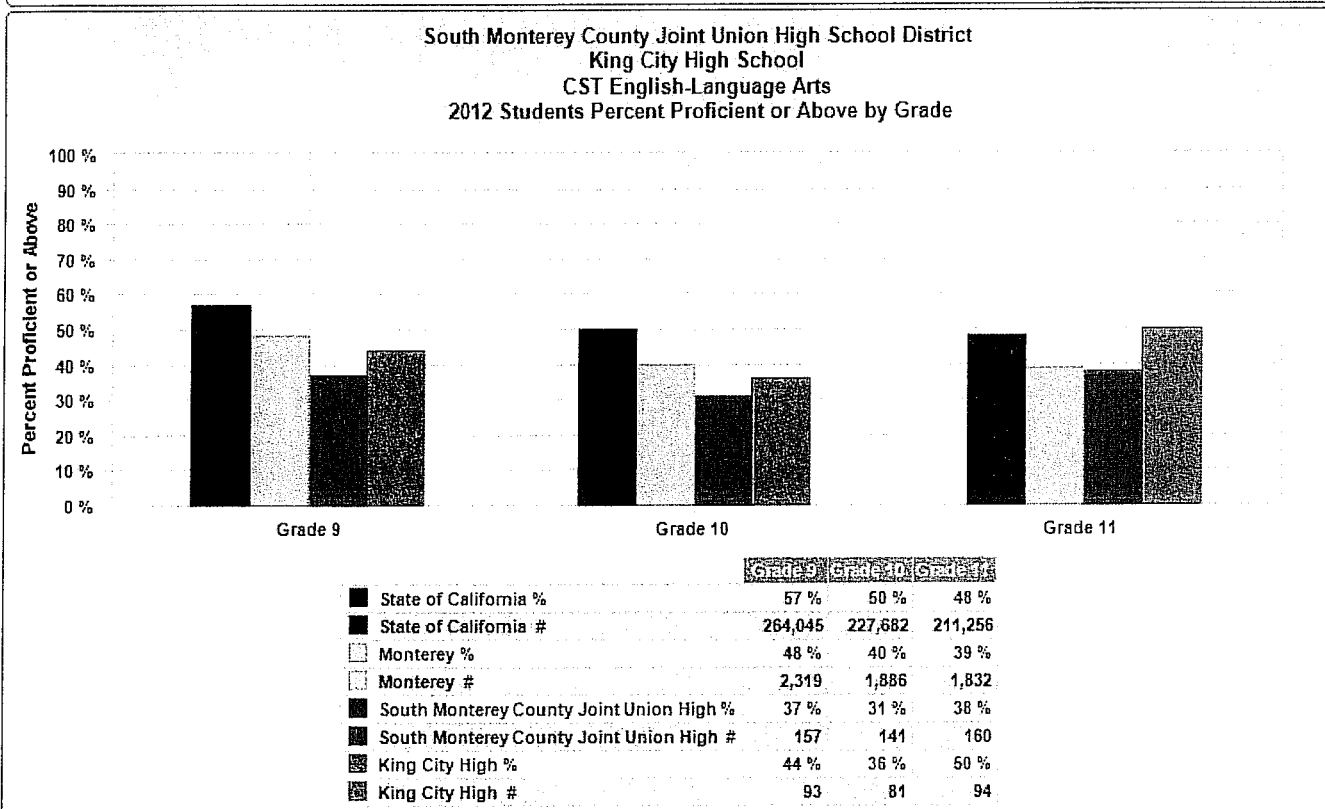
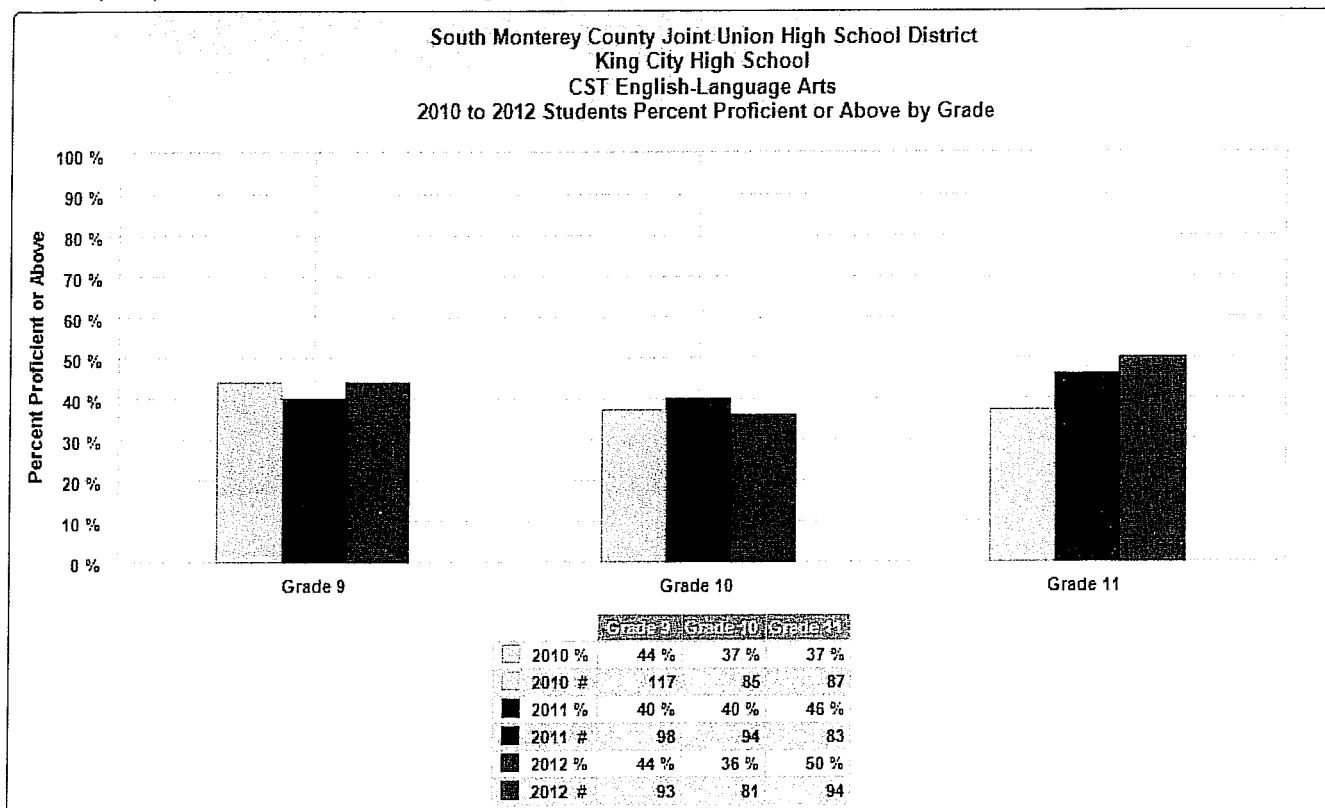
The analysis of data revealed that we are not providing interventions early enough to save our high risk students, particularly the EL and strategic populations, from failing. The 11th grade level veteran teachers are largely successful with their students who show an advance in proficiency each year; however, the high rotation of new teachers with 9th and 10th grade assignments reveals a large deficiency in experience with directly impacts student learning.



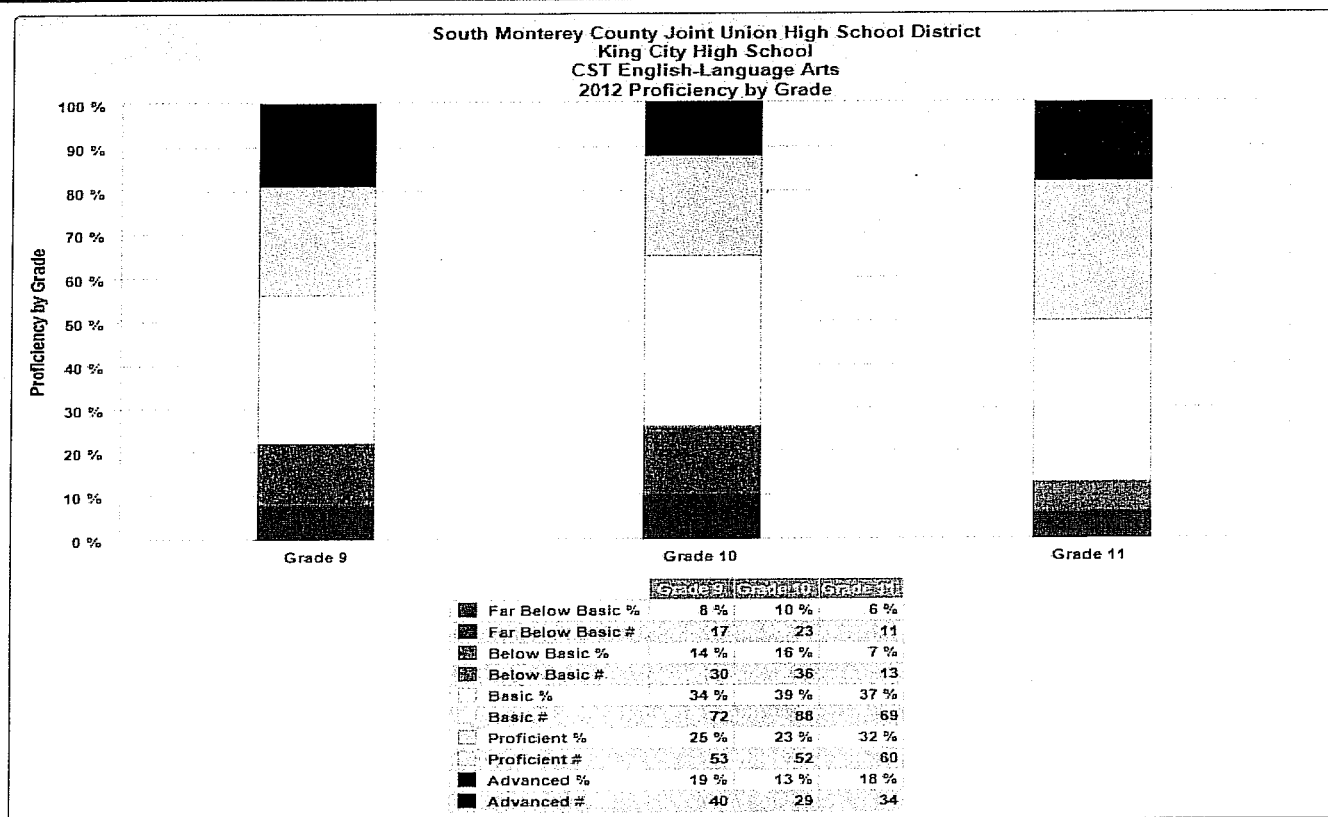
Which stakeholders were involved in analyzing data and developing this goal?

King City High 2012-13
Single Plan For Student Achievement Report

The site principal, EL curriculum coach, and English department chairperson analyzed the data and developed this goal.



King City High 2012-13
Single Plan For Student Achievement Report



Who are the focus students?

1. Hispanic English Learners
2. Hispanic students qualified as English Learners for 3 years or more
3. 9th grade students; 10th grade students; 11th grade students, respectively

What is the expected growth?

1. Hispanic English Learners will increase their percentage proficient in English Language Arts 5%
2. Hispanic students qualified as English Learners for 3 years or more will increase their demonstration of Early Advanced or Advanced language skills by 20%
3. 9th grade students will increase by 5%; 10th grade students will increase by 4%, and 11th grade students will increase by 7% as measured by the 2012-13 CST.

What data will be collected to measure student achievement?

1. Results provided through the 2013 AYP
2. CELDT test to be delivered in the summer of 2013
3. 2012-13 ELA CST

What process will you use to monitor and evaluate the data?

Quarterly pre and post school wide benchmarks will be delivered to chart student progress toward goals. Achievement of goals will be assessed by stakeholders when results are revealed through CDE.

Actions to improve achievement to exit program improvement. (if applicable).

Action Title: Conferences Staff Development

Means of Achievement: Alignment of instruction with content standards

Tasks :

Collaboration Time, On Site Professional Development and Department release Days.

Measures :

A complete scope and sequence to CCSS and amend benchmarks to reflect new performance tasks. Minutes from meetings.

People Assigned :

Department Chairs, Instructional Coach, Classroom teachers, Site Leadership.

Start Date : 7/2/2012

Completion Date : 6/30/2013

Funding Resources	Related Expenditures	Estimated Cost
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	AP, Gradual Release, Kate Kinsel	\$5,000
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Sub Cost for collaboration	\$1,500
Economic Impact Aid: Limited English Proficiency (LEP)	Read 180	\$1,500
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Turnitin.com	\$2,500

Action Title: Credit Recovery

Means of Achievement: Alignment of instruction with content standards

Tasks :

CM Training Professional Development, Classroom walk throughs, PLC FOL WASC Peers Observation group learning walks.

Measures :

Completed observation forms and student interview documents

People Assigned :

Principal, classroom teachers, instructional coach

Start Date : 7/1/2012

Completion Date : 6/30/2013

Funding Resources	Related Expenditures	Estimated Cost
Economic Impact Aid: Limited English Proficiency (LEP)	Credit Recovery	\$15,000

Action Title: Tutoring

Means of Achievement: Alignment of instruction with content standards

Tasks :

After school tutoring sessions in content areas
AVID
Homework help

Measures :

Calendar of tutoring sessions
Student sign-ins
Tutorial request forms

People Assigned :

Core teachers who are willing to tutor after school

Start Date : 7/1/2012 Completion Date : 6/30/2013

Funding Resources	Related Expenditures	Estimated Cost
Economic Impact Aid: Limited English Proficiency (LEP)	Tutoring	\$10,000

Action Title: Ipad

Means of Achievement: Alignment of instruction with content standards

Tasks :

Integration of technology in the classroom
Hands on instruction

Measures :

Classroom assignments
Behavior
Grades
Student performance
Lessons

People Assigned :

Selected group of students yet to be determined
Teacher
Site Admin
Tech Support

Start Date : 7/1/2012 Completion Date : 6/30/2013

Funding Resources	Related Expenditures	Estimated Cost
Economic Impact Aid: Limited English Proficiency (LEP)	Ipad	\$10,000

Action Title: eBooks

Means of Achievement: Alignment of instruction with content standards

Tasks :

Integration of technology in the classroom
Hands on instruction

Measures :

Classroom assignments
Behavior
Grades
Student performance
Lessons

People Assigned :

Selected group of students yet to be determined
Teacher
Site Admin
Tech Support

Start Date : 7/1/2012

Completion Date : 6/30/2013

Funding Resources	Related Expenditures	Estimated Cost
Economic Impact Aid: Limited English Proficiency (LEP)	eBooks	\$10,000

Action Title: EL Instructional Coach

Means of Achievement: Alignment of instruction with content standards

Tasks :

Place students in proper ELD level course to CELDT level.
Train ELD staff in new ELD standards.
Train staff in CM strategies through 8 co-hort trainings
Purchase materials to ensure classroom practices (flipbook, posters etc)

Measures :

Classroom observation of EL strategies.
Completed forms.
Engage in instructional rounds,
Classroom walkthroughs
Peer Observation and debrief
Completed walkthrough data and observation of strategies

People Assigned :

EL Instructional Coach
EL Teacher
Site Admin
All Staff

Start Date : 7/1/2012

Completion Date : 6/30/2013

Funding Resources	Related Expenditures	Estimated Cost
Economic Impact Aid: Limited English Proficiency (LEP)	ELD Staff	\$60,000

Goal Area: English Language Arts

Goal Title: WASC Goal #2a: Transition from the California Standards to the Common Core Standards in L/A

During the 2012-13 school year, the English department teachers will revise the California State Standards aligned 9th grade scope and sequence curriculum and the corresponding district wide 9th grade benchmarks to reflect the Common Core Standards. Chronologically over the subsequent 3 years, until the 2015-16 school year, the English department will realign all grade level benchmarks and scope and sequence materials to reflect Common Core Standards.

Essential Program Components

EPCC#	1	2	3	4	5	6	7	8	9
Have	✓	✓			✓	✓	✓	✓	✓

What data did you use to form this goal (findings from data analysis)?

The department will use the Common Core State Standards as a guide during the revision process; however, no formative or summative data is currently available.

How does this goal align to your Local Educational Agency Plan goals?

This goal aligns site goal 4: "To move from California Content Standards to high quality Common Core State Standards through the implementation of scientific proven researched based teaching strategies."

This goal aligns to LEA goal: "Create and implement a curriculum program that is equitable, accessible and rigorous to all students," (1g).

What did the analysis of the data reveal that led you to this goal?

While there is no data available regarding student performance, the national and state requirements to transition from California State Standards to Common Core Standards necessitates the transition. A stage-specific guideline for the implementation of Common Core has been constructed by CDE and will be used to guide the process.

Which stakeholders were involved in analyzing data and developing this goal?

District administration, site administration, English department chairperson, and EL coordinator were involved in the development of this goal.

Who are the focus students?

All 9th grade students enrolled in English Language Arts will be targeted for the transition from CCSS to CCS during the 2012 - 13 school year.

What is the expected growth?

By the end of the 2012-13 school year, all 9th grade students will have been subject to revised common core aligned scope and sequence.

What data will be collected to measure student achievement?

Common core aligned benchmark data collected over the course of the 2012-13 school year will be compared to the data collected from traditional CST benchmark data issued to all other students.

What process will you use to monitor and evaluate the data?

Trends in traditional benchmark data collected over the last several years will be used to calibrate the initial results from newly created common-core aligned benchmarks in an effort to determine equitable testing materials.

Actions to improve achievement to exit program improvement (if applicable).

King City High 2012-13
Single Plan For Student Achievement Report

Action Title: US Test Prep

Means of Achievement: Alignment of instruction with content standards

Tasks :

Students complete and show growth on CST/ CAHSEE preparation exams

Measures :

Quarterly benchmark results

Formative assessments in core classes

People Assigned :

Core Teachers

Department Chairs

Site Admin

Start Date : 7/1/2012

Completion Date : 6/30/2013

Funding Resources	Related Expenditures	Estimated Cost
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	US test Prep	\$10,000

Goal Area: Mathematics

Goal Title: WASC Goal #1b: Improve student achievement in Mathematics

By June 2013, student data in Algebra I will indicate a 8% increase in proficient and above from 24% to 32% and a decrease of 8% in the below/far below from 48% to 40%. Student data in Geometry will indicate a a 4% increase in proficient and above from 41% to 45% and a decrease of 4% in the below/far below from 18% to 14%. Student data in Algebra II will indicate a increase 8% increase in proficient and above from 22% to 30% and a decrease of 8% in the below/far below from 27% to 19%.

Strategic Goal:
Identify students scoring at the basic level and develop strategies that will help them attain proficiency

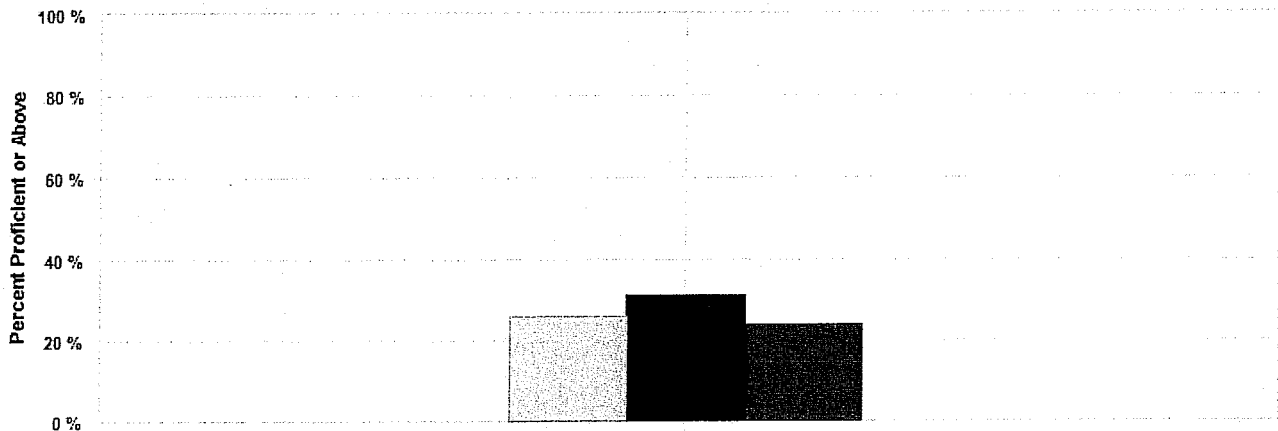
Intensive Goal:
Identify students scoring at the below/far below level and develop additional strategies that will target their weakest areas.

Essential Program Components									
EPC#	1	2	3	4	5	6	7	8	9
Have	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

What data did you use to form this goal (findings from data analysis)?

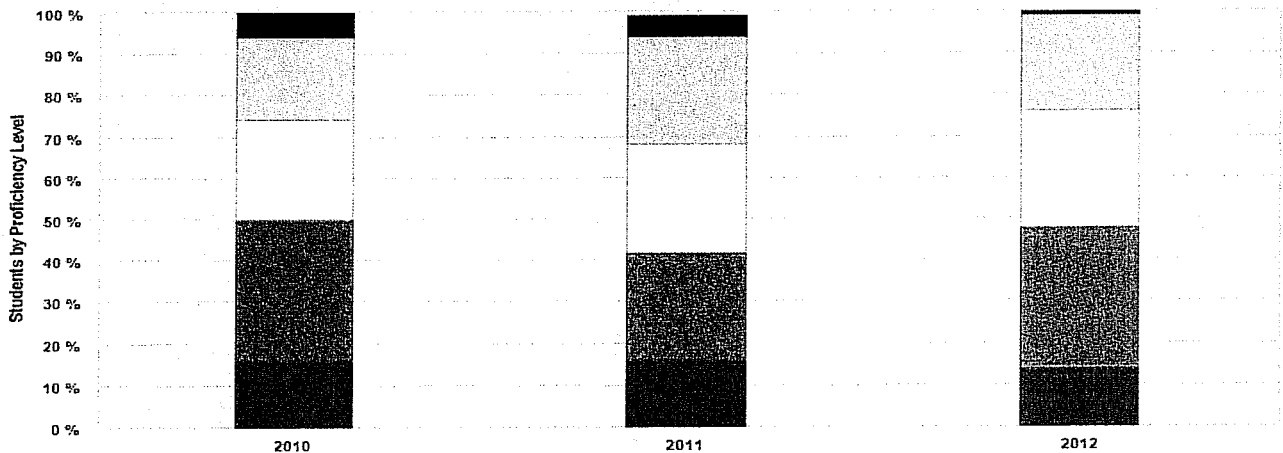
The 2012 CST mathematics scores for KCHS were used as a baseline.

South Monterey County Joint Union High School District
King City High School
CST Algebra I
2010 to 2012 Students Percent Proficient or Above



CST Algebra I	
2010 %	26 %
2010 #	97
2011 %	31 %
2011 #	81
2012 %	24 %
2012 #	81

South Monterey County Joint Union High School District
King City High School
CST Algebra I
2010 to 2012 Students by Proficiency Level



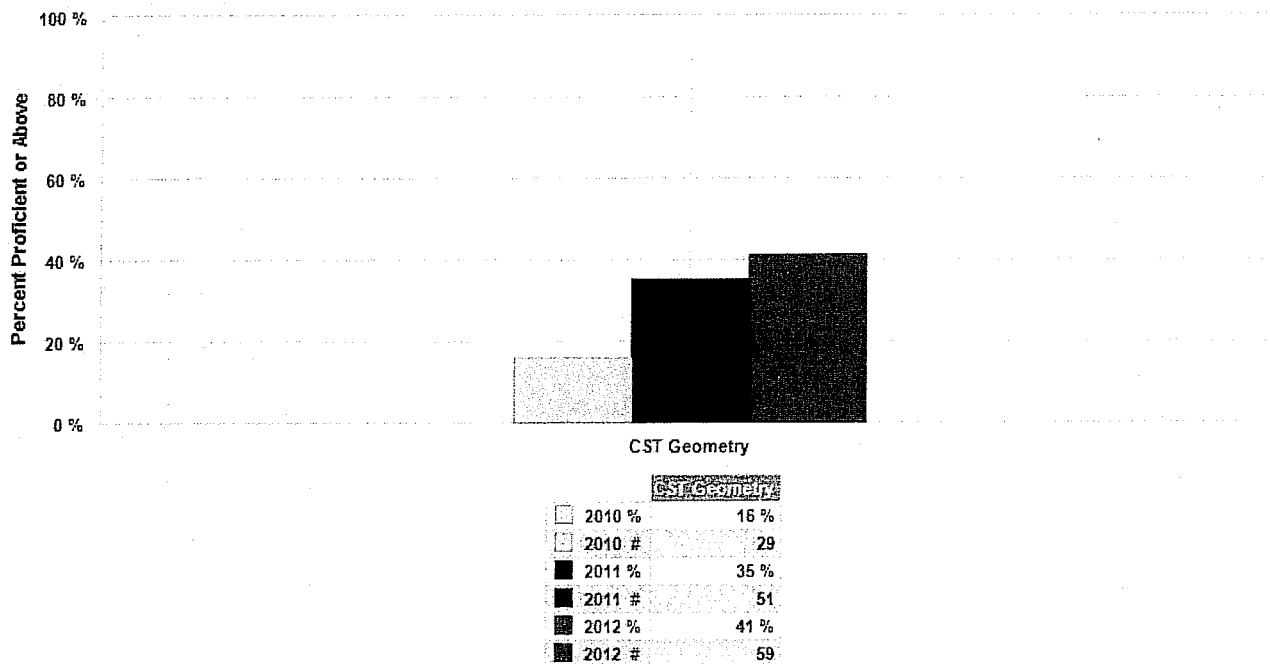
	2010	2011	2012
Far Below Basic %	16 %	16 %	14 %
Far Below Basic #	60	42	47
Below Basic %	34 %	26 %	34 %
Below Basic #	126	68	115
Basic %	24 %	26 %	28 %
Basic #	89	68	94
Proficient %	20 %	26 %	23 %
Proficient #	74	68	78
Advanced %	6 %	5 %	1 %
Advanced #	22	13	3

How does this goal align to your Local Educational Agency Plan goals?

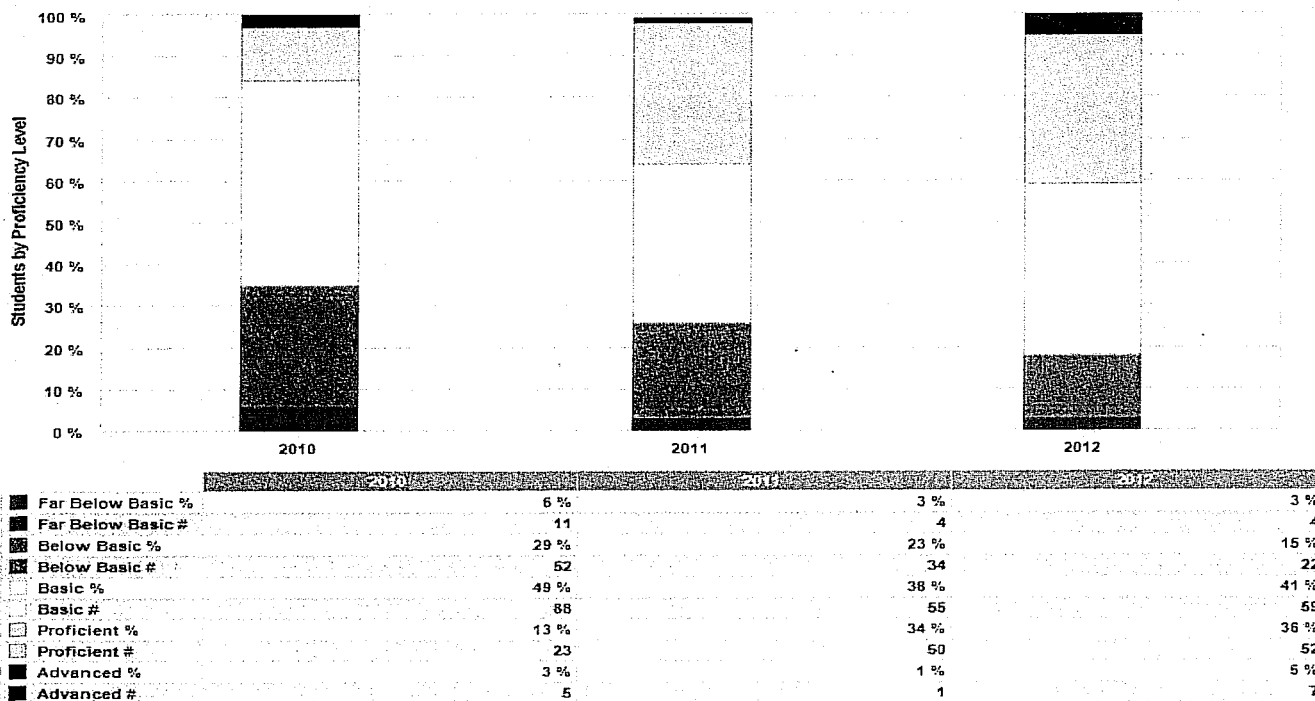
King City High 2012-13
Single Plan For Student Achievement Report

The LEA plan identifies specific issues causing low achievement and designates a plan to address the issues in order to attain the growth indicated in this goal. The LEA plan recognizes the need to implement strategies for all student especially those designated as "safe harbor". These are the same students that would fall into our strategic goals.

South Monterey County Joint Union High School District
King City High School
CST Geometry
2010 to 2012 Students Percent Proficient or Above



South Monterey County Joint Union High School District
King City High School
CST Geometry
2010 to 2012 Students by Proficiency Level

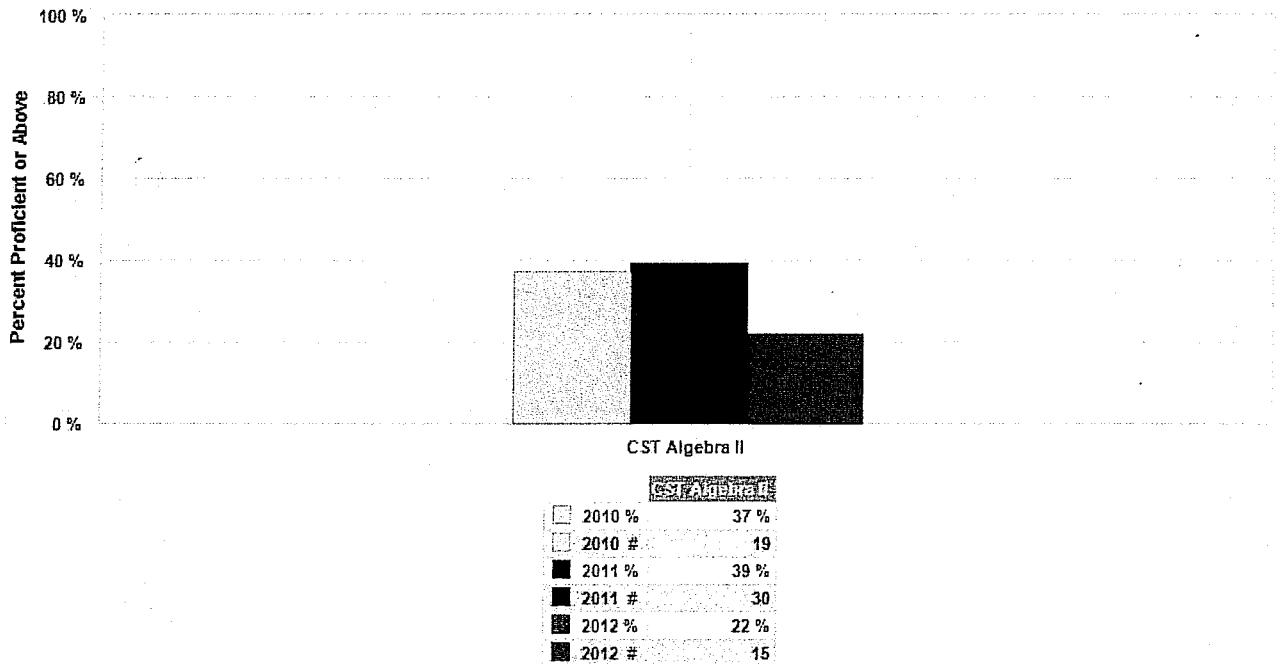


What did the analysis of the data reveal that led you to this goal?

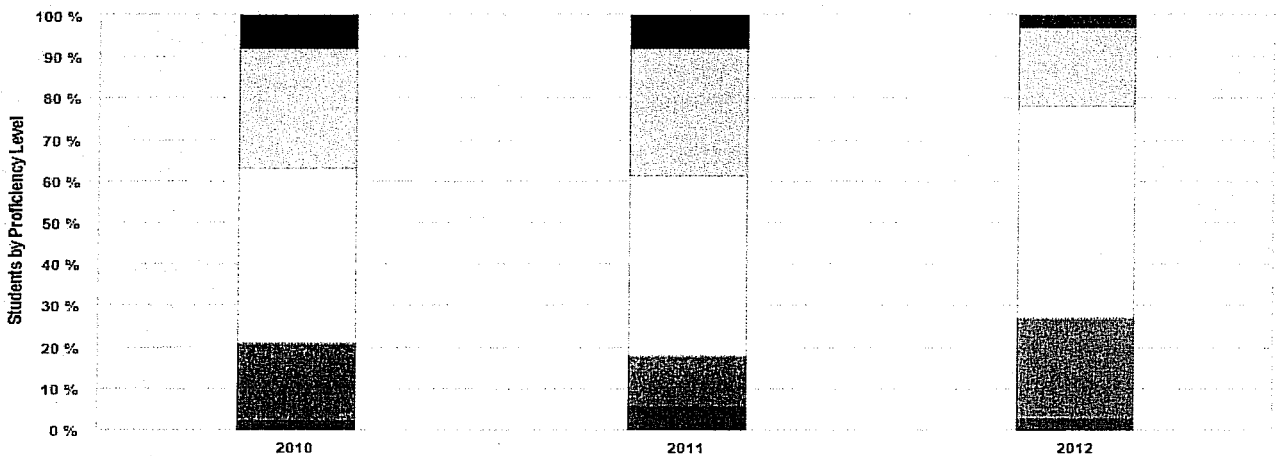
King City High 2012-13
Single Plan For Student Achievement Report

After disaggregating the data for the past 3 years the math department have decided that they want to focus on bringing the proficient level up to the state average or making reasonable growth. Along with decreasing the below/far below by the similar percentage.

South Monterey County Joint Union High School District
King City High School
CST Algebra II
2010 to 2012 Students Percent Proficient or Above



South Monterey County Joint Union High School District
King City High School
CST Algebra II
2010 to 2012 Students by Proficiency Level



	2010	2011	2012
Far Below Basic %	2 %	6 %	3 %
Far Below Basic #	1	5	2
Below Basic %	19 %	12 %	24 %
Below Basic #	10	9	16
Basic %	42 %	43 %	51 %
Basic #	22	33	35
Proficient %	29 %	31 %	19 %
Proficient #	15	24	13
Advanced %	8 %	8 %	3 %
Advanced #	4	6	2

Which stakeholders were involved in analyzing data and developing this goal?

King City High 2012-13 Single Plan For Student Achievement Report

The math department and administration of King City High School analyzed and developed this goal.

Who are the focus students?

The primary students are the students falling into the below/far below categories which tend to include our EL learners. In addition we want to identify and target our "safe harbor" students who fall in the basic category.

What is the expected growth?

Algebra: increase proficient and above by 8% and decrease below/far below by 8%

Geometry: increase the proficient and above by 4% while decreasing the below/far below by 4%

Algebra II: increase the proficient and above by 8% while decreasing the below/far below by 8%

What data will be collected to measure student achievement?

We will use quarterly benchmarks to check progress in addition to chapter tests and spiraling quizzes that continue to assess past topics.

What process will you use to monitor and evaluate the data?

We will meet as a department to disaggregate the data and assess areas for improvement additionally we will meet monthly to check on each teachers progress in following the pacing guide and how the students are performing on chapter tests and quizzes.

Actions to improve achievement to exit program improvement (if applicable).

Action Title: Benchmark Analysis

Means of Achievement: Alignment of instruction with content standards

Tasks :

- Release time for the math department to analyze benchmark data
 - Disaggregate the data to determine the needs of future instruction
 - Use of USATestPrep within our classes as preparation for CAHSEE, CST and benchmarks
- This will be done during collaboration time Wednesdays.

Measures :

- USATestPrep scores
- CAHSEE scores throughout the year
- Quarterly benchmark results
- Lesson plans

People Assigned :

Math department and site administration

Start Date : 7/1/2012

Completion Date : 6/30/2013

Funding Resources	Related Expenditures	Estimated Cost
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Release Time for Math Dept to Review Data	\$1,500
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	USA Test Prep	\$10,000

Goal Area: Mathematics

Goal Title: WASCO Goal 2b: Transition from the California Standards to the Common Core Standards in Mathematics

To transition 100% of the math department from using the California State Standards to the Common Core State Standards by the 2014-2015 school year. Which would require training, curriculum planning and resources to help implement the Common Core Standards.

Essential Program Components

EPCC	1	2	3	4	5	6	7	8	9
Have	✓	✓			✓	✓	✓	✓	✓

What data did you use to form this goal (findings from data analysis)?

California adopted new curriculum standards that will go into effect in the 2014-2015 school year.

How does this goal align to your Local Educational Agency Plan goals?

The first goal of our LEA is to move the district and individual sites out of program improvement status. In order to accomplish this goal we need to transition to the new standards before our students are tested on those standards in the spring of 2015.

What did the analysis of the data reveal that led you to this goal?

U.S. mathematics students currently rank 25th in the world, over 40% of U.S. graduates must pay for non-credit remedial courses in college. There is also a significant achievement gaps among student groups (race/ethnicity, socio-economic, & special services).

The common core standards were adopted by most states to have higher expectations for teaching and learning, ensure college and career readiness for all students, and to prepare students to compete in a global economy

Which stakeholders were involved in analyzing data and developing this goal?

Math department and administration.

Who are the focus students?

All students in a math class are our focus especially the class of 2016, who will be the first students to take the test in the spring of 2015.

What is the expected growth?

Growth is undetermined until a class scores and a baseline is established. By transitioning to the new standards the math department hopes to prepare all students to score successfully.

What data will be collected to measure student achievement?

Prior to the testing date the math department will be using performance tasks that are similar to those they will see on the Common Core test.

What process will you use to monitor and evaluate the data?

The math department will assess any performance tasks through a rubric at our monthly meetings. Any training that a member attends, they will disseminate all information to the rest of the department. All materials purchased will go through a prior inspection by the math department on its validity and usefulness in teaching the common core.

Actions to improve achievement to exit program improvement (if applicable).

King City High 2012-13
Single Plan For Student Achievement Report

Action Title: Out of District conferences and workshops

Means of Achievement: Alignment of instruction with content standards

Tasks :

- California Math Council regional conferences
- Texas Instruments International Conference
- National Council of Teachers of Mathematics regional and annual conferences
- County Office of Education workshops
- Other conferences/workshops that present themselves

Measures :

The math department is 100% ready to implement the Common Core Standards in the 2014-2015 school year.

People Assigned :

All members of the math department.

Start Date : 7/1/2012

Completion Date : 6/30/2013

Funding Resources	Related Expenditures	Estimated Cost
NCLB: Title II, Part A, Teacher Quality	CA Math Conference	\$3,000
NCLB: Title II, Part A, Teacher Quality	Texas Instrument International Conf	\$3,000
NCLB: Title II, Part A, Teacher Quality	National Council Math Conf	\$3,000
NCLB: Title II, Part A, Teacher Quality	County Office Of Education Workshops	\$1,500
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Implement CCS Release time	\$1,500

Action Title: In-District workshop

Means of Achievement: Alignment of instruction with content standards

Tasks :

- Allow for release time to attend workshops locally or at the district that address the Common Core Standards or its implementation
- Attended workshop by the County Office of Education on August 2, 2012 by three members of the math department

Measures :

The math department is 100% ready to implement the Common Core Standards in the 2014-2015 school year.

People Assigned :

The math department and site administration

Start Date : 7/1/2012

Completion Date : 6/30/2013

Funding Resources	Related Expenditures	Estimated Cost
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Release Time to attend Conf sub cost	\$1,500

Action Title: Classroom resources

Means of Achievement: Alignment of instruction with content standards

Tasks :

- Purchase transitional materials related to the Common Core
 - Textbooks aligned to the Common Core when available
 - Class sets of graphing calculators
 - Document cameras compatible to the SmartBoard
 - Yearly assessments during Freshmen and Sophomore years that are tied to the Common Core assessment
 - Performance task assessments that are tied to the Common Core assessment
- And any other items that the math department deems useful and necessary to teach and engage students in their learning

Measures :

The math department will be 100% ready to implement the CCSS by the 2014-2015 school year

People Assigned :

Math department and site administration

Start Date : 7/1/2012

Completion Date : 6/30/2013

Funding Resources	Related Expenditures	Estimated Cost
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Purchase Transitional Supplemental Materials to the CCS	\$15,000
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Graphing Calculators	\$10,000
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Document Cameras	\$5,000

Action Title: Block Algebra Classes

Means of Achievement: Alignment of instruction with content standards

Tasks :

Identify students for class based on CST scores
Teacher referrals
Master Schedule needs
Staffing

Measures :

CST
Grades
benchmark assessments

People Assigned :

Math Dept
Teacher
Site Admin
Counselor

Start Date : 7/1/2012

Completion Date : 6/30/2013

Funding Resources	Related Expenditures	Estimated Cost
Economic Impact Aid: Limited English Proficiency (LEP)	Block Conf Algebra	\$30,000

Goal Area: Professional Development

Goal Title: WASC Goal #3: Building Capacity through Professional Dev to Improve Student Learning

During the 2012-13 school year, district and site administration will work collaboratively with teachers to build a professional learning community (PLC) functioning as a framework for the conversations necessary for the successful application of the Constructing Meaning (CM) strategies used to support the development of literacy skills in preparation for the implementation of the Common Core Standards (CCS). By 2016, 100% of site teachers will display varying degrees of classroom-level implementation of the CM, using their PLCs as a framework for identifying the best instructional practices.

Essential Program Components

EPCC#	1	2	3	4	5	6	7	8	9
Have	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

What data did you use to form this goal (findings from data analysis)?

Using the Common Core standards and released questions from the Smarter Balance consortium as a launchpad for discussion regarding the course-specific literacy skills necessary for success on the standardized test, site department chairs garnered training in Common Core as a basis for leadership within their departments, and all teachers and site administrators were trained to use the strategies for advancing literacy provided through Constructing Meaning. With a rising Hispanic population and English learners stagnant in their language acquisition (see "CELDT 2010 to 2012 Early Advanced and Above" and "CELDT 2012 Percent of Students at Each Overall Proficiency Level"), it was necessary to build capacity through professional development to improve the learning of all students, but especially English learners.

How does this goal align to your Local Educational Agency Plan goals?

This goal aligns to the following LEA goals:

- "Intervention strategies will be identified and implemented for all students especially those designated as 'safe harbor'," (1b).
- "The professional development for certificated staff will focus on best instructional practices for all learners, with an emphasis on English Language learners (Constructing Meaning)," (1c)
- "Implement a system of accountability for all teachers and administrators to achieve these goals," (1h).

This goal aligns to the following site goals:

- "Create a shared vision and clear goals," (School Culture/ Environment, 2).
- "To move from California Content Standards to high quality Common Core State Standards through the implementation of scientific proven researched based teaching strategies," (Learning Goal, 4).

What did the analysis of the data reveal that led you to this goal?

In our 2-year study of the requirements for the implementation of Common Core Standards, it was established that our highest at-risk population is our English Learners, particularly those categorized as Long-Term English Learners (LTEL). In an effort to educate staff regarding the specialized needs of these students, professional development was dually purposed to analyze the reasons English Learners stagnate in language acquisition and the literacy level necessary for proficiency on the Common Core Standards. Further professional development and support is necessary to solidify reforms for these students.

Which stakeholders were involved in analyzing data and developing this goal?

District and site administrators, EL coach, department chairpersons, and teachers worked together to articulate the need for this goal.

Who are the focus students?

1. English Language Learners (ELL)
2. Long-term English Learners (LTEL)
3. Safe Harbor students

What is the expected growth?

By the 2015-16 school year, 100% of teachers and students will be trained to use the learning tools provided through Constructing Meaning for advancing literacy.

What data will be collected to measure student achievement?

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Ongoing multiple-measure common core aligned benchmark data from all departments collected over the course of the 2012-13 school year and all subsequent school years will be analyzed comparatively to establish growth patterns and the effectiveness of the subscribed strategies. Additional support and/or professional development may be necessary to assure implementation with fidelity.

What process will you use to monitor and evaluate the data?

Site administrators and EL coaches have been trained to evaluate the effectiveness of the strategies embedded in the curriculum for each subject and on-going monitoring will occur, with professional development and support recommending for teachers faltering in their implementation. Additionally, data provided through student benchmarks will be analyzed within the departments during 5 site approved release days, and results will be published on the school and district websites in an effort to maintain transparency and accountability.

Actions to improve achievement to exit program improvement (if applicable).

Action Title: CATE Conf

Means of Achievement: Alignment of instruction with content standards

Tasks :

Team of teachers to attend CATE conference

Measures :

Improvement in instructional strategies for EL students and alignment to CCSS

People Assigned :

English teachers
Department Chair

Start Date : 7/1/2012

Completion Date : 6/30/2013

Funding Resources	Related Expenditures	Estimated Cost
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Cate Conf	\$1,500

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Action Title: AP Implementation

Means of Achievement: Alignment of instruction with content standards

Tasks :

Attend AP Conferences
Vertical Alignment of Advance Placement
Pre-AP program
Articulation with feeder schools

Measures :

Completed AP timedwrites that show growth
Meeting minutes from p class meetings

People Assigned :

New AP teachers
AP Teachers
Pre-AP teachers
Instructional coaches

Start Date : 7/1/2012

Completion Date : 6/30/2013

Funding Resources	Related Expenditures	Estimated Cost
Lottery: Unrestricted	AP Implementation	\$3,500

Action Title: AVID Con

Means of Achievement: Alignment of instruction with content standards

Tasks :

Attend training for AVID Team
Hold Monthly committee meetings
Prepare paperwork for certification
keep records, documentation, evidence
Proper use of Collaboration Time

Measures :

Increase AVID articulation among teachers measured by AVID committee minutes
AVID sign-in sheets
AVID strategies in classrooms
Increase student participation
Collaboration Time

People Assigned :

AVID teacher
AVID committee members
Collaboration Time
Site Admin support

Start Date : 7/1/2012

Completion Date : 6/30/2013

Funding Resources	Related Expenditures	Estimated Cost
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	AVID	\$3,000

Action Title: Core Release Days

Means of Achievement: Alignment of instruction with content standards

Tasks :

Core department meet to anchor and callibrate written benchmarsk
Align existing Scope and Sequence to CCSS

Measures :

Change existing written benchmarks to reflect CCSS performance standards
Attend MCOE CCSS trainings for modules of CCSS implementation
Site trainings in CCSS to build on site capacity for CCSS transitional implementation.

People Assigned :

Department chairs
Instructional Coach
Site Admin

Start Date : 7/1/2012

Completion Date : 6/30/2013

Funding Resources	Related Expenditures	Estimated Cost
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Core Release Days	\$10,000

Action Title: Admin Coaching

Means of Achievement: Alignment of instruction with content standards

Tasks :

Identify and hire Coaches
Meet with site admin to develop calendar
Create clear goals
Bridge communication
Improve working conditions with teachers

Measures :

Personal Goals
Survey to stakeholders
Evaluation of job performance

People Assigned :

District
Coaches
Site Admin

Start Date : 7/1/2012

Completion Date : 6/30/2013

Funding Resources	Related Expenditures	Estimated Cost
Economic Impact Aid: Limited English Proficiency (LEP)	Admin Coaching	\$20,000

Goal Area: School Climate

Goal Title: WASC Goal #4: Build a Genuine Collaborative Culture

During the 2012-13 year, the school's staff will collectively use 100% of the PLC collaboration time to develop interpersonal relationships based on trust, mutual respect, and camaraderie with colleagues within and outside their departments as they discuss topics relevant to WASC and specific to the betterment of the school.

Essential Program Components

EPCC#	1	2	3	4	5	6	7	8	9
Have	✓	✓			✓	✓	✓	✓	✓

What data did you use to form this goal (findings from data analysis)?

Through qualitative data gathered through survey, individual interviews, department minutes, and staff meetings, it has been established that intradepartmental collaboration is solid within many of the core departments, but interdepartmental collaboration is largely elective.

How does this goal align to your Local Educational Agency Plan goals?

This goal aligns to the following LEA goals:

- "The professional development for certificated staff will focus on best instructional practices for all learners, with an emphasis on English Language learners (Constructing Meaning)," (1c)
- "Implement a system of accountability for all teachers and administrators to achieve these goals," (1h).

This goal aligns to the following site goals:

- "Create a shared vision and clear goals," (School Culture/ Environment, 2).

What did the analysis of the data reveal that led you to this goal?

Frequent rotations in both district and site administration have left school staff lacking long-term vision and void of trust in leadership capacity and in each other. Most have resigned themselves to selective participation in anything "extra." Because of the lack of consistent leadership, teachers have oppositional value systems based on independent paradigms for learning - some subscribe to direct instructional strategies to maintain discipline while others operate interdependently in highly constructivist classrooms. It is understood that teaching styles are solely at the discretion of the educator and based on personal preference.

Which stakeholders were involved in analyzing data and developing this goal?

District and site administrators, department chairpersons, and teachers worked together to articulate the climate of the school which led to the construction of this goal.

Who are the focus students?

All learners are impacted by teachers collaborating to coordinate perspectives of learning and translate those agreements into actions taken to improve student learning within the classroom.

What is the expected growth?

As time to collaborative with colleagues continues through the 2015-16 school year, it is expected that teachers will develop a more collectivist approach as trust, mutual respect and camaraderie are established. Research suggests that an increasingly collaborative culture indirectly contributes to student achievement on standardized exams and school morale, though the extent is unknown.

What data will be collected to measure student achievement?

Quantitatively, ongoing multiple-measure common core aligned benchmark data from all departments collected over the course of the 2012-13 school year and all subsequent school years will be analyzed comparatively to establish growth patterns and the effectiveness of the subscribed strategies.

Qualitatively, the collaborative culture of the school will continue to be monitored through data gathered through survey, individual interviews, department minutes, and staff meetings.

What process will you use to monitor and evaluate the data?

*See response above.

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Actions to improve achievement to exit program improvement (if applicable).

Action Title: Vertical Teaming

Means of Achievement: Alignment of instruction with content standards

Tasks :

Align "Ins -and- Outs" of 9-12 grade core classes

Measures :

list of skills, terms, assignments, benchmarks, text etc.... to be taught at each grade level.

People Assigned :

Course leads
Classroom Teachers
Instructional Coach

Start Date : 7/1/2012

Completion Date : 6/30/2013

Funding Resources	Related Expenditures	Estimated Cost
NCLB: Title II, Part A, Teacher Quality	Vertical Teaming	\$3,500

Action Title: PLC Training

Means of Achievement: Alignment of instruction with content standards

Tasks :

50% of school teacher leaders attend PLC training to implement PLC for the school year

Measures :

PLC assignment sheets
Cross curricular representation
Proper use of Wednesday Collaboration Days
Sign In sheets
Notes
Agendas

People Assigned :

PLC Leads
Teachers
Site Admin

Start Date : 7/1/2012

Completion Date : 6/30/2013

Funding Resources	Related Expenditures	Estimated Cost
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	PLC Training	\$5,000

Action Title: Subs for Peer Observation

Means of Achievement: Alignment of instruction with content standards

Tasks :

Sub coverage (period)for teachers to participate in CM instructional round observations and debriefs
WASC Focus On Learning Peer Classroom Observations
Interview of students
Proper use of Wednesday Collaboration Days

Measures :

Observation forms w/no names
Minutes from debriefs of shared best practices
Student interviews

People Assigned :

Instructional Coach
PLC teams
Classroom Teachers
Site Admin

Start Date : 7/1/2012

Completion Date : 6/30/2013

Funding Resources	Related Expenditures	Estimated Cost
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Subs for Peer Observation	\$3,000

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Funding Programs Included in this Plan

Each state and federal categorical program in which the school participates.

Total Site Plan Budget : **\$307,071**

Total Annual Expenditures for Current School Plan: **\$260,000**

Funding Resource Code	Funding Resource Description	Funding Allocation	Budgeted Allocation	Balance Available
1100	Lottery: Unrestricted	\$50,043	\$3,500	\$46,543
	AP Implementation		\$3,500	
3010	NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	\$89,022	\$86,000	\$3,022
	AVID Conf		\$3,000	
	Benchmark Analysis		\$11,500	
	CATE Conf		\$1,500	
	Classroom resources		\$30,000	
	Conferences Staff Development		\$9,000	
	Core Release Days		\$10,000	
	In District workshop		\$1,500	
	Out of District conferences and workshops		\$1,500	
	PLC Training		\$5,000	
	Subs for Peer Observation		\$3,000	
	US Test Prep		\$10,000	
4035	NCLB: Title II, Part A, Teacher Quality	\$29,230	\$14,000	\$15,230
	Out of District conferences and workshops		\$10,500	
	Vertical Teaming		\$3,500	
7091	Economic Impact Aid: Limited English Proficiency (LEP)	\$138,776	\$156,500	(\$17,724)
	Admin Coaching		\$20,000	
	Block Algebra Classes		\$30,000	
	Conferences Staff Development		\$1,500	
	Credit Recovery		\$15,000	

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Books	\$10,000
EL Instructional Coach	\$60,000
l pads	\$10,000
Tutoring	\$10,000
Total amount of categorical funds allocated to this school	
397,071	280,000
397,071	

School Site Council Membership

Education Code Section 64001(g) requires that the SPSA be reviewed and updated at least annually, including proposed expenditures of funds allocated to the School through the Consolidated Application, by the school site council. The current make-up of the school site council is as follows:

Name	Represents	Contact Info	Reviewed Plan Date
Maria Segobia	Parent or Community Member		10/17/2012
Carla Nullanix-Ackerman	Parent or Community Member		10/17/2012
Rosaneli Martinez	Parent or Community Member		10/17/2012
James Schierer	Classroom Teacher	jschierer@kingcity.k	10/17/2012
Chris Houston	Classroom Teacher	chouston@kingcity.k1	10/17/2012
Bruce Graham	Classroom Teacher	bgraham@kingcity.k12	10/17/2012
Pam Grant	Classroom Teacher	pgrant@kingcity.k1	
Elizabeth Hernandez	Other School Staff	ehernandez@kingcity.	
Lindsey arellano	Secondary Student		10/17/2012
Alejandro Hernandez	Secondary Student		10/17/2012
Janet Sanchez Matos	Principal	jmatos@kingcity.k12.	10/17/2012
Briana Apodaco	Secondary Student		10/17/2012

Total Number of Committee Members

	Principal	ClassRoom Teacher	Other School Staff	Parent or Community Member	Secondary Student
Number of Members of each Category	1	4	1	3	3

Recommendations and Assurances

The school site council recommends this school plan and proposed expenditures to the district governing board for approval and assures the board of the following:

	Approval Date
1. School Site Council Members	
2. Plan Review Due Date:	10/17/2012
3. The school site council is correctly constituted and was formed in accordance with district governing board policy and state law.	
4. The school site council reviewed its responsibilities under state law and district governing board policies, including those board policies relating to material changes in the school plan requiring board approval.	
5. The school site council sought and considered all recommendations from the following groups or committees before adopting this plan	
English Learner Advisory Committee	10/17/2012
English Department	9/22/2012
Math Department	10/2/2012
6. The school site council reviewed the content requirements for school plans of programs included in this Single Plan for Student Achievement and believes all such content requirements have been met, including those found in district governing board policies and in the LEA Plan.	
7. This school plan is based on a thorough analysis of student academic performance. The actions proposed herein form a sound, comprehensive, coordinated plan to reach stated school goals to improve student academic performance.	
8. Public Notice Due Date:	10/10/2012
9. District Governing Board Annual Review Due Date:	10/17/2012
10. This School Plan was adopted by the School Site Council at a public meeting on:	10/17/2012
11. Attested by School Principal:	10/17/2012
12. Attested by School Site Council Chairperson:	10/17/2012

Janet Sanchez Matos

Typed name of school principal

Signature of school principal

Date

Typed name of SSC chairperson

Signature of SSC chairperson

Date

Analysis of Current Educational Practice

1. Use of state and local assessments to modify instruction and improve student achievement (ESEA):

Goals set for the school year include increasing student achievement in Language Arts and Mathematics including an increased focus on Long Term English Language Learners.

With these goals in mind, all Core teachers and staff, within the operation of inter-disciplinary PLCs, examine STAR and CELDT data in order to identify areas of weakness for developing targeted interventions. Each school Department has created Quarterly benchmark tests and pacing guides to drive instruction. Benchmarks are given in each course, scored and subsequently analyzed.

Some departments have calibrated their scoring of written responses using department rubrics in order to create objective and accurate feedback for students and teachers. During collaboration time teachers share best practices for targeting the deficiencies found within the data.

The math and ELA departments utilize USATestprep in order to target weak CST and CAHSEE strands for individual students as identified by the data. Students are presented with a disaggregation of their strand scores and motivated to practice within their weakest areas in order to meet goals set collaboratively between the student and teacher.

During dedicated collaboration time, Wednesdays from 1:50-3:15, teachers review targeted goals as departments (i.e. The english department identified reading comprehension as the lowest testing strand on both the CAHSEE and CSTs, in effect they have pre-benchmarked all their students to measure reading comprehension, shared best practices and strategies for meeting their goal of increasing all students pre-benchmark performance within reading comprehension. During each department meeting formative and summative assessments are shared as a measure of moving towards their reading comprehension goal for each student). The creation of timely and shared assessments allows for productive discussions amongst PLC groups and departments.

With administrative support, the english and Mathematic departments have been allocated professional development time to begin the alignment of their current benchmarks to the newly adopted CCSS and the newly released ELD standards. Professional development has also been provided to every member of the staff and both administrators in Constructing Meaning, an institute that provides teachers with the practices for delivering explicit language support in the content areas.

Constructing Meaning practices are to serve as a focus of discussion, peer observations within the PLC and department groupings and be a vehicle of change for meeting our school goals of increasing student performance. This professional development has been a collaborative effort between both the elementary and high school districts in meeting the needs of our LTELs and improving students achievement for all in regard to academic language instruction across all content areas. The data collected through the use of a classroom peer observation tool will allow teachers within the op-operation of their PLCs immediate feedback in regard to the use of academic language by students.

An instructional coach is now on staff, available to model lessons, deliver lessons or offer non-evaluative peer assistance in the areas of best practices, observations or data disaggregation.

In the past, teachers have requested resources for student support based on department or individual needs, and have been accommodated by the administration on a case-by-case basis. In 2011-2012 school year, USA Test Prep was purchased to supplement the learning of core standards in the English, Math, Social Science, and Science departments. Other curriculum resources have been made available by the administration to the teachers e.g. READ 180, and System 44 in English. The School Site Council is also an available resource for reviewing and making suggestions for the funding of programs to raise student achievement. Teachers and administrators are able to go to the school site council and propose their intent to utilize funding for educational programs. As previously mentioned, collaboration days give the staff time to review data, assess student needs, and develop ways to best address these needs. With the purchase of School Plan, the staff is able to create local assessments and analyze data to see where the strengths and weaknesses lie.

All expenditures and programs at the site reflect the goals outlined in the single school plan, which reflects the test results from STAR and has led to developing common assessments. As the leadership team, focus groups, and school site council review and disaggregate such data, common goals are communicated and established for the upcoming school year. Those goals are identified in the single school plan along with detailed resources, positions, and time dedicated to the completion of those goals. The entire plan is presented to the school site council for their review and then presented to the governing board for their approval. Those goals are reviewed by the leadership team and School Site Council to create the main goals that will be the focus of the upcoming school year's SPSA. Projected budgets and expenditures will be based on activities and materials needed to achieve the goals set by these groups.

2. Use of data to monitor student progress on curriculum-embedded assessments and modify instruction (EPC):

Utilizing scope and sequence of curriculum for 9-12 grades, departments have created unit pacing guides for developing pre-benchmarks delivered to students to determine which skills and content must be targeted. Formative and summative assessments are given throughout each instructional sequence for measuring students growth in meeting the learning outcomes of each course's instructional sequence. Data is discussed during PLC meetings.

An instructional coach is on staff to meet with individual teachers to help determine individual student deficiencies and helping with best practices for those students' needs as determined by the teacher. The instructional coach also meets with teachers to explain data, provide tutorials on accessing the data and how to use the data to move instruction. Model lessons or peer observations are also available upon individual request of the teacher for modifying instruction. Currently, video of exemplar lessons are being added to a shared folder, accessible by all teachers for the viewing of best practices in action. PLCs will view and discuss which practices they can implement and why they are effective for modifying current instructional practices.

Some benchmarks are being modified to reflect the changing assessments of the Common Core State Standards. The professional development teachers are currently participating in helps to provide language opportunities to students within the scope of their school day and each class to produce similar tasks to those asked by the Smarter Balance released assessments. Data from these assessments are just being collected to help inform and move instruction in preparedness for the 2014-2015 implementation of CCSS.

Departments have agreed upon curriculum assessments and quarterly benchmarks, the data gathered from these is used to move instruction after being disaggregated by department members and strategies shared for re-teaching students who did not meet proficiency on the assessment. Some departments meet together to calibrate and anchor their grading in order to grade written assessments objectively. Data from pre-benchmarks, informs teaching practices by delineating the highest need deficiencies among classes. These deficiencies are targeted after best practices have been shared by members of the group. Growth is documented and results are shared each cycle, for the purpose of continually improving our practice.

3. Status of meeting requirements for highly qualified staff (ESEA):

Currently all teachers meet the Federal requirements of a Highly Qualified Teacher, with the exception of one long term substitute assignment in ELD.

When needed the District provides or send out the NCLB 30-day notices of Non-Highly Qualified teachers. These notices inform parents within 30 days that their child is being taught by a Non-Highly Qualified teacher who has not yet met Highly Qualified requirements.

4. Principals' Assembly Bill (AB) 75 training on State Board of Education (SBE) adopted instructional materials (EPC):

Site administration has completed AB 430 both Tier I and Tier II

5. Sufficiency of credentialed teachers and teacher professional development (e.g. access to AB 466 training on SBE-adopted instructional materials) (EPC):

All teachers and administrators on staff have participated in training for producing explicit language instruction in the core areas in order to move instruction towards meeting our goals of improving student achievement on the ELA and Math assessments.

Many teachers have finished or are in the process of completing lessons to demonstrate their effectiveness in implementing the skills and strategies for helping students produce academic language within their specific content areas. Some teachers are utilizing the CM certified-instructional coach to cement this professional development into their instructional practices and everyday student centered learning activities and routines. The focus of intra-disciplinary PLCs also reflect upon and discuss the strategies they are using as a part of this professional development in-service during their collaboration time.

Administrators are supportive in providing non-evaluative mini-observations of the CM skills as they are implemented into the classrooms. They also are willing to provide period coverage for those teachers wishing to participate in learning walks or peer observations to support the implementation of this professional development.

6. Alignment of staff development to content standards, assessed student performance, and professional needs (ESEA):

Department meetings, faculty meetings, and in-service days are all utilized to examine the current program, recent data on student achievement and attainment of the expected school wide learning results. Programs are instituted or modified on the basis of these examinations. If professional development is seen as a need, steps are taken to institute it in a timely manner.

In addition to school site wide CM training, individual teachers have attended Advanced Placement training specified to their course, AVID conferences, training of trainers, CCSS alignment workshops, and in-services to further their professional development and build capacity at our site for implementation.

Up coming training will include Gradual Release of Responsibility, Scaffolding Writing Instruction for the CCSS, Math Training of Trainers for the CCSS and on-going training in Constructing Meaning. The instructional coach will continue to offer small pull-out sessions throughout the school year in training teachers as interests are expressed. An instructional services contract is made available to all teachers for requesting specific one-on-one help with meeting school goals, data analysis, or classroom routines to name a few.

Departments meet individually to discuss teaching strategies, curriculum, student achievement, benchmarks, the incorporation of student data, the expected school wide learning results, academic standards, and department issues.

In Addition to site wide training in Constructing Meaning, other teams are being trained in Common Core State Standards in preparation for implementation. Gradual Release of Responsibility is also a focus of a team who will come back to the site and share the training through their PLCs.

Standards-aligned common assessments have been created and instituted in all core subject areas and are currently being developed in other departments to better assess students' subject mastery of skills and knowledge. Focus Group meetings take place for parents, students, and staff to share ideas and verify that a variety of learning experiences are being offered to students. Faculty meetings, department meetings, and release time has been proposed for faculty and staff to create and analyze common assessments and student achievement.

Requests for other professional development needs are submitted directly to the Principal for scheduling at the school site. Teachers also attend conferences, classes, workshops, and in-services to individually further their professional development.

Professional staff development is determined and driven by goals created in the single school plan. Currently on site staff development takes place during faculty meetings that occur once a month. Other staff development opportunities are available after school—these are facilitated by either district or site personnel. The topics often reflect the goals set by each department and are chosen by consensus by the faculty. The stakeholders at King City High School are committed to providing an academic program that is rigorous, relevant, and based on the current state standards. To assist in meeting this commitment, King City High School has incorporated new expected school wide learning results that are capable of being measured with standards-based assessment tools. All departments are using state frameworks and content standards in their programs. Individual departments, such as English and Math, are working cohesively with school leadership to make data-driven decisions concerning instruction and curriculum.

7. Ongoing instructional assistance and support for teachers (e.g., use of content experts and instructional coaches) (EPC):

For the 2012-2013 school year an instructional coach position was created with monies from Gear Up to continue the professional development being implemented within our high school and feeder middle school. The instructional coach provided all staff and administration professional development and certification in Constructing Meaning. The workshop is designed to optimize language and content learning for long-term English language Learners by examining our students with data, identifying the content specific language needed for production, connecting listening, speaking, reading and writing and building receptive and expressive academic language. These outcomes of Constructing meaning are in direct service to meeting our goals of increasing academic performance of all students, increasing the number of LTELs reclassifying and building capacity for more advanced placement offerings.

The instructional coach meets with individual teachers or groups by request through use of an instructional services contract. The coach works with any area of instruction or data requested or helps refine our teaching practices in the classroom with specific regards to the strategies of constructing meaning.

In other core areas there are teachers who serve as course leads to share their expertise in a given area or course. There are also teacher-leaders who take the initiative to gain new training in the Common Core State Standards so that this information can be disseminated to other staff as we begin awareness and readiness for the new standards.

8. Teacher collaboration by grade level (K-8) and department (9-12) (EPC):

For the 2012-2013 Academic School year time is set aside each Wednesday for 90 minute collaboration periods. These collaboration periods rotate so that there is sufficient time allocated to departments, intra disciplinary PLCs, school committees, and WASC Focus on Learning groups. In addition to the dedicated collaboration time, there is support at the district level for collaborative efforts of teacher leaders or departments to refine benchmarks, calibrate grading, or articulation with feeder schools.

Within some departments there is also vertical teaming of teachers who have classes that spiral into one another. Efforts are made to identify skill sets and content that will be assessed at each level and deepened at the next level.

With the new position of the Instructional coach there are current efforts to share Constructing Meaning lessons across sites. An archive of skills, lessons, benchmarks and anchor papers are being uploaded to a shared network that is accessible to all district teachers. This will help meet the goal of refining our practice through peer collaboration. Video of exemplar lessons will be added slowly. Within cross curricular PLCs, teachers observe one another and share feedback through a non-evaluative observation tool.

9. Alignment of curriculum, instruction, and materials to content and performance standards (ESEA):

Students at King City High School participate in an academic curriculum (including both instruction and materials) which is based on the standards and the expected school wide learning results. A goal of the school is to challenge students to do their best academically in order to prepare them for college and the workplace. Currently these standards are being aligned with the newly adopted CCSS and teachers are aligning their current content and instruction to be reflective of the depth of knowledge charts released by the Smarter Balance Consortium

The curriculum includes college preparatory, honors, advanced placement, and elective courses which provide a rigorous comprehensive education for all students at all grade levels. The needs of the various students are considered in the curriculum offerings, but students are encouraged to take the most advanced classes possible to make the most of their educational opportunities.

Students scoring at 1-3 on the CELDT exam are enrolled in standards based ELD programs, corresponding to the student's language developmental level, with state adopted materials and curriculum. The new CA ELD standards have just been released in September of 2012, and alignment to the new standards will be a focus during collaboration time.

All textbooks are standard-aligned as are course outlines. All departments have created benchmarks, common assessments, and scope and sequence. Intervention classes are offered in both English and Math to help students meet the CAHSEE requirements. Advanced Placement classes are offered for English Literature, English Language, Spanish language, Micro Economics, Macro Economics, U.S. History, and Calculus. AVID courses are also available to support students in their rigorous course of study and preparedness for college. Students choose and generally follow a major sequence (e.g. math, business, art) in order to give a sharper focus to their studies. Articulation with the local community college takes place regularly and articulation with Hartnell and CSUMB has also increased.

The teachers acknowledge the need for more inter-departmental collaboration such as developing cross-curriculum projects. Another need is for a regular after-school program to help students with homework. CAHSEE tutoring classes for English and Math have been offered the past two years, 4 days a week. Tutoring is offered after school via S.E.S. funding for the students that have the most critical needs. There are Math tutoring classes two times a week for students that qualify for the Migrant Education program. Articulation with the feeder schools currently is sporadic, but plans are under way to have regularly scheduled meetings. To ensure that the academic programs support academic success individual departments continue to discuss courses and programs that would need to be improved or discontinued. Proposals are then presented to the Governing Board and State Administrator for their approval.

KCHS students have a four-year plan that is reviewed their first year. All core courses are aligned to state standards. The Career Technical Education, special education, and English Language Development classes are aligned to state standards to support the students in passing the CAHSEE. AVID, Educational Talent Search, and teachers recruit students for rigorous courses.

There is a need to begin articulation between all members of the staff to implement practices and curriculum that meet the CCR CCSS anchor strands, so our students are prepared for performance task state assessments.

10. Adherence to recommended instructional minutes for reading/language arts and mathematics (K-8) (EPC):

Not applicable (9-12).

11. Lesson pacing schedule (K-8) and master schedule flexibility for sufficient numbers of intervention courses (EPC):

Not applicable (9-12).

12. Availability of standards-based instructional materials appropriate to all student groups (ESEA):

We are Williams compliant with the textbooks and instructional materials used in the classroom. These materials are available to all students. In many of the classes, especially in those courses in which textbooks have recently been purchased and adopted, students have both a class and home copy of the text.

Students in the ELD programs have SBE approved language development and standards aligned course material and texts. Students identified as below the 6th grade reading level have an additional intervention course of study with SBE approved materials and texts.

13. Use of SBE-adopted and standards-aligned instructional materials, including intervention materials, and for high school students, access to standards-aligned core courses (EPC):

Hampton-Brown EDGE Fundamentals and Edge Level A materials have been purchased for ELD 1, ELD 2, and ELD 3 classes. Scholastic's READ 180/System 44 program has been purchased for intensive intervention classes and has been and continues to be implemented since the 2010-2011 school year.

Pearson California Algebra 1 (2007) and California Geometry 1 were purchased for math classes in 2008. Special Education Algebra classes are using a textbook dated back to 2002. Pearson's California Algebra Readiness (2009) textbooks were purchased for all Algebra Readiness classes, both SpEd and mainstream.

14. Services provided by the regular program that enable underperforming students to meet standards (ESEA):

The teachers at King City High School provide challenging learning experiences in a variety of ways. The goal is for all students to achieve the academic standards and meet the expected school wide learning results while addressing the various student learning styles exemplified by the following strategies: Socratic Seminars, science labs, video presentations, collaborative group projects and Power Point presentations by both the students and the teachers. In addition, many classes utilize Turn-it-in.com, oral presentations, Quizdom, interactive notebooks, discovery learning and small group instruction to assist all students who have a variety of learning styles. Through the available technology of the Smart Boards and the individualized computer reading labs, differentiated instruction is more readily possible in the classroom.

Students are rewarded for achieving academically no matter what their curriculum emphasis is. A few of the awards given are the California Scholarship Federation, Honor Roll, Diamond Award, Academic Block, Mustang Gold recognition, Honor Cords for graduating Seniors, and Student of the month nomination. All students may earn an off campus lunch pass card for attaining proficiency in at least one core subject area.

To help all of the students achieve at the highest levels, new classes have been created to address various needs. The Strategic @ SDAIE courses have been instituted in the English department to prepare students for the regular college-prep English program. The math classes have been restructured to better prepare the students for the CAHSEE. Special classes such as Practical Writing and HSEE Mathematics for students who have not yet passed the CAHSEE are taught during the school day. Students are encouraged to take the PSAT, SAT, ACT and AP tests, to participate in the Scheid Writing Contest, the VFW Voice of Democracy Speech Contest, the national Lions Club Speech Contest and the Monterey County High School Poetry Contest. In addition, the FFA chapter has hosted the regional conference on the campus for many years and sends a leadership team to various state and national conferences and competition, where they have won many awards over the years.

King City High 2012-13 Single Plan For Student Achievement Report

Common assessments have been instituted in English and math and are currently being developed in other departments to better access student skills.

15. Research-based educational practices to raise student achievement at this school (ESEA):

KCHS has focused on GRR and Constructing meaning to provide researched best-practices to our staff. These best practices include the Gradual Release of Responsibility as advocated by Fisher and Frey. These GRR strategies include collaborative competencies for preparing our students for productive group collaboration. These competencies include social goals for encouraging and supporting students to enter into collaborative discussions. Students will better learn a second language (English) if they are allowed to use it. Staff has made effort to include oral language routines and practices into their every day lesson design. GRR also focuses on putting more responsibility on the students as the lesson unfolds so students' competencies for the content and language goals are evident to both student and teacher. GRR was chosen as a way to get more student talk into the classrooms and less teacher talk in order to address the need of our EL population and the increased focus from the upcoming CCSS on collaborative conversations as Career and College readiness Standards.

Our second focus as a school was on the professional development of Constructing Meaning by EL Achieve. We have a trained and certified presenter serving as a coach this year to work with teachers in bringing five teaching practices into the classrooms: backwards design with explicitly stated language and content goals
teaching targeted academic vocabulary

supporting student collaborative conversations with sentence stems, graphic organizers and concept maps

Providing students with clear notemakers that focus on meaning and interpretation not re-tellings

AND

Academic Drafting templates to support student writing within the genre based study.

As teachers begin to implement more of these strategies and practice them to fidelity, our students with disabilities, English learners, LTELs and regular education students will take more ownership of their learning, becoming participants rather than receptors of information. These strategies were chosen to target students who lack academic vocabulary as evidenced on our CELDT reclassification rates, have poor writing skills as evidenced on our EAP results and to move students who do not yet met proficiencies on the CSTs in Math and English.

16. Resources available from family, school, district, and community to assist under-achieving students (ESEA):

King City High School has one bilingual Student Services Coordinator, one bilingual College Advocate with an emphasis on English Learners, who are all dedicated full-time to helping students. The goal is for all students together with the parents and jointly develop a four-year pathway to identify graduation requirements and personal interests and goals. If a parent can not attend, the counselor meets with the student individually. At the end of the Junior year, student records are reviewed to ensure progress as to graduation requirements and candidates are identified for student study teams. The school has an active AVID program designed to assist first-generation college-bound students in the achievement of their goals. There is also a representative from the CSUMB campus on site two to three times a week to assist students in planning, preparing, and applying for college. Academic referrals have been in place since the beginning of the 2011-2012 school year to effectively identify at-risk students. The school uses Student Study Teams for high-risk students to review their specific learning modalities.

The Special Education department meets with every student yearly to discuss educational goals and graduation requirements. Individualized Transition Plans are developed for special education Freshmen (14 years old), rather than the state-required age of 16, because the school believes this is of the most benefit to students in special education.

Currently, the counselor is available to all students by appointment. However, the school realizes that 9th through 11th grade students need more systematic attention from the counseling department. Plans are under way to improve services to those students. The counseling department will meet with teachers in the English department to create more after-school opportunities for academic support. Also, they are investigating ways to increase their availability for before-school and after-school counseling for all students to more frequently review their academic progress. In addition, the career preparation program for non-college bound students needs strengthening.

Parent involvement is encouraged at King City High School and a variety of opportunities and activities are available. The school sends letters home for these events both in English and Spanish. Many events, such as Back to School Night, are announced in the local paper and the AlertNow phone system. The school web-site is currently being updated to offer this information.

Student/parent activities include the following: sports boosters (Mustang Bench); ASB Awards Night and other activities: drama productions, music concerts, and art shows; Freshman Orientation at night (parents & students); Back to School Night; athletic banquets for each sport and for FFA and other organizations (clubs and class activities/competitions).

The counseling department provides the following events and activities: the 4- year plan with all 9th graders and their parents, credit updates sent home at the beginning of the senior year letting parents know what classes their child needs in order to graduate, progress reports are mailed home, on-going parent/teacher contact (written, phone, personal), Student Study Teams, and ABI802 counseling academic review of all 11th and 12th graders who have not passed the exit exam.

Community-parent involvement activities are the following: FFA - where students help with many community activities, King City Invitational Track Meet, Mustang Bench, Parents' Meetings which are conducted in both English and Spanish, School Site Council - (newly updated), WASC Focus groups, Career Technical Education advisory committees (newly expanded), and hospital volunteer/internship partnership with students. The school has recently conducted several parent meetings to increase parent involvement in the teaching/learning process. More classes are scheduled and attendance has been increasing. King City High School has made bookmarkers in both English and Spanish with the ESLRs. These will be used to pass out to all students.

The staff, students, and parents at King City High School all agree that there are many opportunities for students to not only get involved in extra-curricular activities, but also find the personal support service they need. Many academic and social clubs, organizations and support services exist for the students. There are seven teacher-sponsored clubs with a wide range of interests on campus. Community and school support is also provided by the library and computer labs, as well as gyms, which are often open before and after school. The counseling department has an open door policy.

King City High School needs to increase the community's awareness of all these activities and programs including community service hours, students of the month, and academic blocks. Strengthening the relationship with the community will support the school's expected school wide learning goals and help insure that students take advantage of opportunities that will benefit them both at school and in the community.

In reviewing the counseling programs available, the focus groups noticed a need for a more consistent referral process for students that are struggling academically or who are in need of services. Student Study Teams are in place, in which special services referrals and/or suggestions for academic placement or support are discussed.

Also, all co-curricular organizations and activities are being reviewed to determine whether or not they support the academic standards. Each department that includes co-curricular activities is working to assess those programs in terms of: standards, goals, and methods of measured success. For example, all agriculture classes under the umbrella of the Future Farmers of America (FFA) have completed their annual review as outlined in the Perkins Grant, which includes strict standards-based guidelines. The FFA co-curricular program must also submit a single school plan that includes goals, allocation of resources, and other pertinent information.

17. Involvement of parents, community representatives, classroom teachers, other school personnel, and students in secondary schools, in the planning, implementation, and evaluation of consolidated application programs. (5 CCR 3032):

At KCHS, all stakeholders' representatives are routinely invited to participate in the following: • WASC Self-Study • School Site Council • ELAC/DELAC.

18. Services provided by categorical funds that enable underperforming students to meet standards (ESEA) :

KCHS provides a variety of services to under-performing students which are funded through categorical funds such as Title III-LEP, Migrant, CAHSEE grants, Title I, Block Grants, AB1200 Counseling grant, and Economic Impact Aid funds.

Currently, EIA funds continue to provide the College Advocate for English Learners position and the Constructing Meaning training to increase academic literacy and vocabulary specific to content area. The School Site Council will look at this year's categorical funds such as Title I to determine what funds are available and will hear from departments and organizations as to what would be their best use, in accordance with the prescribed goals.

Services Provided:

Tutoring
Read 180
AVID
Credit Recovery
ELD
Block Classes in Math and English
SES
Teacher Professional Development opportunities
Coaching Staff CM
Conferences / Workshops
Parent Workshops / Training

19. Fiscal support (EPC):

The District was taken over by the State in 2009-2010 school year due to fiscal insolvency. Currently, the District is under the direction of a State Administrator. At present the school Board and the KCHS School Site Council exist as an advisory to the State Administrator.

Categorical money is given to school site council to be allocated to help close the achievement gap at the school site.

Nine Essential Program Components

1. Use of standards-based State Board of Education (SBE)-adopted (kindergarten through grade eight) or standards-aligned (grade nine through twelve) English/reading/language arts and mathematics instructional materials, including intensive interventions and * English Language Development materials.
2. Implementation of instructional minutes for basic core Reading/Language Arts and mathematics programs, intensive intervention and strategic support courses as well as additional instructional time for structured English Language Development at all grade levels.
3. Use of an annual district instructional/assessment pacing guide for grades K-8 and high school.
4. Implementation of School Administrator Instructional Leadership Training Program- Instructional materials based professional development and ongoing targeted professional development and support for instructional leaders to ensure the full implementation of the district adopted program and the EPCs.
5. Fully credentialed, highly qualified teachers, per the requirements of the Elementary and Secondary Education Act (ESEA) and professional development on SBE-adopted instructional materials.
6. Implementation of ongoing instructional assistance and support for R/LA, ELD and mathematics teachers through the use of content experts, specialists, and instructional coaches.
7. For all grade levels, implementation of a student achievement monitoring system that provides timely data from common formative and curriculum-embedded and summative assessments for teachers and principals to use to monitor ongoing student progress, identify student needs, inform instruction and determine effectiveness of instructional practices and implementation of the adopted programs.
8. Implementation of monthly structured teacher collaboration for all RLA/ELD and mathematics teachers by grade level (K-8) and common course and department levels (9-12) facilitated by the principal.
9. Implementation of Fiscal Support aligned to full implementation of EPCs.

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

SUBJECT: Approval of Resolution 12:12/13 Biliteracy
Recognition Award

MEETING: November 13, 2012

AGENDA SECTION:

XX ACTION

☐ **INFORMATION**

☐ **ACTION/CONSENT**

GOVERNING BOARD

Board Goals:

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

Summary:

Beginning with the class of 2012 a Biliteracy Recognition Award was implemented. This resolution puts into perpetuity that acknowledgement until such time as it is terminated by the Board.

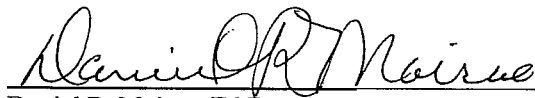
Recommendation:

It is recommended the resolution be adopted by the State Administrator.

Fiscal Impact:

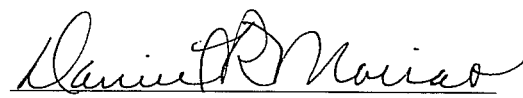
There will be minimal diploma seals required and student medallions to wear during graduation.

Submitted By:



Daniel R. Moirao, Ed.D.
State Administrator

Approved:



Daniel R. Moirao Ed.D.
State Administrator

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

RESOLUTION 12:12/13

Biliteracy Recognition Award

Whereas, mastery of two or more languages makes important contributions to a student's cognitive development, understanding of diverse cultures, and economic opportunities;

Whereas, the study of world languages contributes towards our national economy and our national security;

Whereas, multiple languages are a critical element in enabling our city and state to participate effectively in a global political, social and economic context;

Whereas, the demand for employees to be fluent in more than one language is increasing both in California and throughout the world;

Whereas, our community is home to speakers from many different language and cultural groups, and to build trust and understanding across the multiple language and cultural groups in our diverse community requires multilingual skills of communication;

Whereas, the California K-16 Master Plan for Education calls for pupils to graduate literate in two or more languages;

Therefore, it is the intent of South Monterey County Joint Union High School District to promote the development of literacy in two or more languages and to provide recognition of the attainment of those needed and important skills through the establishment of a Seal of Biliteracy on the high school diplomas or transcripts of pupils attaining functional proficiency in one or more languages, in addition to English.

Through the establishment of this Seal of Biliteracy, the District seeks to:

- Encourage pupils to develop biliteracy skills;
- Provide employers with a method of identifying people with language and biliteracy skills;
- Revitalize and promote world language instruction in our schools;
- Encourage the development of dual language immersion programs, and foreign, native and heritage language programs in schools;
- Recognize and honor our rich and diverse language assets.

Adopted by the State Administrator of the South Monterey County Joint Union High School District
November 13, 2012

Daniel R. Moirao, Ed.D.
State Administrator

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

GOVERNING BOARD

SUBJECT: Approval of Nominations for CSBA Delegate
Assembly

MEETING: November 13, 2012

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 CSBA Delegate Assembly works with local districts, county offices, and Board of Directors and Executive Committee to ensure the association reflects the interests of school districts and county offices of education throughout the state. There are two required Delegate Assembly meetings each year.

They are now accepting nominations for CSBA's Delegate Assembly. Applications are being accepted through Monday, January 7, 2013.


Recommendation:

Any Board member has the opportunity to complete an application.

Fiscal Impact:


None

Submitted By:



Daniel R. Moirao, Ed.D.
State Administrator

Approved:



Daniel R. Moirao, Ed.D.
State Administrator

TIME SENSITIVE – For Board ACTION –
Nominations due Monday, January 7, 2013
Please deliver to all members of the governing board. Thank you.

October 26, 2012

MEMORANDUM

TO: Board Presidents and Superintendents - CSBA Member Boards of Education
FROM: Jill Wynns, President
SUBJECT: **Call for Nominations for CSBA Delegate Assembly**

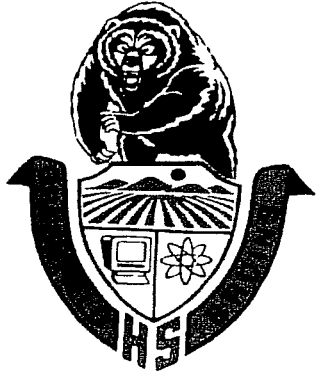
CSBA's Delegate Assembly is a vital link in the association's governance structure. Working with local districts, county offices, the Board of Directors and Executive Committee, Delegates ensure that the association reflects the interests of school districts and county offices of education throughout the state. **Nomination and Candidate Biographical Sketch forms for CSBA's Delegate Assembly are now being accepted until Monday, January 7, 2013.** All forms and information related to the election process are available to download from the CSBA website at www.csba.org/AboutCSBA.aspx.

- Any CSBA member board is eligible to nominate board members within their geographical region or subregion.
- Boards may nominate as many individuals as it chooses by using the nomination form.
- Approval from board member to be nominated to CSBA's Delegate Assembly.
- All nominees must submit a one-page, single-sided, candidate biographical sketch form and an optional one-page, one-sided résumé, (résumé cannot be substituted for the candidate biographical sketch form).
- All nomination materials must be postmarked or faxed no later than **Monday, January 7.**
- Delegates serve two-year terms beginning April 1, 2013 through March 31, 2015
- There are two required Delegate Assembly meetings each year, one in May in Sacramento and one preceding the CSBA Annual Education Conference and Trade show in November/December.

For further information about the Delegate Assembly, please contact Charlyn Tuter in CSBA's Leadership Services department at (800) 266-3382. You may download the following forms and find more information at www.csba.org/AboutCSBA.aspx. Thank you.

- ❖ Delegate Assembly Brochure
- ❖ Nomination Form
- ❖ Candidate's Biographical Sketch Form
- ❖ Important Dates
- ❖ List of all Delegates whose term expires in 2013
- ❖ Alphabetical List of Districts and County offices
- ❖ FAQ





GREENFIELD HIGH SCHOOL

Lisa Mazza, Principal
Monthly School Statistics
October 2012

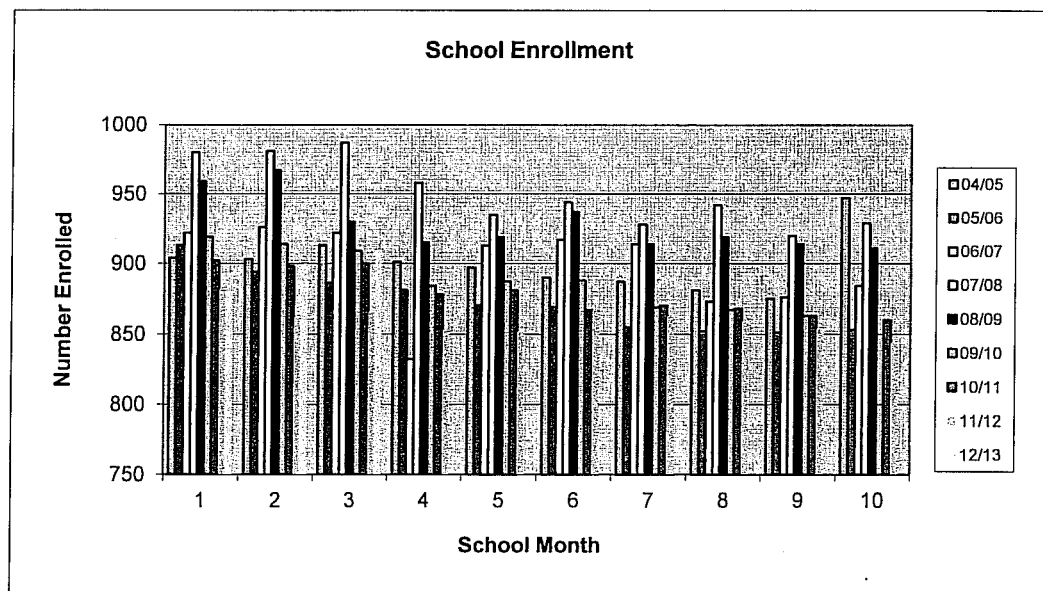
School Enrollment

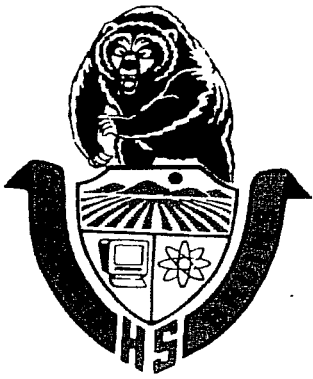
School Month

	04/05	05/06	06/07	07/08	08/09	09/10	10/11	11/12	12/13
1	904	913	922	980	959	919	902	882	880
2	903	894	926	981	967	914	898	862	900
3	913	886	922	987	930	909	900	866	910
4	901	881	832	958	915	884	878	853	
5	897	870	913	935	919	887	881	852	
6	890	869	917	944	937	888	867	867	
7	887	855	914	928	914	869	870	863	
8	881	852	873	942	919	867	868	859	
9	875	851	876	920	914	863	863	854	
10	947	853	884	929	911		860	844	

Average

899.8	872.4	897.9	950.4	928.5	888.889	878.7	860.2	896.6667
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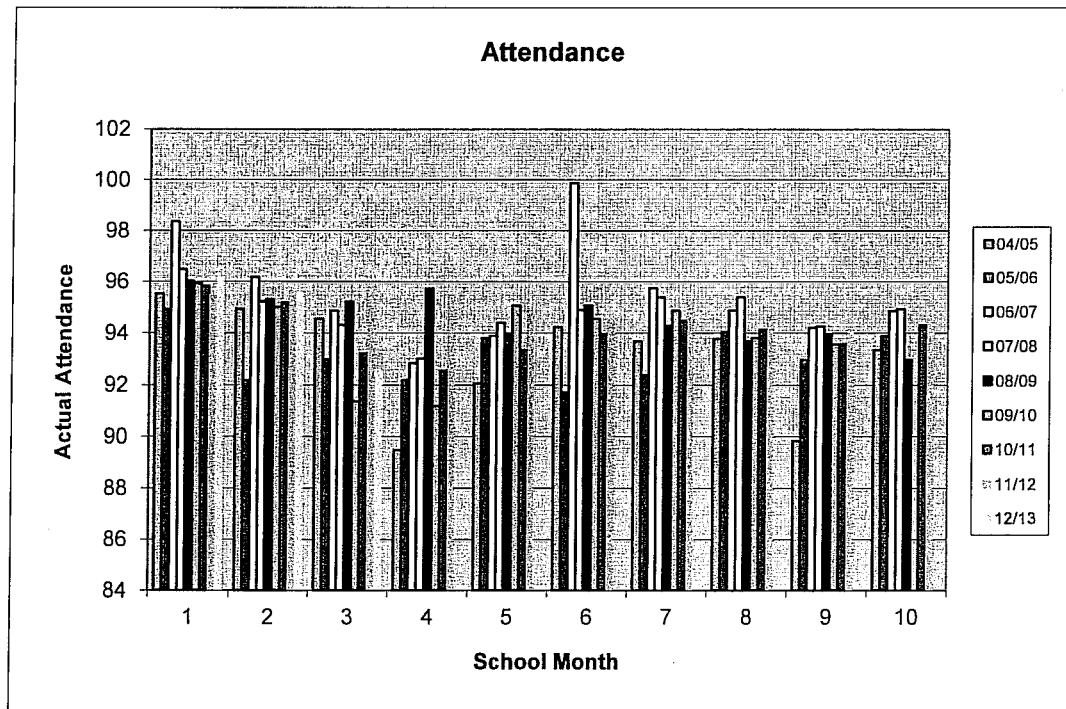


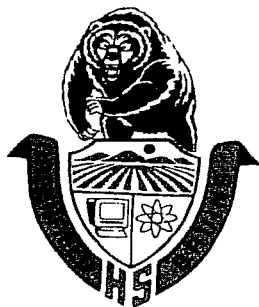
GREENFIELD HIGH SCHOOL

Lisa Mazza, Principal
Monthly School Statistics
October 2012

School Attendance Percentages

School Month	04/05	05/06	06/07	07/08	08/09	09/10	10/11	11/12	12/13
1	95.52	94.91	98.36	96.49	96.03	95.92	95.82	95.51	96.17
2	94.92	92.17	96.17	95.21	95.31	95	95.16	95.70	95.54
3	94.55	92.98	94.86	94.31	95.21	91.37	93.21	95.85	92.63
4	89.47	92.18	92.83	93.02	95.72	91.17	92.55	95.41	
5	92.06	93.8	93.89	94.40	93.95	95.06	93.34	94.72	
6	94.23	91.71	99.87	94.89	95.06	94.55	93.95	94.42	
7	93.69	92.39	95.75	95.38	94.28	94.86	94.47	95.36	
8	93.77	94.04	94.88	95.38	93.67	93.82	94.13	94.69	
9	89.82	92.95	94.20	94.26	93.95	93.56	93.57	94.18	
10	93.35	93.88	94.85	94.92	92.97		94.3	95.13	
Average	93.14	93.10	95.57	94.83	94.62	93.92	94.05	95.10	94.78





GREENFIELD HIGH SCHOOL

Lisa Mazza, Principal
Monthly School Statistics
October 2012

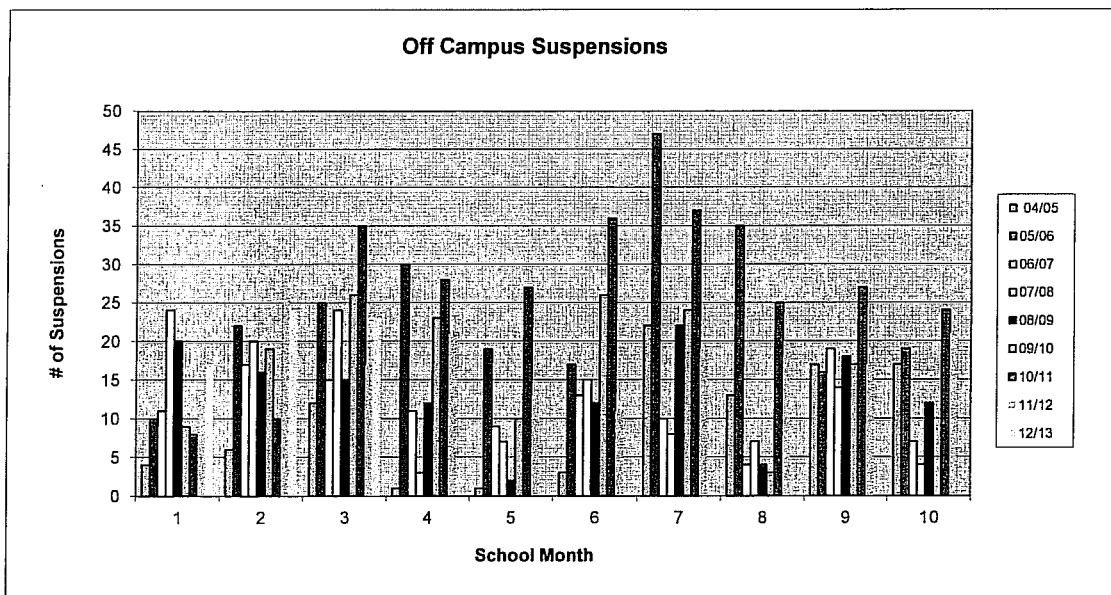
Off Campus Suspensions

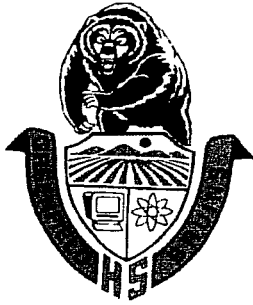
School Month

	04/05	05/06	06/07	07/08	08/09	09/10	10/11	11/12	12/13
1	4	10	11	24	20	9	8	12	17
2	6	22	17	20	16	19	10	28	24
3	12	25	15	24	15	26	35	17	23
4	1	30	11	3	12	23	28	21	
5	1	19	9	7	2	10	27	13	
6	3	17	13	15	12	26	36	11	
7	22	47	10	8	22	24	37	19	
8	13	35	4	7	4	3	25	20	
9	17	16	19	14	18	17	27	17	
10	17	19	7	4	12		24	21	

Average

9.6	24	11.6	12.6	13.3	17.44444	25.7	17.9	21.33333
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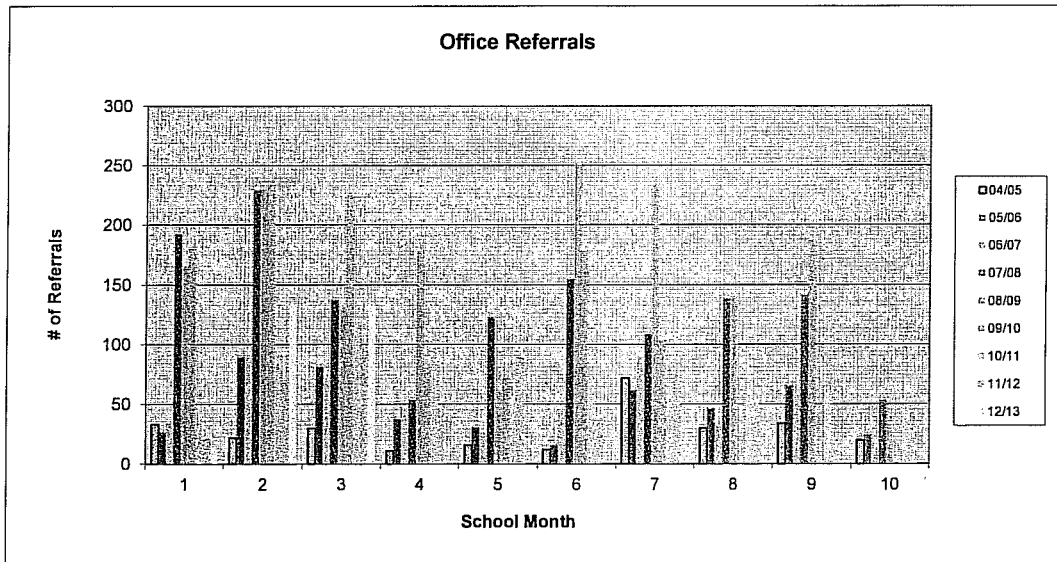


GREENFIELD HIGH SCHOOL

Lisa Mazza, Principal
Monthly School Statistics
October 2012

Office Referrals

School Month	04/05	05/06	06/07	07/08	08/09	09/10	10/11	11/12	12/13
1	33	27	35	193	166	181	34	21	14
2	22	90	90	230	231	235	79	69	134
3	30	82	73	138	132	226	120	90	133
4	11	38	48	54	178	82	89	50	
5	16	31	25	123	61	72	53	89	
6	12	16	42	155	251	180	72	39	
7	72	62	91	109	234	104	57	75	
8	30	47	34	139	141	0	60	52	
9	34	66	59	142	188	2	59	11	
10	20	25	6	54	17		48	29	
Average	28	48.4	50.3	133.7	159.9	120.222	67.1	52.5	93.6667

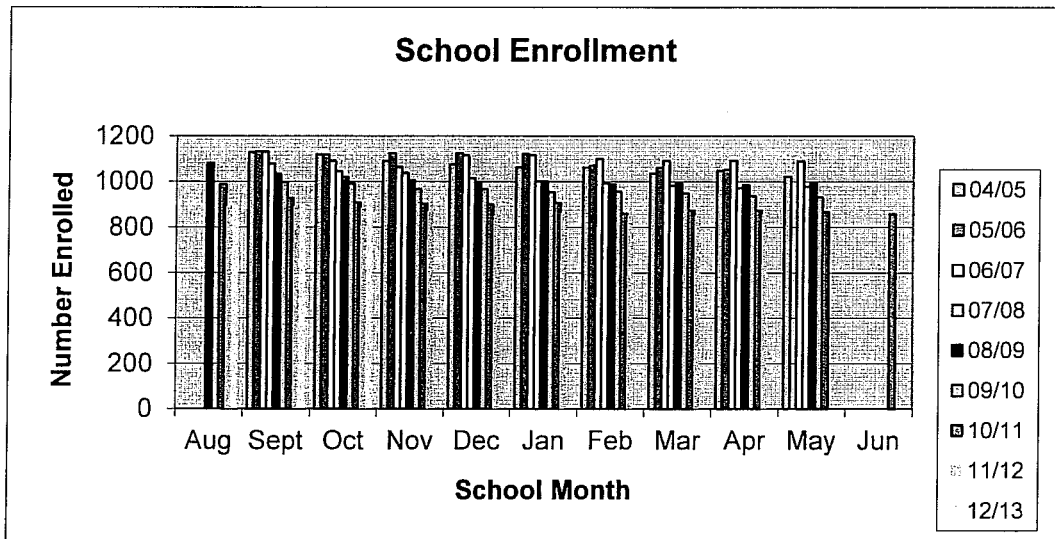


KING CITY HIGH SCHOOL

Janet Sanchez-Matos
Monthly School Statistics
2012-2013

SCHOOL ENROLLMENT

School Month	04/05	05/06	06/07	07/08	08/09	09/10	10/11	11/12	12/13
Aug					1080		988	891	897
Sept	1127	1132	1130	1077	1033	997	928	891	903
Oct	1118	1117	1090	1044	1019	991	907	887	942
Nov	1089	1123	1063	1038	1004	967	903	871	
Dec	1075	1123	1114	1014	998	966	901	852	
Jan	1062	1121	1116	1002	1002	953	908	865	
Feb	1062	1070	1099	992	988	956	861	852	
Mar	1036	1060	1090	982	992	949	873	854	
Apr	1048	1051	1091	972	985	936	873	859	
May	1022		1089	977	992	932	867		
Jun							858		
Year Average	1071	1100	1098	1011	1009	961	897	869	914



KING CITY HIGH SCHOOL

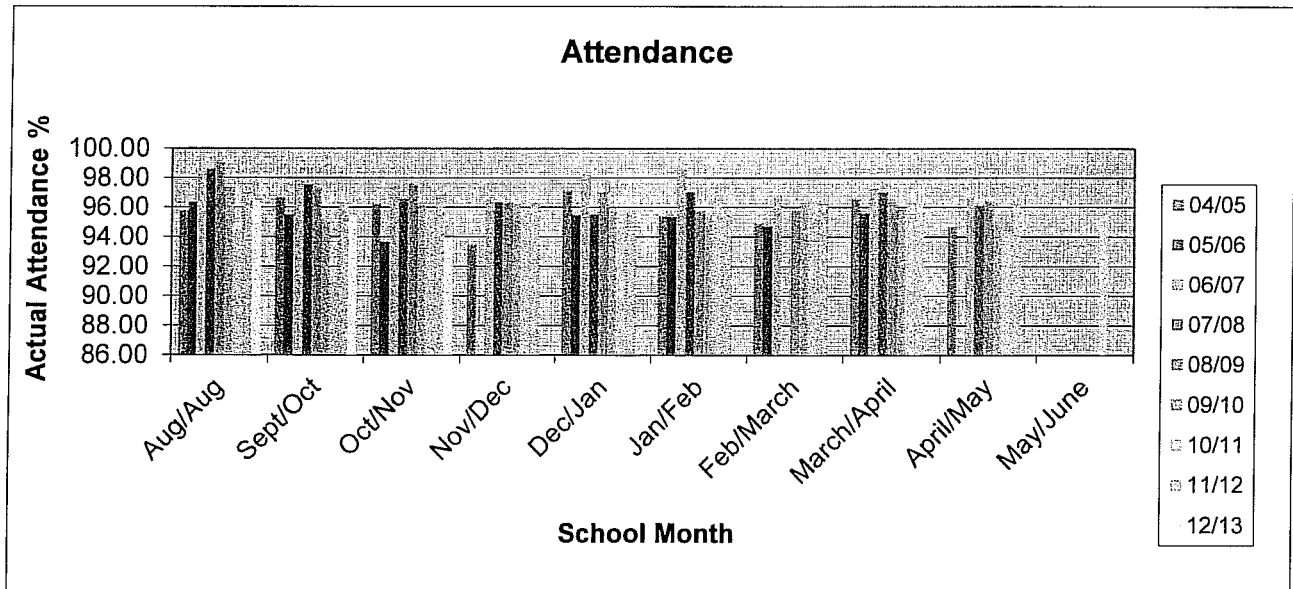
Janet Sanchez-Matos
Monthly School Statistics
2012-2013

KING CITY HIGH SCHOOL

SCHOOL ATTENDANCE PERCENTAGES

School Month 04/05 05/06 06/07 07/08 08/09 09/10 10/11 11/12 12/13

Aug/Aug	95.80	96.40	98.30	98.60	99.08	97.40	94.49	97.07	96.50
Sept/Oct	96.70	95.55	97.89	97.60	97.37	95.00	90.90	96.40	95.54
Oct/Nov	96.27	93.71	97.52	96.62	97.53	96.20	95.35	96.73	94.01
Nov/Dec	93.47		96.63	96.41	96.31	96.30	95.65	96.25	
Dec/Jan	97.15	95.51	98.20	95.53	97.06	96.10	94.72	95.70	
Jan/Feb	95.43	95.37	98.65	97.03	95.76	95.60	96.65	95.53	
Feb/March	94.93	94.76	96.70		95.80	96.20	96.54	96.35	
March/April	96.60	95.66	97.36	97.08	96.47	95.90	96.23	96.34	
April/May	94.70		96.81	96.19	96.44	94.90	94.32	96.31	
May/June							95.59		
Year Average	95.67	95.28	97.56	96.88	96.87	95.96	95.04	96.30	95.35

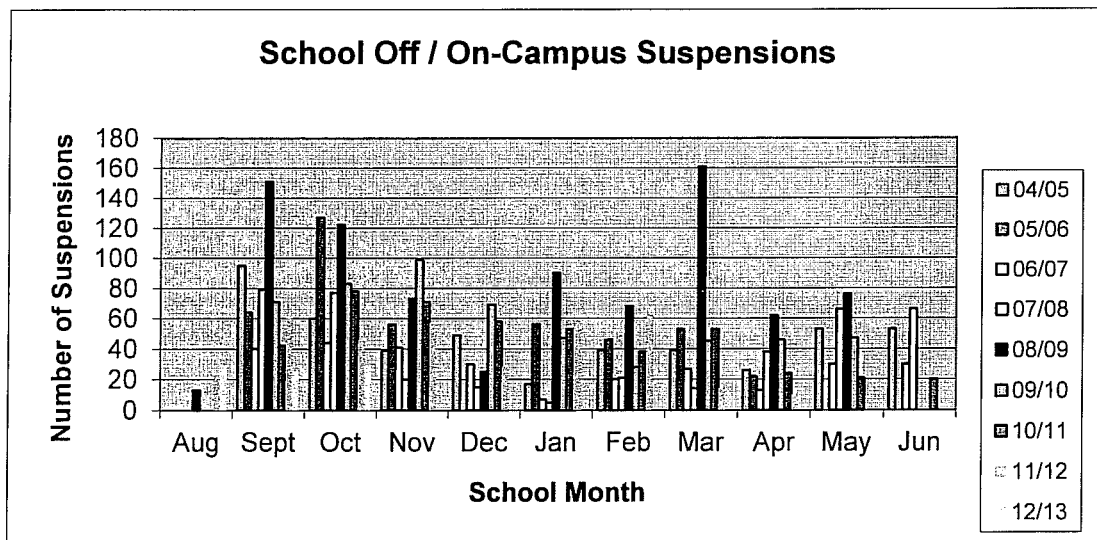


KING CITY HIGH SCHOOL

Janet Sanchez-Matos
Monthly School Statistics
2012-2013

SCHOOL OFF / ON-CAMPUS SUSPENSIONS

School Month	04/05	05/06	06/07	07/08	08/09	09/10	10/11	11/12	12/13
Aug					13			22	30
Sept	95	64	40	79	151	71	42	61	26
Oct	60	127	44	77	122	83	78	46	30
Nov	39	56	41	20	73	99	71	57	
Dec	49		30	15	25	69	58	28	
Jan	17	56	7	5	90	47	53	59	
Feb	39	46	20	21	68	28	38	63	
Mar	39	53	27	14	161	45	53	14	
Apr	26	22	13	38	62	46	24	10	
May	53		30	66	76	47	21		
Jun	53		30	66			20		
Year Average	47	61	28	40	84	59	46	40	29

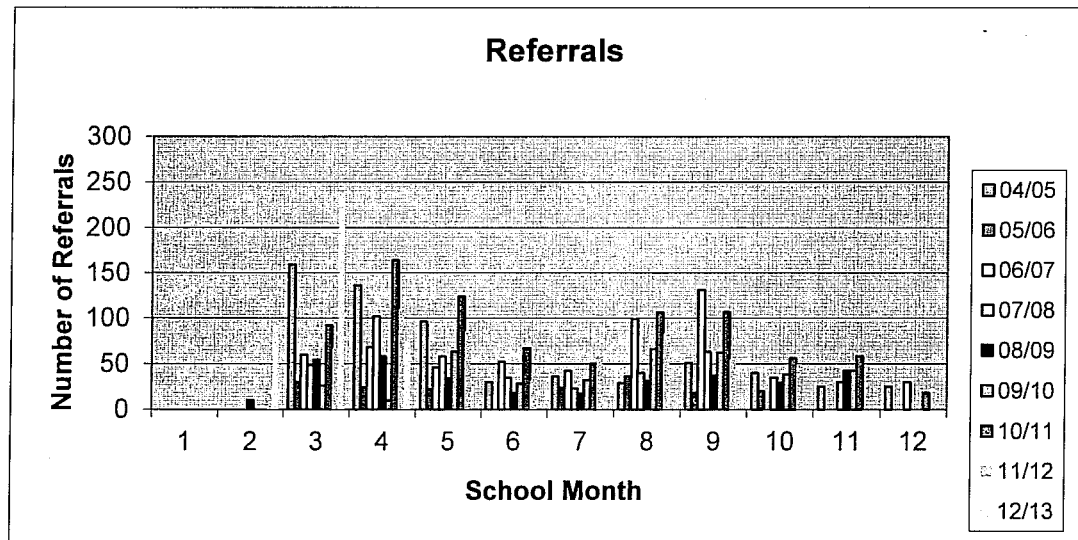


KING CITY HIGH SCHOOL

Janet Sanchez-Matos
Monthly School Statistics
2012-2013

REFERRALS

School Month	04/05	05/06	06/07	07/08	08/09	09/10	10/11	11/12	12/13
Aug					10			27	91
Sept	159	30	60	48	54	26	92	67	239
Oct	136	24	68	102	58	10	164	110	75
Nov	96	22	46	58	34	63	124	85	
Dec	30		52	35	18	28	67	32	
Jan	36	24	42	23	17	32	50	59	
Feb	29	36	99	40	31	66	106	83	
Mar	51	18	131	63	37	62	107	55	
Apr	40	20		35	29	38	56	49	
May	25			30	42	42	58		
Jun	25			30			18		
Year Average	63	25	71	46	33	41	84	63	135

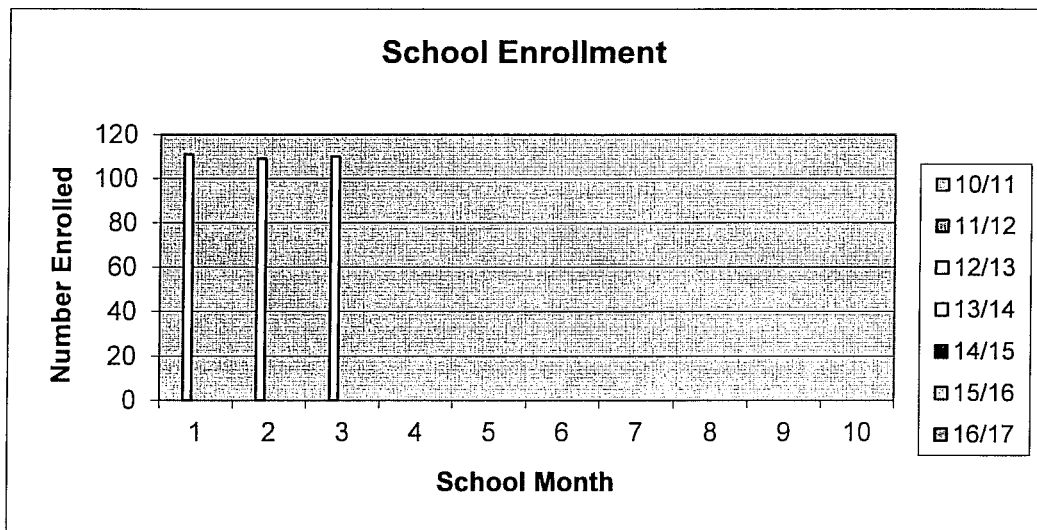


PORTOLA-BUTLER CONT. HIGH SCHOOL

Carolyn McCombs
Monthly School Statistics
NOVEMBER 2012

SCHOOL ENROLLMENT

School Month	10/11	11/12	12/13	13/14	14/15	15/16	16/17
1		0	111	0	0	0	0
2			109				
3			110				
4							
5							
6							
7							
8							
9							
10							
Average	#DIV/0!	0	110	0	0	0	0



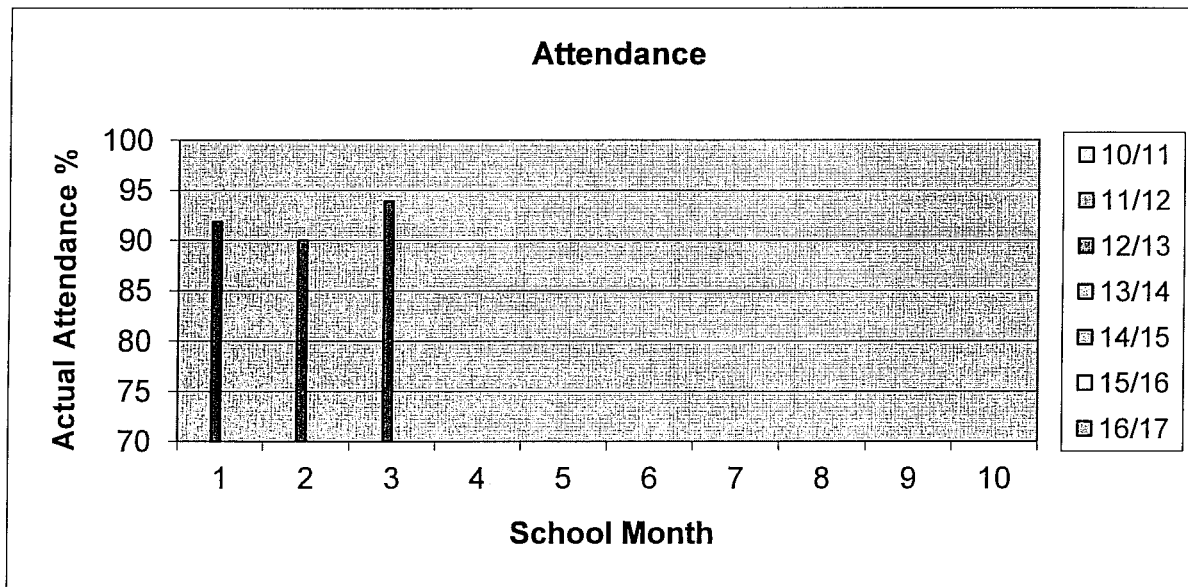
PORTOLA-BUTLER CONT. HIGH SCHOOL

Carolyn McCombs
Monthly School Statistics
NOVEMBER 2012



SCHOOL ATTENDANCE PERCENTAGES

School Month	10/11	11/12	12/13	13/14	14/15	15/16	16/17
1			91.8				
2			90.0				
3			93.9				
4							
5							
6							
7							
8							
9							
10							
Average	#DIV/0!	#DIV/0!	91.91	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!



PORTOLA-BUTLER CONT. HIGH SCHOOL

Carolyn McCombs
Monthly School Statistics
NOVEMBER 2012



OFFICE REFERRALS

School Month	10/11	11/12	12/13	13/14	14/15	15/16	16/17
1			1				
2			0				
3			1				
4							
5							
6							
7							
8							
9							
10							
Average	#DIV/0!	#DIV/0!	1	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!

