

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

Wednesday, April 10, 2013

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

BOARD OF EDUCATION

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

STUDENT BOARD MEMBERS

Sarah Rae Shepard, King City HS
Adam Mann, Greenfield HS

STATE ADMINISTRATOR

Daniel Moirao, Ed.D.

OPEN SESSION: 5:25 PM

A. CALL TO ORDER

B. PUBLIC COMMENT

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

El publico puede dirigirse a la Mesa Directiva de Educación con respecto a asuntos que están enlistados para dialogar durante la sesión a puertas cerrada completando así la forma que se le da a la comunidad para poder hablar durante la sesión, esta forma se encuentra en la entrada de la junta donde se lleva acabo 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 – Transfer/Discipline
 - Recommendation to Expel Student #24:12/13
 - Recommendation to Expel Student #25:12/13
 - Recommendation to Expel Student #26:12/13

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 must complete a Request to be Heard Form prior to the meeting, indicating whether they wish to address a non-agenda item*

or a specific item and present it to the Executive Assistant. This is an opportunity to address the Board when that item is acted upon. Unless otherwise determined by the Board/State Administrator, each person is limited to 3 (three) minutes. If a large number wish to speak on a specific item, there is a limit of 20 minutes total input on an item.

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

- F. REPORT FROM STATE ADMINISTRATOR
- G. STUDENT BOARD MEMBER REPORT
- H. BOARD MEMBER COMMENTS
- I. EMPLOYEE ORGANIZATIONS
- J. CONSENT AGENDA
 - 1. Approval of Minutes: March 13, 2013 and March 27, 2013 (Pages 1-11)
 - 2. Approval of Personnel Report Dated April 10, 2013 (**Daniel Moirao, Ed.D., State Administrator**)
 - 3. Approval of Contract with Facility Inspection Services (**Linda Grundhoffer, CBO**) (Pages 12-16)
 - 4. Approval of MOU with MCOE for Transportation of Special Education Students from Greenfield to the Soledad Transition Program (**Linda Grundhoffer, CBO**) (Pages 17-19)
 - 5. Approval of Contract with Axiom (**Linda Grundhoffer, CBO**) (Pages 20-26)
 - 6. Approval of Resolution #19:12/13 Education Protection Account (**Linda Grundhoffer, CBO**) (Pages 27-30)
 - 7. Approval of the Surplus of Property (Vehicles) (**Linda Grundhoffer, CBO**) (Pages 31-32)
 - 8. Approval of the King City Young Farmers Donation of \$7,600 to KCHS ASB FFA Club (**Linda Grundhoffer, CBO**) (Pages 33-34)
 - 9. Approval of the Quarterly Williams Report (**Daniel Moirao, Ed.D., State Administrator**) (Pages 35-36)
 - 10. Approval of Truancy Abatement Program Memorandum of Understanding with the District Attorney's Office (**Linda Grundhoffer, CBO**) (Pages 37-42)
- K. CONSENT ITEMS REMOVED FOR COMMENT/QUESTIONS
- L. PUBLIC HEARING
 - 1. 2013-14 Use of Categorical Flexibility Fund
- M. INFORMATION ITEMS
 - 1. Cash Flow Report from July 1, 2012 through March 31, 2013 (**Linda Grundhoffer, CBO**) (Pages 43-45)
 - 2. Revenue and Expenditure Report from July 1, 2012 through March 31, 2013 (**Linda Grundhoffer, CBO**) (Pages 46-70)
 - 3. School Enrollment, Attendance, and Referral Statistics (Pages 71-77)

4. Board Policies – First Readings (*Daniel Moirao, Ed.D., State Administrator*) (Pages 78-165)
 - BP 3100 Business and Noninstructional Operations (revised)
 - BP 5113.1 Chronic Absence and Truancy (revised)
 - AR 5113.1 Chronic Absence and Truancy (revised)
 - AR 5125 Student Records (revised)
 - BP 5136 Gangs (new)
 - AP 5136 Gangs (new)
 - AR 5141.3 Students Health Examinations (revised)
 - BP5144 Discipline (revised)
 - AR 5144 Discipline (revised)
 - BP 5144.1 Suspension and Expulsion Due Process (revised)
 - AR 5144.1 Suspension and Expulsion Due Process (revised)
 - BP 5145.6 Parental Notification (revised)

N. ACTION ITEMS

1. Approval of 2013-2014 Academic School Calendar (*Daniel Moirao, Ed.D., State Administrator*) (Pages 166-168)
2. Approval of Resolution #20:12/13 – Categorical Flexibility Funds (*Linda Grundhoffer, CBO*) (Pages 169-171)
3. Approval of Resolution #21:12/13 Proclaiming and Honoring California Day of the Teacher May 8, 2013 (*Daniel Moirao, Ed.D., State Administrator*) (Pages 172-173)
4. Approval of Resolution #22:12/13 Proclaiming and Honoring Classified School Employee Week May 19-25, 2013 (*Daniel Moirao, Ed.D., State Administrator*) (Pages 174-175)
5. Approval of Resolution #23:12/13 Classified Employee Layoffs and #24:12/13 Classified Confidential Management (*Daniel Moirao, Ed.D., State Administrator*) (Pages 176-178)
6. Board Policies (second reading) (*Daniel Moirao, Ed.D., State Administrator*) (Pages 179-232)
 - BP 3260 Fees and Charges (revised)
 - AR3260 Fees and Charges (revised)
 - AR3543 Transportation Safety (revised)
 - BP4030 Nondiscrimination in Employment (revised)
 - AR4161.2 Personal Leave (revised)
 - AR4217.3 Layoff Rehire (revised)
 - BP5131.61 Drug Testing (new)
 - BP5141.33 Head Lice (new)
 - BP6146.2 Certificate of Proficiency (new)
 - AR6146.2 Certificate of Proficiency/High School Equivalency Exam (new)
 - BP 6178 Career Technical Education (revised)
 - AR 6178 Career Technical Education (revised)

O. FUTURE AGENDA ITEMS/MEETING DATES

- April 24, 2013 – Board Study Session – TBD
- May 15, 2013 – Regular Board Meeting at Greenfield
- May 22, 2013 – Board Study Session TBD
- June 11, 2013 – Regular Board Meeting at King City

P. SIGNING OF PAPERS

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

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

Wednesday, March 13, 2013

Minutes

BOARD OF EDUCATION

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

STUDENT BOARD MEMBERS

Adam Mann, Greenfield HS – Excused Absence

STATE ADMINISTRATOR

Daniel Moirao, Ed.D.

OPEN SESSION:

Call to Order

Raul Rodriguez called the meeting to order at 5:32 P.M.

Public Comment

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

CLOSED SESSION:

- A. Public Employment
- B. Employee Discipline/Dismissal Release
- C. Negotiations with Employee Organizations
- D. Threatened/Potential Litigation
- E. Student Matters
 - Recommendation to Expel Student #20:12/13

OPEN SESSION:

Call to Order

Raul Rodriguez called the open session to order at 6:36 P.M.

Flag Salute

Raul Rodriguez led in the flag salute.

Report of Closed Session Actions

Raul Rodriguez reported the Board heard an update on negotiations with both employee associations and has agreed to issue a letter of possible reassignment to a site administrator. The Board also supported the recommendation of the stipulated expulsion for Student #20:12/13. Mr. Rodriguez also reported approval of the Personnel Report.

Approval of Agenda

Dr. Moirao approved the agenda.

Public Comment

There were not any comments from the public.

Report from State Administrator

Dr. Moirao said the Track Jamboree which was scheduled for April 27 may be in jeopardy due to the number of volunteers needed. Dr. Moirao said he met with Richard Benson who said the individuals who were instrumental in organizing the meet decided there was not time to do the necessary preparation which included the number of volunteers needed to pull off the meet.

King City High School will be holding their Scholarship Banquet on April 26 and Greenfield High School will be on May 2.

Dr. Moirao said this afternoon there was a lockdown at Greenfield High School due to an armed robbery at a convenience store in the vicinity of the high school. The SRO had a radio and immediately informed administration to put the campus under lockdown. The lockdown lasted approximately 30 minutes. He heard they were anticipating an arrest this afternoon.

He met with Carolina Sordia and Janet Sanchez-Matos to discuss putting together a parent university in September. When the date has been selected Dr. Moirao said he would inform the Board members. Any Board members interested in being a part of the planning committee should contact Shirley.

This week Dr. Moirao received the long awaited FCMAT report in draft form. He is reviewing the information and will be discussing with the FCMAT chair before the final version is released. The report is over 400 pages.

Dr. Moirao informed the Board; the state invited him to be part of the Greatness by Design Implementation Committee in Oakland on the first meeting scheduled Tuesday, March 19 and Wednesday, March 20. The program is designed to create tool kits for school districts to use in implementing the report state wide.

Dr. Moirao reminded any Board members, who have not completed the 700 Form, the deadline for completion is in a couple of weeks.

Dr. Moirao introduced Linda Benway who will be the Dean of Students at Portola-Butler Continuation High School due to Carolyn McCombs leaving as a result of her retirement and the limit on the number of days she was allowed to work under STRS.

Paulette Bumbalough inquired what the parent university was that Dr. Moirao referred to earlier in his presentation. He said this would include both high schools as well as the elementary districts. There would be different workshops held during the course of the year for parents addressing such issues as what the signs are for children who may be getting involved in gang activity, how to apply for scholarships at colleges and universities, etc.

Paulette Bumbalough reminded Dr. Moirao to keep Hartnell College in mind. He responded the college was on the list.

Raul Rodriguez said when Rudy Garcia was the principal at Greenfield High School there was a parent university. It was his understand that if a student parent attended so many sessions they would be guaranteed admission to CSUMB.

Student Board Member Report

Evelyn Sanchez said Adam Mann was not able to attend the meeting this evening; she would be giving the report. Last Friday they had an academic rally. Rotary has been recognizing a student of the month. For those students who have passed the CAHSEE in math and English these will be having a dance. Sophomores are being encouraged to start taking the CAHSEE test. The Prom is scheduled for April 27; there are only 20 to 30 seats left.

Raul Rodriguez inquired about sober grad at Greenfield High School. Ms. Sanchez said some people are trying to fund the program. Only 3 parents have been showing up for the sober grad meetings, the fundraisers which have been held have not been very productive.

The seniors met to discuss sober grad. It seems they are interested in having it, it is being promoted as being something positive. Dr. Moirao reminded Mr. Rodriguez this is outside of the school, it is a function run by parents and the community.

Mr. Rodriguez inquired if there was going to be a grad night. Ms. Sanchez said there will be three buses going to Disneyland.

Board Member Comments

Paulette Bumbalough said Girls Inc. had a meeting in King City several weeks ago, which was well attended. There were about 50 women, Dr. Moirao was also in attendance. It was a great event. The Community Foundation would match the \$10,000 required for the program. Half of the members have already made a donation. We are very pleased with the enthusiasm from the community. Hopefully the program will start in the fall.

Debra McAlahney-Dodson commented she thought the district URL was going to be changing with the district name change. She was having difficulty searching for the district on the internet. The Greenfield High School website has been halfway completed for the last several years. She inquired when it was going to be updated.

She attended an ROP meeting in Soledad on March 6. Soledad has a skills program; students from the program gave a presentation.

Dr. Moriao said in the recent Friday Update he had included that, Todd Farr will be leaving as the director of ROP at the end of the school year. Interviews for the position will be conducted on April 22. Last time Debra McAlahney-Dodson sat on the interview panel. Dr. Moirao said, if there are any questions Board members would like to include when the interviews take place, to please get them to him as soon as possible.

Debra McAlahney-Dodson thanked Dr. Moirao for analyzing the policies; there is a wealth of education regarding CTE, common core and the money pushing for the program. She encouraged Board members to read the information. Ms. McAlahney-Dodson said she appreciated the recent ROP policies.

Raul Rodriguez said he has read articles in the Monterey Herald as well as the Californian about the county science fairs. He has shared the idea of having a science fair with the Board in the past. His college freshman has never had a science exhibit. It appears this may be the case for his high school freshman as well.

Dr. Moirao said it is an investment of time for teachers. Raul Rodriguez said he encouraged the middle school and their teachers to have a science fair in the elementary district.

Debra McAlahney-Dodson said perhaps the individual she had met from NASA could assist. Mr. Rodriguez suggested if only one teacher did it next year it would generate interest.

Raul Rodriguez thanked Lisa Mazza for promoting the student of the month at Rotary. He also acknowledged her for inviting the parents of the student to attend the meeting. He said this was very unique.

Raul Rodriguez said the Greenfield High School website could have lots of opportunities. Some years ago Mr. Lopez and his math class worked on the website. He said he would like to see more than "under construction" pages. The comment was made the website for King City High School has a lot more information.

Debra McAlahney-Dodson inquired if each school sites had a class that could maintain their websites. Dr. Moirao said he would look into how we can keep the websites current.

Employee Organizations

There were not any comments from the employee organizations.

CONSENT AGENDA

1. Approval of Minutes: February 11, 2013, February 27, 2013, and March 6, 2013
2. Approval of Personnel Report Dated March 13, 2013
3. Approval of Surplus Equipment
4. Approval of Consultant Contract with National Coalition Building Institute
5. Approval of Agreement with Lozano Smith for Legal Services
6. Approval of Agreement with L & G Law Firm
7. Approval of Agreement with the UCSC and GEAR UP
8. Approval of Operational Agreement with the City of Gonzales for the California Gang Prevention, Intervention and Reduction (GRIP) Grant (CalGrip)
9. Approval of the Donation of a 2013 Ford E150 8 Passenger Van from Salinas Valley High School Ag. Inc. to the GHS Ag Dept.
10. Approval of the Donation of a Walk-in Flower Cooler for the King City High School Ag Department

Paulette Bumbalough said she would like to pull items #4, 5, 6, and 7. Debra McAlahney-Dodson said she would like to pull items 9 and 10 for further discussion

Dr. Moirao approved items #1, 2, 3, and 8.

Consent Items Removed for Comment/Questions

Paulette Bumbalough commented on page 34 which references GEAR UP it is mentioned the program will fund our staff. She inquired if the grant has been received. Dr. Moirao responded yes.

Paulette Bumbalough said on page 25 it states the services from Lozano Smith will be on as need basis. Why was this not done at the first of the year. Dr. Moirao said we currently have a contract with one legal firm. Different firms have specialties; this allows us to have other services available to us. The district has used Lozano Smith for required training. We hire legal counsel as needed. Dr. Moirao said next year we will be submitting contracts the first of school year for legal services we are anticipating using.

The question was asked when the GEAR UP program will be available at King City High School. Dr. Moirao responded it will start in 2013-2014; they are currently at the middle schools. The question was asked the duration of the partnership. The response was 2 years.

Debra McAlahney-Dodson said items #9 and #10 are huge contributions to the Ag program and suggested there be more than a thank you letter sent. Paulette Bumbalough inquired if the safety issues have been addressed with the van. Dr. Moirao responded yes. The suggestion was made to have the local newspapers submit an article and picture as well of the donated items.

Dr. Moirao approved items #4, 5, 6, 7, 9 and 10.

INFORMATION ITEMS

School Enrollment, Attendance, and Referral Statistics

Dr. Moirao said last month there were some questions as to the data and what it was really saying. The reports were reviewed by the administrative council. It is felt the information is now more specific and the information and definitions are the same for all sites.

Debra McAlahney-Dodson inquired who does the coding for the offense. Dr. Moirao responded it would be the vice principal or principal who handled the offense. They have all been trained, the information should be more accurate. Dr. Moirao said a special meeting was held with the technician and administration to ensure they all had the same common understanding.

Debra McAlahney-Dodson noted profanity is noted at Greenfield High School and not at King City High School.

Dr. Moirao said this is a drop down menu in the system, it may not necessarily mean there is not profanity, it is based on the most prominent offense.

Linda Grundhoffer added the goal was to show a student only one time even if there are multiple offenses. The report is by student, not the number of offenses of the student.

Update on Common Core Standards

Last week Megan Munoz and Lisa Mazza attended a conference in Sacramento regarding common core standards. Lisa Mazza said there were numerous mini sessions as well as panels addressing common core standards. The consistence seemed to be taking it slowly, and keep in mind the needs of the teacher and implementation. Throughout the state districts are all at different levels. Some districts are just becoming aware of the standards; others are working with the bench marks.

Ms. Mazza said the focus seemed to be not so much on the shift but more on the commonality and the LEA and where the differences are, using text evidence. There are few standards in math. Students have to go through the problem solving process.

Ms. Mazza said there are numerous websites, for lessons, training material, resources for parents, and templates for LEA's and stakeholders for district plans. It was a wonderful learning experience and to hear what others districts are doing.

Paulette Bumbalough asked if this was the first time the state has met on the subject. Ms. Mazza replied this was the first time she attended a session.

Board Policies (First Reading)

- BP 3260 Fees and Charges (revised)
- AR3260 Fees and Charges (revised)
- AR3543 Transportation Safety (revised)
- BP4030 Nondiscrimination in Employment (revised)
- AR4161.2 Personal Leave (revised)
- AR4217.3 Layoff Rehire (revised)
- BP5131.61 Drug Testing (new)
- BP5141.33 Head Lice (new)
- BP6146.2 Certificate of Proficiency (new)

AR6146.2 Certificate of Proficiency/High School Equivalency Exam (new)
BP 6178 Career Technical Education (revised)
AR 6178 Career Technical Education (revised)

Debra McAlahney-Dodson said AR 3543 addresses transportation, but seems to apply to K-8th grade. She suggested the policy should only address high schools and eliminate anything referring to K-8.

Paulette Bumbalough asked on page 62 of the same board policy, should there be a line included about monitoring current state vehicle laws. Dr. Moirao said he could incorporate different wording into the policy.

Debra McAlahney-Dodson suggested cyber or electronic communications be included in the last paragraph on page 71 of BP 4030.

Paulette Bumbalough inquired about AR 4161.2, 4261.2, 4361.2 regarding leaves if this is in the CTA and CSEA contracts. Dr. Moirao responded yes. The question was asked if the AR was needed. Dr. Moirao responded it guides the contract.

Paulette Bumbalough inquired on page 80 of the same policy, it indicates the employee shall be granted 20 school days of paid leave per school year for service performed within the state on any education board, commission, committee, or group authorized by Education Code 44987.3. Dr. Moirao said some teachers are on state boards which would require them to be out of their district more frequently. Debra McAlahney-Dodson added there are some parameters in the policy for these leaves.

Paulette Bumbalough said on page 93 paragraph 3 it addresses students participating in athletics. It states if they fail a second drug test they are disqualified to participate from all extracurricular activities and shall be referred to an assistance program. Dr. Moirao said this is in Ed Code. Paulette Bumbalough said she just want to make sure it is clarified with parents. Debra McAlahney-Dodson said the Athletic Handbook does have specifics.

Debra McAlahney-Dodson inquired if there is also a AR to BP 5141 addressing head lice. Dr. Moirao responded no. Ms. McAlahney-Dodson said if the situation was not handled correctly it could be a bad experience for a student. She suggested a student be checked in a private setting and not in the classroom. Dr. Moirao said this issue is staff sensitivity.

Ms. McAlahney-Dodson commented, as a school we want to establish a sense of respect. She felt if there is a child suspected of having head lice to contact administration and the investigation should be done in private. Dr. Moirao said he will investigate the policy further.

Debra McAlahney-Dodson thanked Dr. Moirao for BP 6178 addressing Career Technical Education. She had a few suggestions which she will be giving Dr. Moirao. She felt it was more in line with what we want.

ACTION ITEMS

Approval of 2012-2013 Second Interim Report

Linda Grundhoffer advised the Board the district will need to file another negative certification. She did add it appears the fund balance will not be as bad because of the spending and hiring freeze. She added it also looks like the cash flow on page 202 indicates

we would have to borrow from the special reserve fund. However, we will be receiving money from Proposition 30 in June, so we may not have to borrow as much, but the amount is not known at this time.

Debra McAlahney-Dodson asked if the district will have to borrow some money. Ms. Grundhoffer responded yes, but it would be half a million dollars. Ms. Grundhoffer said to note on page 216, multi-year projection, this does not include anything which have been agreed upon in negotiations. She added hopefully by next year we may be able to file a qualified certification, and feels we will be in a much better position.

Bob White inquired on page 232 there is mention of the audit findings. Ms. Grundhoffer responded the district is appealing the findings right now.

Paulette Bumbalough said it appears the funding will be depleted at the end of this year for school facilities. The question is when the funds are depleted will there be any funds for facilities. Ms. Grundhoffer added the money for facilities comes from new developments. We are also making payments on several portables which are not in use which we are looking to release. Ms. Bumbalough said her concern is maintenance of the facilities. Ms. Grundhoffer said in development of the budgets coming forward, money will need to be set aside for repairs.

Dr. Moirao said this is why we want the parcel tax to pass for these repairs.

Dr. Moirao approved the second interim report.

Approval of Adoption of New Course: Math 1

Dr. Moirao said he would like this course to start up in the fall, but before it can be included in the classes for next year, it needs to be officially approved.

Dr. Moirao approved the new course Math 1.

Approval of Adoption of New Course: AP Government and Politics

Dr. Moirao said this is an additional course. Bob White inquired if this is an additional AP course for civics. Dr. Moirao added this course will also be offered at Greenfield High School. This course was not offered this year. Paulette Bumbalough asked if students receive college prep credit. The response was yes if they pass the AP exam.

Debra McAlahney-Dodson said her concern about teachers giving their own political view point in the course. Dr. Moirao said teachers have to go through a specific training for the course.

Raul Rodriguez said under the grading policy it states class work can be expected on a daily basis and homework would fluctuate in intensity and amount. Dr. Moirao said it probably means it is project based. Mr. Rodriguez commented any AP course homework should be expected on a daily basis and this is intended for advanced placement courses.

Dr. Moirao approved the new course AP Government and Politics.

Approval of Psychologist Job Description

Dr. Moirao said our school psychologist will be retiring at the end of this school year, it is now time to adjust the current job description to better fit the needs of the district.

Debra McAlahney-Dodson inquired if something could be added about the knowledge of gang intervention and drug abuse. Dr. Moirao said this individual would primarily be working on IEP's. He added he could add those two items would as "desirable" in the job description.

Dr. Moirao approved the Psychologist job description.

Approval of Job Description: Assistant Superintendent, Administrative Service

Dr. Moirao said this is part of his reorganization plan which was discussed in closed session.

Dr. Moriao approved the job description for the Assistant Superintendent, Administrative Services.

Approval Job Description: Alternative Education Coordinator

Dr. Moirao said this is part of the restructuring. This position will combine alternative education as well as Special Ed.

Paulette Bumbalough said she was reviewing the salary range and the required degrees compared to the Assistant Superintendent. Dr. Moirao said this is based on the current salary schedule and the roll backs.

Dr. Moirao approved the job description for the Alternative Education Coordinator.

Board Policies (second reading)

BP 3514 - Environmental Safety (new)

AR 3514 - Environmental Safety (new)

AR 3514.2 - Integrated Pest Management (new)

BP 4119.43, 4219.43, 4319.43 - Universal Precautions (new)

AR 4119.43, 4219.43, 4319.43 - Universal Precautions (new)

BP 5112.5 - Open/Closed Campus (new)

AR 5112.5 - Open/Closed Campus (new)

BP 5136 - Gangs (new)

AR 5136 - Gangs (new)

BP 5138 - Conflict Resolution/Peer Mediation (new)

Debra McAlahney-Dodson commented on BP/AR 5136, she felt it was not clear enough, she does not want to promote racism and not compromise the safety of the teachers and students. She felt the policy was inadequate, and felt there should be early intervention in the gang policy. Dr. Moirao said this policy can be redrafted and brought back. He asked Ms. McAlahney-Dodson to give him specifics.

Dr. Moirao approved all of the policies second reading except for BP/AR 5136.

Future Agenda Items/Meeting Dates

March 27, 2013 – Board Study Session – Alternative Education/Update Student Achievement
at the District Office

April 10, 2013 – Regular Board Meeting at the District Office

April 24, 2013 – Board Study Session – TBD

May 15, 2013 – Regular Board Meeting at Greenfield

May 22, 2013 – Board Study Session – TBD
June 11, 2013 – Regular Board Meeting at King City

Dr. Moirao said he would like to propose a change on the topic for the next Board Study Session. He is considering reviewing the results of the FCMAT Report.

Signing of Papers

Dr. Moirao signed appropriate papers.

Adjournment

The meeting was adjourned at 7:52 P.M.

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

Date

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

Wednesday, March 27, 2013

Minutes

BOARD OF EDUCATION

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

STATE ADMINISTRATOR

Daniel Moirao, Ed.D.

OPEN SESSION:

Call to Order

Raul Rodriguez called the meeting to order at 6:00 P.M.

Public Comment

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

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 #21:12/13
 - Recommendation to Expel Student #22:12/13
 - Recommendation to Expel Student #23:12/13

OPEN SESSION:

Call to Order

Raul Rodriguez called the meeting to order at 6:15 PM

Flag Salute

Raul Rodriguez led in the flag salute.

Report of Closed Session Actions

Raul Rodriguez said the Board supported the recommendations of the stipulated expulsion for Student #21:12/13 and Student #23:12/13. Student #22:12/13 was pulled from the agenda.

Approval of Agenda

Dr. Moirao approved the agenda.

Public Comment

There were not any comments from the public.

Employee Organizations

There were not any comments from the employee organizations.

ACTION

Approval of Agreement with Atkinson, Andelson, Loya, Ruud & Romo

The Board did not have any questions regarding the agreement. Dr. Moirao approved the agreement.

INFORMATION

Board Study Session – Overview of the New Funding Formula and Review of our
Communications Plan

Dr. Moirao and Linda Grundhoffer reviewed the new funding formula and the Communication Plan.

Adjournment (to closed session) if required

The meeting was adjourned to closed session at 7:36 P.M.

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

Date

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

SUBJECT: Contract with Facility Inspection Services

MEETING: April 10, 2013

AGENDA SECTION:

- ACTION
- INFORMATION
- ACTION/CONSENT

Board Goals:

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

Summary:

School districts are required to annually complete the Facilities Inspection Tool report. Facility Inspection Services performed this task in 2011-12.

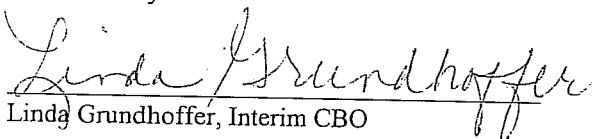
Recommendation:

Approve the contract with Facility Inspection Services

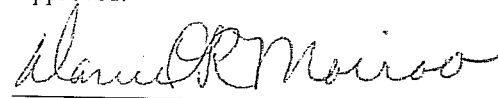
Fiscal Impact:

\$1,200

Submitted By:


Linda Grundhoffer, Interim CBO

Approved:


Daniel R. Moirao, State Administrator

FACILITY INSPECTION AGREEMENT
Between
Facility Inspection Services
And
SOUTH MONTEREY COUNTY HIGH SCHOOL DISTRICT

This FACILITY INSPECTION AGREEMENT is entered into this 15th day of March 2013 (the "Agreement") by and between **South Monterey County HSD**, (hereinafter "District"), and **Facility Inspection Services**, a California company (hereinafter "FIS"), each being a "Party" and collectively the "Parties".

RECITALS

WHEREAS, FIS is specifically skilled, trained, experienced, and competent to render the Services (as defined below); and

WHEREAS, it is necessary and desirable that FIS be retained by the District for the purpose of performing the Services on the terms and conditions of this Agreement.

AGREEMENT

NOW, THEREFORE, the Parties agree as follows:

1. **Agreement Period.** The "Agreement Period" begins April 2nd, 2013 (the "Effective Date") and will automatically expire on June 7th, 2013 (the "Expiration Date").
2. **Services.** During the Agreement Period, FIS agrees to provide to District and District agrees to purchase the services below (the "Services").

Inspection Services.

- (i) FIS shall have an Inspector to conduct one (1) visual inspection of each school facility of District (each a "School Facility" and collectively, "School Facilities") for the limited purpose of completing the "FIT" developed by OPSC, provide FIS's opinion as to (A) whether each School Facility is in "good repair" as defined in the California Education Code ("CEC") Section 17002(d)(1); and (B) each School Facility "rating" pursuant to CEC Section 17002(d)(2) (the "Inspection").
- (ii) The Inspector shall take photographs of the conditions such Inspector determines, in his or her sole and absolute discretion, to be deficient.
- (iii) FIS shall provide an initial draft of the FIT to District for review. Subject to FIS's right to conduct an additional inspection of the School Facility, if the District completes and signs FIS's form of liability waiver and certifies that the School Facility conditions listed as deficient or extremely deficient on the FIT have been repaired and such conditions are now in "good repair" (as defined in the CEC), FIS may, at its sole and absolute discretion, update the rating set forth in the final draft of the FIT.
- (iv) Upon completion of the Inspection and District's approval of the final FIT, FIS shall deliver to District one (1) electronic copy of the FIT report for each school and all the photographs taken related to the FIT

3. Payment of Fees.

- a. **Fees.** For the Services provided pursuant to the terms of this Agreement, District agrees to pay FIS **\$1,200.00** (the "Fee") as indicated in the "Price Quote for Services.

- b. Payment Plan. The Fee is payable in one installment, installment of **\$1,200.00** is due upon delivery of Final FIT to District.
- c. Travel; Lodging Expenses. All travel and lodging expenses incurred by FIS in connection with the Services are included in the Fee.
- d. Late Fee. Payment of the Fee is due on the date set forth in Section 4(b) above and a late fee of ten percent (10%) will be charged to District if the Fee is not paid in full on such date.
4. District Acknowledgement. District hereby acknowledges and agrees to the following: (a) the FIT contains the minimum inspection criteria required by the CEC; (b) if an Inspector determines that a condition not expressly identified in the FIT constitutes a deficiency, the Inspector may note such deficiency on the FIT; (c) while some critical conditions are identified on the FIT as extreme deficiencies, the list under each section of the FIT is not exhaustive; (d) in the opinion of FIS, if a condition deficiency requires immediate attention and, if left unmitigated, could cause severe and immediate injury, illness or death of the occupants, an Inspector may record this deficiency as an extreme deficiency and generate a poor rating; (e) the FIT is designed to evaluate each School Facility within a reasonable range of facility conditions and it is possible that the Inspector may identify critical School Facility conditions that result in an overall school rating that does not reflect the urgency and severity of those deficiencies and/or does not match the ratings description on the FIT and in such instances, the Inspector may reduce the resulting school score by one (1) or more grade categories and describe the reasons for the reduction in the FIT; (f) the Inspector cannot be expected to discover all defective conditions of a School Facility and therefore the opinion of the Inspector or FIS may not accordingly reflect the actual condition of the School Facility or School Facilities; (g) the Inspector and the Inspection are limited by the terms and conditions of this Agreement and the fact that the Inspection is a visual inspection only; (h) neither FIS nor the Inspector shall conduct any repairs or contract to repair any deficient items reported on the FIT; (i) the Services provided herein do not include assistance relating to the California Office of Public School Construction's Deferred Maintenance Program or School Facility Program; (j) FIS is not a building, engineering, plumbing, roofing, electrical, fire protection, flooring or warm air heating, ventilation or air conditioning contractor; and (k) the Inspection Services provided hereunder are for the limited purpose of conducting a visual inspection of the School Facility to complete the FIT and provide an opinion of the rating of the School Facility in order to compile such information into the SARC for District.
5. Waiver. District hereby voluntarily waives, releases and forever discharges, and has no right to make a claim or file a lawsuit against FIS or any persons associated with FIS for any injuries (including death or damage to property) resulting from FIS's performance of its obligations under this Agreement, including, without limitation, the Inspection and completion of the FIT, unless and only to the extent that such damage is caused by the willful misconduct of FIS.
6. Entire Agreement. This Agreement, including, without limitation, the Standard Terms and Conditions attached hereto as Exhibit A and the Price Quote for Services, is the final expression of, and contains the entire agreement between the Parties with respect to the subject matter hereof and supersedes all prior understandings with respect thereto.
7. Exhibits. All exhibits referred to in this Agreement are attached hereto and incorporated herein by this reference.
8. Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original, including copies sent to a Party by facsimile transmission or in portable document format (pdf), as against the party signing such counterpart, but which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, District and FIS have made and executed this Agreement as set forth below.

FIS:

DISTRICT:

Facility Inspection Services

**SOUTH MONTEREY COUNTY HIGH SCHOOL
DISTRICT**

Signature: Scott Newmann
 Date Signed: 3/12/13
 Print Name: Scott Newmann
 Title: President
 Company: Facility Inspection Services
 Address: 7237 San Luis
Carlsbad, CA 92011
 Phone: (928) 897-9220
 Email: facilityinspectionsservices@gmail.com

Signature: Linda Grundhoffer
 Date Signed: 3/15/13
 Print Name: Linda Grundhoffer
 Title: Chief Business Official
 Address: 800 Broadway
King City, CA. 93930
 Phone: 831-385-0606
 Fax: 831-385-0695
 Email: busoffice.kingcity.k12.ca.us

EXHIBIT A - STANDARD TERMS AND CONDITIONS

1. **Scope of Services; Independent FIS.** FIS's services purchased by Customer and described in the Agreement (the "Services") detail the initial scope of services anticipated by FIS as of the effective date of the Agreement ("Initial Scope of Services"). District acknowledges that the Fee (as defined below) is based on this Initial Scope of Services. If FIS determines that the Initial Scope of Services may be or has been increased anytime during the Agreement Period, FIS reserves the right to increase the Fee to compensate for the unanticipated or additional services. This Agreement is not for lobbying services and FIS is not being retained to provide lobbying services to District. The parties agree that Facilities Inspection Services is an independent contractor and the Agreement shall not be construed to create a relationship of agent, servant, employee, partnership, joint venture, association or any other relationship.
2. **Payment.** For purposes of the Agreement, the Fee and any other applicable fee pursuant to the Agreement shall be collectively referred to herein as the "Fee" or "Fees." District acknowledges that the Fees are based on the Initial Scope of Services anticipated by FIS as of the date of this Agreement. The Fees shall be billed to District and District shall pay the entire amount within thirty (30) days after District receives FIS's invoice.
3. **Termination.** Either party may terminate the Agreement, with or without cause, by delivering written notice of termination to the other party not later than thirty (30) days prior to expiration of the Agreement Period. The effective date of termination shall be the expiration of such Agreement Period. Upon termination, FIS will invoice District for any Fees owing and District shall pay the full invoice amount within thirty (30) days after receipt of FIS's invoice. If District terminates this Agreement, it shall not be entitled to any reimbursement of the Fee. Except as set forth in this Section 3, neither party shall have any liability to the other for damages resulting solely from a party's termination of this Agreement in accordance with this Section 3.
4. **Notice.** All Agreement notices must be in writing, directed to the party's address set forth below such party's signature in the Agreement and shall be deemed to be received in accordance with the following: (a) in the case of personal delivery, on the date of such delivery; (b) in the case of facsimile transmission, on the date upon which the sender receives confirmation by facsimile transmission that such notice was received by the addressee, provided that a copy of such transmission is additionally sent by mail as set forth in (d) below; (c) in the case of overnight courier, on the second business day following the day such notice was sent, with receipt confirmed by the courier; and (d) in the case of mailing by first class certified mail, postage prepaid, return receipt requested, on the fifth business day following such mailing. A party may change the address stated in the Agreement by giving notice to the other party.
5. **District's General Responsibilities; District Acknowledgment.** During the Agreement Period, in addition to the obligations set forth in the Agreement, District is responsible for the following: (a) ensuring that District, its employees and contractors properly identify and comply with laws and regulations applicable to District's activities; (b) completing any documents required by FIS for any service obtained by District; (c) importing only data that reflects student performance to the grade level into the school site plan to ensure confidentiality and consistency with FERPA guidelines; and (d) monitoring assignments of login and passwords to assure FERPA compliance. District acknowledges that FIS's full, accurate and timely performance under this Agreement is materially dependent upon District's reasonable cooperation and assistance. District further acknowledges that FIS's Initial Scope of Services and Fee presume a reasonable amount of cooperation and assistance from District, such as District's timely provision of certain information, documentation and personnel. FIS has explained its requirements in this regard to District and District agrees to meet these requirements.
6. **Further Assistances.** Upon request of the other party, FIS or District shall execute and deliver additional instruments and take additional actions as may be necessary or appropriate to perform the Agreement.
7. **Assignment Prohibited.** Neither party may assign any rights or obligations under this Agreement without the prior written consent of the other party. Any purported assignment in violation of the provisions of this Section 7 shall be null and void.
8. **Family Educational Rights and Privacy Act ("FERPA"); California Education Code.** FIS may have limited access to student information only for purposes of providing the legally required notification services, if any, specified in this Agreement. FIS performs the Services as an agent of District and has no right to access or utilize student information for any other purpose. FIS, its officers and employees, shall comply with the Family Educational Rights and Privacy Act and California Education Code Sections 49073 et seq. at all times.
9. **Confidential and Proprietary Materials of FIS.** During performance of the Agreement, FIS may provide materials or disclose information to District that FIS considers proprietary or confidential including, but not limited to FIS's training handbooks, policy manuals, instructions, copyrighted checklists and forms ("FIS's Materials"). District agrees that District acquires no interest of any kind in FIS's Materials. At all times during and after the Agreement Period, District agrees (a) to keep FIS's Materials in confidence and trust for FIS; (b) not to disclose, duplicate or otherwise use FIS's Materials, except in furtherance of FIS's performance per the Agreement; (c) to limit access to FIS's Materials to District's employees and/or contractors who have a "need to know;" and (d) to promptly return all copies of FIS's Materials to FIS after a request is made.
10. **Limitation of Liability; Indemnification.** In no event shall FIS's liability to District, for any reason arising out of this Agreement, exceed the amount of the Fee actually received by FIS under this Agreement. FIS shall not be liable for any consequential damages. District shall defend, indemnify and hold harmless FIS and all of its agents, directors, officers and employees from and against any and all claims, liabilities, losses, damages, judgments, costs and expenses (including attorneys' fees) and threats thereof, whether arising in tort, contract, statute or otherwise, arising out of or in connection with or relating to FIS's performance of the Services, unless it is finally determined to have arisen solely from FIS's gross negligence or willful misconduct. FIS shall defend, indemnify and hold harmless District, and all of its agents, directors, officers and employees from and against any and all claims, liabilities, losses, damages, judgments, costs and expenses (including attorneys' fees) and threats thereof, whether arising in tort, contract, statute, or otherwise, arising out of or in connection with or relating to FIS's performance of the Services if it is finally determined to have arisen solely from FIS's gross negligence or willful misconduct.
11. **Governing Law; Enforcement Costs.** The Agreement shall be governed by and construed in accordance with the substantive laws of California. If any legal action (including arbitration) is commenced to enforce the Agreement's terms or a party's rights or obligations under this Agreement, then the prevailing party shall be entitled to recover all fees and costs incurred by the action, including reasonable attorneys' fees and arbitrators' fees, in addition to any other relief to which the party may be entitled.
12. **Judicial Reference.** In the event a dispute is not resolved through discussions and negotiations among the parties, the dispute shall be decided by general reference procedures pursuant to Code of Civil Procedure Section 638 et seq., as modified by the provisions of this Section 12, and any subsequent provisions mutually agreed upon in writing by the parties. The reference shall be conducted in accordance with California law, including, but not limited to, the Code of Civil Procedure and the Evidence Code. The parties shall be allowed to conduct discovery in the manner provided by Code of Civil Procedure Section 2017 et. seq. **BOTH PARTIES HEREBY WAIVE A JURY TRIAL OR PROCEEDING IN CONNECTION WITH ANY DISPUTE ARISING OUT OF THIS AGREEMENT.** All general reference proceedings hereunder shall, unless all parties hereto otherwise agree, be conducted in a mutually agreeable location in the County of Sacramento, State of California.
13. **Modification; Interpretation; Severability; Construction.** No modification or supplement to any provision of the Agreement shall be valid, unless executed in writing by both parties. No provision of the Agreement shall be construed to require the commission of any act contrary to law. If any term, provision, covenant or condition of the Agreement is held to be invalid or otherwise unenforceable, the rest of the Agreement shall remain in full force and effect and shall in no way be affected, impaired or invalidated. FIS shall have the full power and authority to interpret, construe and administer the Agreement and FIS's determination shall be binding and conclusive on the parties for all purposes. The headings preceding each Section and subsection of this Agreement are solely for convenience of reference only, are not part of the Agreement, and shall be disregarded in the interpretation of any portion of the Agreement. Whenever required by the context of the Agreement, the singular shall include the plural and the masculine shall include the feminine and vice versa. The Agreement shall not be construed as if it had been prepared by one of the parties, but rather as if both parties had prepared the same. Unless otherwise indicated, all references to paragraphs, Sections, subparagraphs and subsections are to the Agreement.
14. **Waiver.** Either party's failure at any time to enforce any default or right reserved to it, or to require performance of any of the Agreement's terms, covenants, provisions by the other party at the time designated, shall not be a waiver of any such default or right to which the party is entitled, nor shall it in any way affect the right of the party to enforce such provisions thereafter.
15. **Force Majeure.** A party shall not be liable under the Agreement as a result of any delay, failure or interruption caused by the other party or third parties, an act of God, acts or orders of governmental authorities, acts of civil or military authorities, catastrophes or other cause (other than financial) beyond the party's reasonable control, and such nonperformance will not be a default hereunder or a ground for termination of the Agreement.

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

SUBJECT: Memorandum of Understanding with MCOE for transportation of Special Education students from Greenfield to the Soledad Transition program

MEETING: April 10, 2013

AGENDA SECTION:

- ACTION
- INFORMATION
- ACTION/CONSENT

Board Goals:

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

Summary:

The district has seven (7) Special Education students who are transported daily to the Soledad Transitional program.

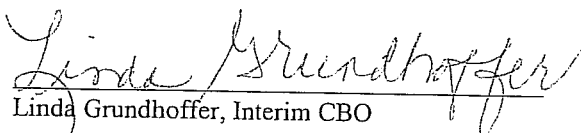
Recommendation:

Approve the MOU with MCOE

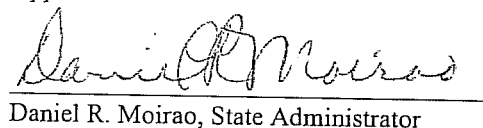
Fiscal Impact:

\$102,000

Submitted By:


Linda Grundhoffer, Interim CBO

Approved:


Daniel R. Moirao, State Administrator

2012-13
MEMORANDUM OF UNDERSTANDING BETWEEN
THE MONTEREY COUNTY OFFICE OF EDUCATION AND
THE SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

This memorandum of understanding is entered into on the 1st day of August, 2012, between the Monterey County Office of Education (MCOE) and South Monterey County Joint Union High School District (SMCJUHS) in order to provide transportation for SMCJUHS Special Education student(s) not currently enrolled in MCOE special education programs. The MCOE will be providing the transportation vehicle(s) and driver(s) responsible for transporting the SMCJUHS students.

2012-13 List of Students Being Transported:

The following students will be transported by MCOE during the 2012-13 school year.

**One Full Route Greenfield High /Soledad Transition (see attached)
Individual Students riding MCOE Route (see attached)**

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

Payment for Services:

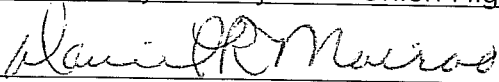
The MCOE Transportation department will provide transportation based on the student's school Calendar. SMCJUHS will pay their portion at the rate of \$4.50 per mile for individual students riding an existing MCOE route and an annual rate of \$102,000 for one full route. Payment for the transportation services will be due upon receipt of MCOE's annual invoice.

Indemnity:

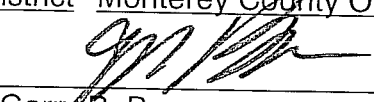
Each Party shall indemnify, defend, and hold harmless the other Party and its officers, employees, agents, and volunteers from and against any and all claims, suits, actions, causes of action, losses, damage, or liabilities of any kind, nature or description, brought by any person or persons for or on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

Said contract shall be in force from July 1, 2012 to June 30, 2013. Either party reserves the right to terminate with 60 days notice for any reason if the arrangement is not beneficial to MCOE or to SMCJUHS students.

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



Authorized Signature



Garry P. Bousum
Associate Superintendent of Finance and Business

3-29-13

Date

6/7/12

Date

Route #1 Greenfield High/Soledad Transition

Wyatt Souza - 59000 Jolon Rd., King City attending Greenfield High
Anthony Silva - 432 N. Vanderhurst St., King City - attending Greenfield High
Alex Mandujano - 602 N. Vanderhurst, King City- attending Soledad Transition (ended -)
Bernardino Reya - 311 N. Third St., King City- attending Soledad Transition
Adan Garcia- 1383 Cambridge Ave., King City – attending Greenfield High
Cesar Cervantes- 1336 Cambridge Ave., King City – attending Greenfield High
Lupita Delgado - 223 Sussex Way, King City- attending Greenfield High
Joanna Fonseca - 366 Ventana Ave., Greenfield - attending Greenfield High
Fabian Rodriguez- 220 Beech Ave., Greenfield- attending Greenfield High (ended-)
Juan Carlos Rojas - 200 Vineyard Dr., Greenfield- attending Soledad Transition
Griselda Campos - 208 Vineyard Dr., Greenfield- attending Greenfield High
Eric Garcia - 225 3rd St. #11, Greenfield - attending Greenfield High
Moises Hernandez- 225 3rd Street, Greenfield- attending Greenfield High
Juan Galvan - 1088 Gavilan Dr., Greenfield- attending Greenfield High
Adrian Yanez - 311 9th St., Greenfield- attending Greenfield High
Paulino De Jesus Merino - 17 St 11 Apt A., Greenfield - attending Greenfield High
Maria Vargas - 342 7th St., Greenfield- attending Soledad Transition program
Jenifer Garcia- 1072 Paloma Dr., Greenfield- attending Soledad Transition program

(Individual Students riding MCOE Route)

5.2 Wesley Schriver wheel chair - 45220 Royal Rd., King City- attending K C High
1.6 Virginia Fernandez wheel chair - 115 Ellis St., King City- attending King City High
17.2 Kyle Lopez - attending King City High
1.2 Gisele Flores wheel chair – 349 Ventana, Greenfield- attending Greenfield High
75.4 Brian Ponce - Bay School (meets the Salinas Union High transfer van)
75.8 Joshua Castro – Salinas Community School – (started 8/23/12 ended 9/21/12))
1.0 Maria Ramirez – attending King City High (ended 9/11/12)

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

SUBJECT: Contract with Axiom

MEETING: April 10, 2013

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:

Although the district opted into the Mandate Block Grant, there are a few mandate claims that are outside that block grant. In order for the district to pursue payment of these claims, paperwork must be obtained and filed. Axiom has been doing the district's mandated claims for many years and this contract is for the new Behavioral Intervention Plan and Uniform Complaint Procedures claims, the filing of the 1993-94 through 2011-12 Behavioral Intervention Plans and the Audit Preparation Compliance claim.

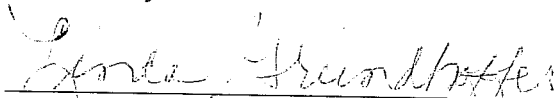
Recommendation:

Approve the contract with Axiom

Fiscal Impact:

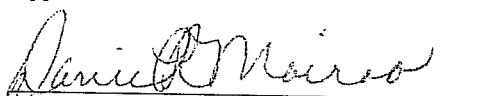
Approximately \$3,900 from mandated claims revenue

Submitted By:



Linda Grundhoffer, Interim CBO

Approved:



Daniel R. Moirao, State Administrator



**CONTRACT FOR SERVICES
RELATING TO**

**MANDATE REIMBURSEMENT SERVICES
for
Non-Block Grant Mandates
MANDATE CENTRAL™ V3.0**

This Agreement is entered into on April 10, 2013 ("Effective Date"), by and between Axiom Advisors & Consultants, Inc., a California Corporation ("Consultant"), and **South Monterey County Joint Union High School District**, a District office under the laws of the State of California ("District").

RECITALS

- A. The State of California must reimburse District for costs found to be a reimbursable mandate under Article XIII (b) section 6 of the California Constitution and in accordance with California Government Code Section 17550 et seq.
- B. District has the authority to enter into an Agreement for the filing of mandate claims through Consultant.
- C. Consultant is qualified to provide the service of preparing mandate reimbursement claims in consideration for the fee established in this Agreement.

Therefore, the parties to this Agreement agree as follows:

I. CONSULTANT'S RESPONSIBILITIES

- A. Consultant shall collect and process the information necessary from the District office and all the District's sites for any on-going, or new mandate programs not funded in the Mandate Block Grant to be filed during the term of this Agreement.
 - B. Consultant shall furnish District with a copy of the claims prepared and filed on behalf of District pursuant to this Agreement. Consultant shall provide the copy of filed claims after the deadline for annual claims.
 - C. Consultant shall monitor the California State Controller's Office ("SCO") and Commission on State Mandates ("CSM") for new claims.
-
-

- D. Consultant shall make a good faith effort to file all mandate claims in accordance with existing laws, regulations and applicable written guidelines.

II. DISTRICT'S RESPONSIBILITIES

- A. District agrees that District staff shall use logs or a process approved by Consultant to record mandate reimbursable activities on a contemporaneous basis when possible.
- B. District shall furnish Consultant with any and all information necessary to prepare and file the mandate claims before or on the claim deadline. Information for purposes of this paragraph shall include but not be limited to documents, records, and receipts.
- C. District agrees to promptly pay Consultant's fees for services rendered according to Section V. Payments are due and payable upon receipt of invoice.
- D. District agrees to take that action that is necessary under applicable state and federal constitutional provisions, statutes, and regulations. District agrees to perform its obligations under this Agreement in a timely manner.

III. MANDATE SERVICES

- A. **All New and On-going Mandate Filing Services-10% Filing Fee, not to exceed \$1,000 per claim.** Mandate Programs included:

New Mandate Programs

- Behavioral Intervention Plans (2012-13 FY- On-going)
- Uniform Complaint Procedures (2002-03 FY- On-going)

On-going Mandate Programs

- Graduation Requirements
- Developer Fees
- Charter Schools IV
- Public Contracts

District requests this service lsq 4/10/13
Initials Date

- B. **Behavioral Intervention Plan Mandate Filing Service \$2,000**

Axiom will prepare the reimbursement claims for the Behavioral Intervention Plans mandate for fiscal years 1993-94 through 2011-12.

District requests this service lsq 4/10/13
Initials Date

- C. **Mandate Compliance Check/Outside Audit Preparation \$225/site (for sites selected in Appendix B).**

Consultant will compile supporting documentation into a format most conducive for analysis from your outside auditor during the district's annual audit, as they will now be tasked with ensuring the district and its sites are in complete compliance with all eligible mandate programs.

District requests this service lsq 4/10/13
Initials Date

IV. TERM

- A. This agreement shall run from the Effective Date through June 30, 2014 subject to this Termination of Agreement provision in Section V. During the term of this Agreement Consultant shall complete all work necessary to file or amend all claims for which the claim filing deadline falls between July 1, 2013 and June 30, 2014.

V. MISCELLANEOUS

- A. **Authority:** The individuals executing this Agreement represent and warrant that they have the legal capacity and authority to execute and contractually bind their respective legal entities.
- B. **Modifications:** This Agreement may be modified only by a written amendment to this Agreement executed by both parties.
- C. **Termination of Agreement:** This Agreement may be terminated by mutual written consent or by either party, provided that the terminating party gives thirty- (30) days written notice to the other party. In the event of termination, District shall pay Consultant for all fees for work performed up to the date of termination at rates specified in Section V of the Agreement. Consultant shall provide the District with all work products completed up to the date of termination.
- D. **Attorney's Fees and Costs:** In any litigation, arbitration or other proceeding by which one party either seeks to enforce its rights under this Agreement (whether in contract, tort, or both) or seeks a declaration of any rights or obligations under this Agreement, each party shall bear its own attorney fees, together with any costs and expenses to resolve the dispute and to enforce the final judgment.
- E. **Severability:** If any provision of this Agreement is held to be unenforceable, the remainder of this Agreement shall be severable and not affected thereby.
- F. **Notices:** All notices that are required to be given by one party to the other under this Agreement shall be in writing and shall be deemed to have been given if delivered personally or enclosed in a properly addressed envelope and deposited with a United States Post Office for delivery by registered or certified mail addressed to the parties at the following addresses, unless such addresses are changed by notice, in writing, to the other party.

Consultant

Axiom Advisors & Consultants, Inc.
4935 Hillsdale Circle
El Dorado Hills, CA 95762
Attn: Mandate Agreements

District

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

- G. **Governing Law:** The validity of this Agreement and each of its terms and provisions, as well as the rights and duties of the parties under this Agreement, shall be construed pursuant to and in accordance with the law of the State of California.
- H. **Entire Agreement:** This Agreement, which includes the "Proposal for Agreement for Services" set forth in Appendix A supersedes any and all other agreements, whether oral or in writing, between the parties with respect to the subject of this Agreement. This Agreement contains all of the covenants and agreements between the parties with respect to the subject of this Agreement, and each party acknowledges that no representations, inducements, promises, or agreements have been made by or on behalf of any party except the covenants and agreements embodied in this Agreement. No agreement, statement, or promise not contained in this Agreement shall be valid or binding on the parties with respect to the subject of this Agreement.

VI. COMPENSATION

The compensation for this agreement will be determined from the services selected in **Section III. "Mandate Services" for period identified in Section IV. "Term"**. Consultant shall provide access to its data collection software, log sheets and provide assistance necessary to complete the claim preparation for all Non-Block Grant claims.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be fully executed on the Effective Date.

Executed at King City , California, on the Effective Date.

CONSULTANT

Brandi Bier
Director
Axiom Consultants & Advisors, Inc.

DISTRICT

Signature of Authorized District Representative for South Monterey County Joint Union High School District

Name (Please Print) Title

Provide your email address below to receive the executed Agreement by email:

_____ @ _____

APPENDIX A

PROPOSAL FOR MANDATED COST SERVICES

This proposal for the **South Monterey County Joint Union High School District** is to provide the services set forth under Article I of the Agreement for Services relating to the preparation of non-block grant mandate claims for reimbursement pursuant to California Government Code Section 17550 et seq.

The proposal is for the district office and 3 school site(s). The proposal includes: the annual filing of all non-block grant mandate claims, amending of non-block grant claims, and the filing of new claims due within the term of the agreement.

This Proposal is valid until **June 30, 2013** unless extended in writing by Consultant.

March 15, 2013

_____, Director of Products & Services
Brandi Bier

Axiom Advisors & Consultants, Inc.
4935 Hillsdale Circle
El Dorado Hills, CA 95762

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APPENDIX B

	School Sites	Prepare Mandates for this site? (Please Circle Yes or No)	
		Yes	No
1	Greenfield High School	<u>Yes</u>	No
2	King City High School	<u>Yes</u>	No
3	Portola-Butler Continuation High School	<u>Yes</u>	No
4	South Monterey County Joint Union High District Office	<u>Yes</u>	No
		Initials	Initials
		<i>[Signature]</i>	

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

SUBJECT: Approval of Resolution 19:12/13 Education Protection Account

MEETING: April 10, 2013

AGENDA SECTION:

- ACTION
- INFORMATION
- ACTION/CONSENT

Board Goals:

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

Summary:

In November, 2012 the voters of California passed Proposition 30. This proposition established the Education Protection Account into which a portion of the incremental increases in tax rates would be put. The amount due each district is to be estimated by the Director of Finance for the State of California and then transferred by the State Controller to the appropriate agency. As this revenue is generated from taxes, for every dollar put into the Education Protection Account, a dollar will be reduced from the school district's revenue limit payment. Therefore, this does not represent additional revenue, but instead, additional cash owed to the district. Proposition 30 also requires that each agency present to the governing board the expenditure plan for these dollars. As this is not additional money to spend but is accounted for in its own resource, the district will move the attached expenditures from its unrestricted resource (0000) to the EPA unrestricted resource (1400). In future years this expenditure plan will be part of the annual budget adoption process.

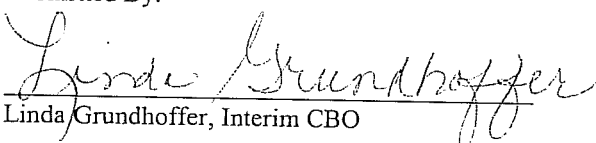
Recommendation:

Approve the Resolution 19 – Accounting for the Education Protection Account

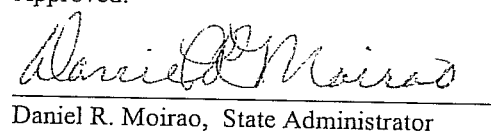
Fiscal Impact:

None

Submitted By:


Linda Grundhoffer, Interim CBO

Approved:


Daniel R. Moirao, State Administrator

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

RESOLUTION #19:12/13

Accounting of Education Protection Account

WHEREAS, the voters approved Proposition 30 on November 6, 2012;

WHEREAS, Proposition 30 added Article XIII, Section 36 to California Constitution effective November 7, 2012;

WHEREAS, the provisions of Article XIII, Section 36 create in the state General Fund an Education Protection Account to receive and disburse the revenues derived from the incremental increases in taxes imposed by Article XIII, Section 36(f);

WHEREAS, before June 30th of each year, the Director of Finance shall estimate the total amount of additional revenues, less refunds that will be derived from the incremental increases in tax rates made pursuant to Article XIII, Section 36(f) that will be available for transfer into the Education Protection Account during the next fiscal year;

WHEREAS, if the sum determined by the State Controller is positive, the State Controller shall transfer the amount calculated into the Education Protection Account within ten days preceding the end of the fiscal year;

WHEREAS, all monies in the Education Protection Account are hereby continuously appropriated for the support of school district, county offices of education, charter schools and community college districts;

WHEREAS, monies deposited in the Education Protection Account shall not be used to pay any costs incurred by the Legislature, the Governor or any agency of state government;

WHEREAS, a community college district, county office of education, school district, or charter school shall have the sole authority to determine how the monies received from the Education Protection Account are spent in the school or schools within its jurisdiction;

WHEREAS, the governing board of the district shall make the spending determinations with respect to monies received from the Education Protection Account shall not be used for salaries and benefits for administrators or any other administrative cost;

WHEREAS, the monies received from the Education Protection Account shall not be used for salaries or benefits for administrators or any other administrative cost;

WHEREAS, each community college district, county office of education, school district and charter school shall annually publish on its Internet website an accounting of how much money was received from the Education Protection Account and how that money was spent;

WHEREAS, the annual independent financial and compliance audit required of community college districts, county offices of education, school districts and charter schools shall ascertain and verify whether the funds provided from the Education Protection Account have been properly disbursed and expended as required by Article XIII, Section 36 of the California Constitution;

WHEREAS, expenses incurred by community college districts, county offices of education, school districts and charter schools to comply with the additional audit requirements of Article XIII, Section 36 may be paid with funding from the Education Protection Act and shall not be considered administrative costs for purposes of Article XIII, Section 36.

NOW, THEREFORE, IT IS HEREBY RESOLVED:

1. The monies received from the Education Protection Account shall be spent as required by Article XIII, Section 36 and the spending determinations on how the money will be spent shall be made in open session of a public meeting of the State Administrator of the South Monterey County Joint Union High School District;
2. In compliance with Article XIII, Section 36, with the California Constitution, the State Administrator of the South Monterey County Joint Union High School District has determined to spend the monies received from the Education Protection Act as attached.

PASSED AND ADOPTED by the State Administrator of the South Monterey County Joint Union High School District at the April 10, 2013 Governing Board meeting.

Daniel R. Moirao Ed.D., State Administrator

Date _____

2012-13 Education Protection Account
Expenditure Detail

Expenditures through: June 30, 2013
For Fund 01, Resource 1400 Education Protection Account

Description	Object Codes	Amount
AMOUNT AVAILABLE FOR THIS FISCAL YEAR		
Adjusted Beginning Balance	9791-9795	0.00
Revenue Limit Sources	8010-8099	2,286,378.00
Federal Revenue	8100-8299	0.00
Other State Revenue	8300-8599	0.00
Other Local Revenue	8600-8799	0.00
All Other Financing Sources and Contributions	8900-8999	0.00
Deferred Revenue	9650	0.00
TOTAL AVAILABLE		2,286,378.00
EXPENDITURES AND OTHER FINANCING USES		
(Objects 1000-7999)		
Instruction	1000-1999	0.00
Instruction-Related Services		
Instructional Supervision and Administration	2100-2150	0.00
AU of a Multidistrict SELPA	2200	0.00
Instructional Library, Media, and Technology	2420	0.00
Other Instructional Resources	2490-2495	0.00
School Administration	2700	0.00
Pupil Services		
Guidance and Counseling Services	3110	0.00
Psychological Services	3120	0.00
Attendance and Social Work Services	3130	0.00
Health Services	3140	0.00
Speech Pathology and Audiology Services	3150	0.00
Pupil Testing Services	3160	0.00
Pupil Transportation	3600	397,825.00
Food Services	3700	0.00
Other Pupil Services	3900	0.00
Ancillary Services	4000-4999	385,980.00
Community Services	5000-5999	0.00
		0.00
General Administration	7000-7999	0.00
Plant Services	8000-8999	1,502,573.00
		0.00
TOTAL EXPENDITURES AND OTHER FINANCING USES		2,286,378.00
BALANCE (Total Available minus Total Expenditures and Other Financing Uses)		0.00

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT
GOVERNING BOARD

SUBJECT: Surplus Property

MEETING: April 10, 2013

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
- X _____ Ensure that Facilities are Safe for Staff and Students
- _____ Ensure compliance with Education/Other Codes/Updating Board Policies and Administrative Regulations

Summary:

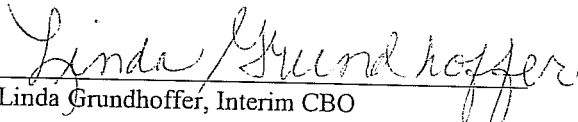
Staff has requested the attached list of vehicles be surplus as they can no longer be used for their intended purpose. Once declared surplus the district will sell/dispose of them.

Recommendation:

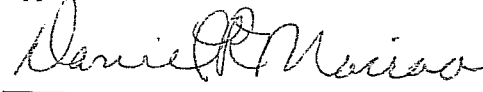
Approve the attached list for surplus

Fiscal Impact:

Submitted By:


Linda Grundhoffer, Interim CBO

Approved:


Daniel R. Moirao, State Administrator

Surplus – District Property

1992 Dodge Ram Van #2 – VIN No. 2B5WB35Z4PK505277

1993 Dodge B350 Van #3 – VIN No. 2B5WB335Z0RK582800

1994 Dodge Ram Van #4 – VIN No. 2B5WB35Z6RK582798

1994 Dodge Ram Van #5 – VIN No. 2B5WB35Z8RK582799

1989 Ford Ranger Truce – VIN No. 1FTCR10AXKUB30123

Cart Flat Bed

1985 Thomas Bus #7 – VIN No. 1GBKP32J0D3319726

1986 Gillig Bus #14 – VIN No. 15GAD0911G1030139

1988 Thomas Bus #16 – VIN No. 1HVLPZ5N7JH623775

1990 Thomas Bus #17 – VIN No. 1T7N4X981L1448849

Club Car #2472 – Serial No. AQ0237-19770

Club Car #1001 – Serial No. 1129591

EZ GO #1011 – Serial No. 515866

Club Car #1109 – Serial No. NQ0399-227704

Club Car #1132 – Serial No. NQ0399-254471

Club Car #2471 – Serial No. NQ0399-240026

Club Car #2473 – Serial No. A9408390382

Club Car #2654 – Serial No. NQ0399-227678

EZ GO #4106 – Serial No. 1073775

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

SUBJECT: King City Young Farmers Donation

MEETING: April 10, 2013

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:

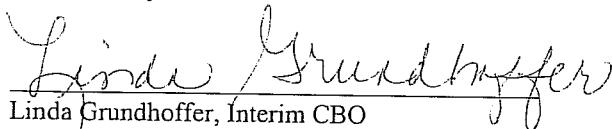
The King City Young Farmers Foundation has graciously donated \$7,600 to the King City ASB FFA Club. The donations is to be used at the discretion of the advisor and officers of the club.

Recommendation:


Accept the \$7,600 donation on behalf of the King City ASB FAA Club

Fiscal Impact:

Submitted By:


Linda Grundhoffer, Interim CBO

Approved:


Daniel R. Moirao, State Administrator

KING CITY YOUNG FARMERS-FNDT
P O BOX 712
KING CITY, CA 93930

90-4461/1211



1037

~~DATE~~ 3-6-13

Pay to the order of King City F.F.A. \$ 7000⁰⁰ xx
Seven Thousand Six hundred dollars w/p ~~DATE~~

1ST CAPITAL BANK

King City Branch
432 Broadway Street, King City, CA 93930
831-365-8900

~~MEMO~~

2013 Donation FFA-ASB Account 740 FFA
To be used at discretion of advisor/officers

⑆ 1 2 1 1 4 4 6 1 2 ⑆ 1 0 3 7 ⑆ 0 3 0 0 0 1 0 8 2 4 ⑆

ANTIQUE

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

SUBJECT: Quarterly Williams Report

MEETING: April 10, 2013

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:

By law, the South Monterey County Joint Union High School District must report quarterly during every academic year to the Board it's compliance with the Williams-Valenzuela lawsuit. Attached is the third report for the school year.

Recommendation:

Approve the Williams-Valenzuela report as required by Education Code.


Fiscal Impact:

None

Submitted By:

Approved:

Carolyn McCombs
Carolyn McCombs
Interim Director of Educational Services


Daniel R. Moirao Ed.D.
State Administrator

Quarterly Report on Williams Uniform Complaints
 [Education Code § 35186]

District: South Monterey County Joint Union High School District

Person completing this form: Carolyn McCombs Title: Interim Director of Educational Services

Quarterly Report Submission Date: October 2012
 (Please check one) January 2013
 April 2013
 July 2013

Date for information to be reported publicly at governing board meeting: April 10, 2013

Please check the box that applies:

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

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

Daniel R. Moirao, Ed.D.
 Print Name of District Superintendent

 Signature of District Superintendent

April 10, 2013
 Date

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

SUBJECT: Truancy Abatement Program Memorandum of Understanding with the District Attorney's office

MEETING: April 10, 2013

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:

To serve the needs of county school districts, students, and the community as a whole, the District Attorney's office has supported a truancy abatement program for more than twenty years. To date, the aggregate contribution from all school district in the county to support the program has been \$164,000 per year. The balance of costs to maintain the program has come from the District Attorney's budget and from state and federal grants. This MOU establishes an agreement between the DA and Districts to provide necessary funding to ensure the continued enforcement of California's compulsory school attendance laws through the Truancy Abatement Program.

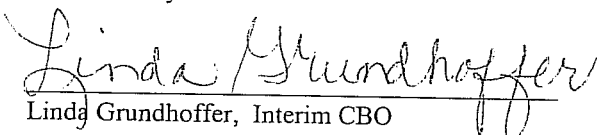
Recommendation:

Approve the MOU with the District Attorney's Office

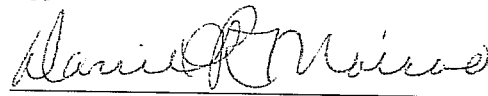
Fiscal Impact:

Approximately \$13,500

Submitted By:


Linda Grundhoffer, Interim CBO

Approved:


Daniel R. Moirao, State Administrator

**MEMORANDUM OF UNDERSTANDING
TRUANCY ABATEMENT PROGRAM**

Parties

This Memorandum of Understanding (MOU) is between the Office of the Monterey District Attorney (DA) and the Monterey County School Districts (Districts) to address truancy abatement.

I. BACKGROUND

Truancy is well-recognized as the first indicator that a child is experiencing difficulty. If ignored, more serious anti-social behaviors resulting in delinquency is often the result. Moreover, with habitual truancy, students miss valuable instructional time causing them to fall behind the academic goals set by the state and the federal government. Additionally, schools lose revenue that is needed to support the salaries of teachers and support staff, as well as to purchase instructional supplies.

To serve the needs of county school districts, students, and the community as a whole, the DA has supported a truancy abatement program for more than twenty (20) years. To date, the aggregate contribution of all school districts to support the program has been \$164,000 per year. The balance of costs to maintain the program has come from the DA's budget and from state and federal grants.

At the September 6, 2006, Superintendents' Council meeting, it was unanimously (16-0) agreed that the school districts would share the cost of the DA's Truancy Abatement Program.

II. PURPOSE OF THE TRUANCY ABATEMENT MOU

The intent of this MOU is to establish an agreement between the DA and Districts to provide necessary funding to ensure the continued enforcement of California's compulsory school attendance laws through the Truancy Abatement Program.

III. RESPONSIBILITIES OF THE DISTRICTS

- 3.1 As each school year commences, notify parents through the annual notification letter of California's compulsory school attendance laws and the consequences for violation thereof. (*California Education Code section 48980.*)
- 3.2 Identify and formally refer truant students to the DA as early as possible after the onset of truancy.
- 3.3 For purposes of formal referral to the DA, follow the uniform procedures set forth by the DA.

- 3.4 Utilize the series of three legally sound declarations of truancy created by the DA. The letters are available in both English and Spanish online at the Monterey County Office of Education's website.
- 3.5 Designate a representative from each school site to attend and participate in truancy mediation hearings. The representative may be an administrator or the administrator's designee.
- 3.6 Maintain appropriate and complete records on truant students referred to the DA.
- 3.7 Provide attendance updates to Truancy Abatement Program staff as requested.

IV. **RESPONSIBILITIES OF THE DISTRICT ATTORNEY**

- 4.1 Maintain a uniform, legally sound system for schools to utilize for formal referral to the DA's Truancy Abatement Program.
- 4.2 Provide Districts with access to two deputy district attorneys assigned to the DA's Truancy Abatement Program.
- 4.3 Accept, review, and process truancy referrals in a timely manner.
- 4.4 Conduct truancy mediation hearings at the DA's three office locations (Salinas, King City, and Monterey) for the convenience of school representatives and families.
- 4.5 Prosecute habitual truancy cases, as appropriate and at the discretion of the DA.
- 4.6 Refer students/families to local Community-based organizations, as appropriate, to help overcome obstacles interfering with satisfactory school attendance.
- 4.7 Notify schools regarding case dispositions after each court hearing.
- 4.8 Conduct "Big Meetings" to inform parents/guardians and students of California's compulsory school attendance laws and the consequences for violations thereof at individual public schools, county-wide, as requested.
- 4.9 Refer "home-hospital" cases to the Monterey County Office of Education for educational services.

V. **TERM OF MOU**

This MOU agreement will be in effect for three (3) years commencing July 1, 2013, through June 30, 2016. Extension beyond this term will be facilitated upon the agreement of the parties.

VI. COSTS

The projected program costs for the 2013-14 fiscal year (July 1, 2013, through June 30, 2014) are \$534,178. The DA will offset program costs by committing a total of \$370,178 from the DA's general budget and received grant funding. The remaining \$164,000 shall be funded by the Districts as follows:

Each District will contribute \$200 plus \$1.00 per CBEDS enrollment, with any remaining balance allocated to each District based on the number of referrals made to the DA during that school year.

Should the necessity arise, the DA reserves the right to renegotiate the amount of funds contributed by the Districts. Renegotiation may occur on an annual basis with a 90-day notice to the Monterey County Office of Education of the intent to renegotiate. Renegotiation of District contributions may be necessitated by the loss or reduction of grant funding to the Truancy Abatement Program or to presently unanticipated demands on the DA's budget.

VII. TERMINATION

Districts may terminate this agreement with a written notice to the DA by February 1 for the following fiscal year.

The DA may terminate the contract with a 90-day notice to the Monterey County Office of Education, as agent for the Districts.

VIII. TRUANCY ABATEMENT PROGRAM MODIFICATION

It is the intent of the DA to maintain the Truancy Abatement Program as presently staffed with two full-time deputy district attorneys and support staff. The DA reserves the right to reduce Truancy Abatement Program staff to the level which may be supported entirely through the application of secured grant funds and the funding agreed upon herein by the parties.

IX. INVOICE BY THE DA AND PAYMENT BY DISTRICTS

The DA shall continue to present an invoice for program costs to the Monterey County Office of Education in the manner and time previously established for the invoicing of the \$164,000 annual contribution received prior to this MOU.

The Monterey County Office of Education will transfer funds from Districts' budgets in the amounts agreed upon herein for payment of the DA's invoice.

Agreed by all parties:

For the District Attorney: Dean J. Flippo
Date: 3/22/13

For the Districts:

Alisal Union School District: _____
Date: _____

Bradley Union School District: _____
Date: _____

Carmel Unified School District: _____
Date: _____

Chualar Union School District: _____
Date: _____

Gonzales Unified School District: _____
Date: _____

Graves School District: _____
Date: _____

Greenfield Union School District: _____
Date: _____

King City Union School District: _____
Date: _____

Lagunita School District: _____
Date: _____

Mission Union School District: _____
Date: _____

Monterey Peninsula Unified School District: _____
Date: _____

No. Monterey Co. Unified School District: _____
Date: _____

Pacific Grove Unified School District: _____
Date: _____

Pacific Unified School District: _____
Date: _____

Salinas City Elementary School District: _____
Date: _____

Salinas Union High School District: _____
Date: _____

San Antonio Union School District: _____
Date: _____

San Ardo Union School District: _____
Date: _____

San Lucas Union School District: _____
Date: _____

Santa Rita Union School District: _____
Date: _____

Soledad Unified School District: _____
Date: _____

South Monterey County Joint Union H.S. District: _____
Date: _____

Spreckels Union School District: _____
Date: _____

Washington Union School District: _____
Date: _____

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

SUBJECT: Monthly Cash Flow Report

MEETING: March 31, 2013

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:

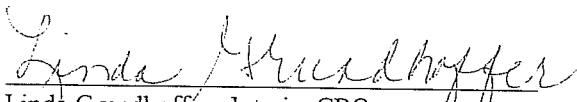
The attached Cash Flow as of the end of March, 2013 indicates a positive cash balance on June 30 of \$32,021.91. At this time it appears necessary to supplement the General Fund cash in May and June of 2013 with approximately \$2,000,000 borrowed from the Special Reserve – Non-Capital Projects fund. The district is due to receive a cash influx from the State due to the passage of Prop 30. This cash is due in June, 2013 but it is anticipated it will arrive after the last chance for the district to move cash between funds.

Recommendation:


Information only.

Fiscal Impact:

Submitted By:


Linda Grundhoffer, Interim CBO

Approved:


Daniel R. Moirao, State Administrator

	Object	Beginning Balances (Ref. Only)	July	August	September	October	November	December	January	February
ACTUALS THROUGH THE MONTH OF (Enter Month Name)										
A. BEGINNING CASH										
B. RECEIPTS			394,427.80	524,989.14	(692,367.12)	(24,394.50)	(263,537.68)	(1,052,044.58)	1,275,853.63	(153,972.42)
Revenue Limit Sources										
Principal Apportionment	8010-8019		(87,423.00)	(62,026.00)	1,207,829.00	1,309,464.00	299,324.95	37,451.00	261,893.00	249,958.00
Property Taxes	8020-8079		1,649.88	(71,525.46)	9,696.30	20,149.39	205,312.90	2,320,287.39	30,697.83	122,941.03
Miscellaneous Funds	8080-8099		0.00	0.00	0.00	0.00	0.00	0.00	2,183.27	2,137.65
Federal Revenue	8100-8299		(37,354.00)	1,371.00	96,574.00	51,333.63	(5,897.35)	169,585.42	167,441.10	(14,025.54)
Other State Revenue	8300-8599			18,600.00	326,180.00	527,497.00	293,341.61	134,269.30	251,848.95	173,920.48
Other Local Revenue	8600-8799		4,538.67	14,430.83	40,944.33	151,826.31	241,520.79	98,521.02	133,944.39	86,916.15
Interfund Transfers In	8910-8929			0.00						
All Other Financing Sources	8930-8979									38,462.00
TOTAL RECEIPTS			(118,588.45)	(99,149.63)	1,681,223.63	2,060,270.33	1,033,602.90	2,760,114.13	848,008.54	660,309.77
C. DISBURSEMENTS										
Certificated Salaries	1000-1999		105,759.31	627,811.06	656,310.74	714,326.97	703,810.99	121,481.22	1,331,544.63	655,980.31
Classified Salaries	2000-2999		114,495.82	188,470.73	178,870.49	174,183.50	176,914.81	211,567.28	173,608.91	165,194.62
Employee Benefits	3000-3999		95,444.77	363,904.23	352,041.26	347,457.43	248,432.88	72,519.58	414,401.25	231,478.80
Books and Supplies	4000-4999		126,377.35	257,229.40	149,210.56	464,981.19	232,691.15	123,711.83	257,425.30	194,451.51
Services	5000-5999									
Capital Outlay	6000-6599									
Other Outgo	7000-7499			38,148.73						
Interfund Transfers Out	7600-7629					905,299.44	(75,229.48)	25,842.69	100,032.24	29,769.16
Other DisBURSEMENTS	7630-7699									
TOTAL DISBURSEMENTS			442,077.25	1,475,564.15	1,336,433.05	2,606,248.53	1,286,620.35	555,122.60	2,277,012.33	1,276,874.40
D. BALANCE SHEET TRANSACTIONS										
Assets										
Cash Not In Treasury	9111-9199	0.00				0.00				
Accounts Receivable	9200-9299	2,098,726.80	1,009,408.42	582,451.00	999,220.69	102,077.68	(516,807.44)	(74,123.45)	0.00	(76,777.00)
Due From Other Funds	9310	38,410.63					0.00	38,410.63		
Stores	9320									
Prepaid Expenditures	9330									
Other Current Assets	9340									
SUBTOTAL ASSETS		2,137,137.53	1,009,408.42	582,451.00	999,220.69	102,077.68	(516,807.44)	(35,712.82)	0.00	(76,777.00)
Liabilities										
Accounts Payable	9500-9599	442,323.16	318,181.38	225,093.48	676,038.65	(204,757.34)	18,682.01	(180,319.22)	0.00	(366.96)
Due To Other Funds	9610	21,699.72					0.00	21,699.72		
Current Loans	9640									
Deferred Revenues	9650									
SUBTOTAL LIABILITIES		464,022.88	318,181.38	225,093.48	676,038.65	(204,757.34)	18,682.01	(158,619.50)	0.00	(366.96)
Nonoperating										
Suspense Clearing	9910									
TOTAL BALANCE SHEET TRANSACTIONS		1,673,114.65	691,227.04	357,357.52	323,182.04	306,835.02	(535,489.45)	122,906.68	(822.26)	(76,410.04)
E. NET INCREASE/DECREASE (B - C + D)			130,561.34	(1,217,356.26)	667,972.62	(239,143.18)	(788,506.90)	2,327,898.21	(1,429,826.05)	(692,974.67)
F. ENDING CASH (A + E)			524,989.14	(692,367.12)	(24,394.50)	(263,537.68)	(1,052,044.58)	1,275,853.63	(153,972.42)	(846,947.09)
G. ENDING CASH, PLUS CASH ACCRUALS AND ADJUSTMENTS										

	Object	March	April	May	June	Accruals	Adjustments	TOTAL	BUDGET
ACTUALS THROUGH THE MONTH OF (Enter Month Name)									
A. BEGINNING CASH									
B. RECEIPTS									
		(846,947.09)	(1,520,409.88)	(97,226.75)	(348,068.91)				
Revenue Limit Sources									
Principal Apportionment	8010-8019	143,748.00	16,973.55						
Property Taxes	8020-8079	2,714.83	2,381,282.26	6.73	(3.97)	2,660,420.69		6,037,613.19	
Miscellaneous Funds	8080-8099	2,142.86	0.00	0.00	0.00			5,023,209.11	
Federal Revenue	8100-8299	132,148.99	81,229.40	88,444.88	134,042.18	111,840.88		6,463.78	
Other State Revenue	8300-8599	243,040.64	332,376.05	81,160.76	127,665.46	325,936.24		976,734.59	
Other Local Revenue	8600-8799	34,623.12		0.00	0.00			2,835,836.49	
Interfund Transfers In	8910-8929	2,680.92						807,265.61	
All Other Financing Sources	8930-8979							41,142.92	
TOTAL RECEIPTS		561,099.36	2,811,861.26	169,612.37	261,703.67	3,098,197.81	0.00	15,728,265.69	0.00
C. DISBURSEMENTS									
Certificated Salaries	1000-1999	698,536.61	608,784.94	608,784.94	195,964.78	135,285.54		7,164,382.04	
Classified Salaries	2000-2999	185,347.72	190,111.64	190,111.64	152,014.96	42,211.66		2,143,103.78	
Employee Benefits	3000-3999	216,073.44	261,751.68	261,751.68	71,745.27	58,169.74		2,995,172.01	
Books and Supplies	4000-4999	106,542.76	305,725.53	337,501.96	305,725.53	312,974.97		3,174,549.04	
Services	5000-5999					0.00		0.00	
Capital Outlay	6000-6599					0.00		0.00	
Other Outgo	7000-7499	389,279.78	22,304.34	22,304.31	22,301.31	108,214.39		1,588,266.91	
Interfund Transfers Out	7600-7629				133,861.00			133,861.00	
All Other Financing Uses	7630-7699							0.00	
TOTAL DISBURSEMENTS		1,595,780.31	1,388,678.13	1,420,454.53	881,612.85	656,856.30	0.00	17,199,334.78	0.00
D. BALANCE SHEET TRANSACTIONS									
Assets									
Cash Not In Treasury	9111-9199							0.00	
Accounts Receivable	9200-9299	6,924.00						2,032,373.90	
Due From Other Funds	9310	0.00		1,000,000.00	1,000,000.00			2,038,410.63	
Stores	9320							0.00	
Prepaid Expenditures	9330							0.00	
Other Current Assets	9340							0.00	
SUBTOTAL ASSETS		6,924.00	0.00	1,000,000.00	1,000,000.00	0.00	0.00	4,070,784.53	
Liabilities									
Accounts Payable	9500-9599	(354,294.16)						498,257.84	
Due To Other Funds	9610							21,699.72	
Current Loans	9640							0.00	
Deferred Revenues	9650							0.00	
SUBTOTAL LIABILITIES		(354,294.16)	0.00	0.00	0.00	0.00	0.00	519,957.56	
Nonoperating									
Suspense Clearing	9910	0.00						(822.26)	
TOTAL BALANCE SHEET TRANSACTIONS		361,218.16	0.00	1,000,000.00	1,000,000.00	0.00	0.00	3,550,004.71	
E. NET INCREASE/DECREASE (B - C + D)									
		(673,462.79)	1,423,183.13	(250,842.16)	380,090.82	2,441,341.51	0.00	2,078,935.62	0.00
F. ENDING CASH (A + E)									
		(1,520,409.88)	(97,226.75)	(348,068.91)	32,021.91			2,473,363.42	
G. ENDING CASH, PLUS CASH ACCRUALS AND ADJUSTMENTS									
								2,473,363.42	

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SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

GOVERNING BOARD

SUBJECT: Monthly Board Report of Revenues and Expenditures

MEETING: April 10, 2013

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:

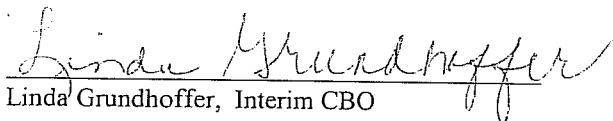
The Board Report of Revenues and Expenditures is provided monthly for the Board's information. This report reflects known changes in revenues and expenditures as of March 31, 2013. The district continues to anticipate a positive ending fund balance in the General Fund.

Recommendation:

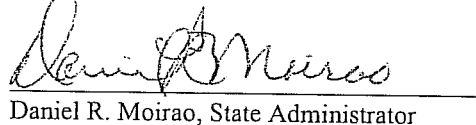
Information Only

Fiscal Impact:

Submitted By:


Linda Grundhoffer, Interim CBO

Approved:


Daniel R. Moirao, State Administrator

Board Report

From 7/1/2012 thru 3/31/2013

4/2/2013 6:19:46AM

Fund: 01 General Fund

	Approved	Working	Expended		Encumbered	Unencumbered	
			Current	Year To Date		Balance	%
**** Total Adjusted Beginning Balance	<u>\$2,252,973.95</u>	<u>\$2,928,692.27</u>	<u>\$2,890,230.27</u>	<u>\$2,890,230.27</u>	<u>\$0.00</u>	<u>\$38,462.00</u>	<u>1.31</u>
801100 Revenue Limit State Aid - Current Year	\$5,317,067.00	\$6,286,619.00	\$3,255,973.00	\$3,255,973.00	\$0.00	\$3,030,646.00	48.21
801900 Revenue Limit State Aid - Prior Years	\$0.00	\$0.00	\$104,245.95	\$104,245.95	\$0.00	(\$104,245.95)	0.00
802100 Home Owners Exemption	\$26,000.00	\$26,000.00	\$14,811.00	\$14,811.00	\$0.00	\$11,189.00	43.03
804100 Secured Tax Rolls	\$4,397,809.00	\$4,582,945.00	\$2,562,114.73	\$2,562,114.73	\$0.00	\$2,020,830.27	44.09
804200 Unsecured Roll Taxes	\$165,000.00	\$165,000.00	\$183,215.63	\$183,215.63	\$0.00	(\$18,215.63)	(11.04)
80: -47) Prior Years' Taxes	\$160,000.00	\$160,000.00	(\$68,270.07)	(\$68,270.07)	\$0.00	\$228,270.07	142.67
80: -47) Supplemental Taxes	\$25,000.00	\$25,000.00	\$16,998.44	\$16,998.44	\$0.00	\$8,001.56	32.01
804700 Community Redevelopment Funds	\$28,309.00	\$28,309.00	\$25,889.22	\$25,889.22	\$0.00	\$2,419.78	8.55
804800 Penalties and Interest from Delinquent Taxes	\$0.00	\$0.00	(\$1,068.85)	(\$1,068.85)	\$0.00	\$1,068.85	0.00
809200 PERS Reduction Transfer	\$17,843.00	\$17,301.00	\$19,516.77	\$19,516.77	\$0.00	(\$2,215.77)	(12.81)
809600 Transfers to Charter Schools In-Lieu of Property Tax	\$0.00	(\$104,819.00)	(\$104,819.00)	(\$104,819.00)	\$0.00	\$0.00	0.00
818100 Special Education - Entitlement per UDC	\$389,076.00	\$389,076.00	\$241,966.53	\$241,966.53	\$0.00	\$147,109.47	37.81
826000 Forest Reserve Funds	\$0.00	\$0.00	\$3,328.46	\$3,328.46	\$0.00	(\$3,328.46)	0.00
829000 All Other Federal Revenues	\$533,820.00	\$1,080,153.82	\$315,882.26	\$315,882.26	\$0.00	\$764,271.56	70.76
831100 Other State Apportionments - Current Year	\$632,827.00	\$596,569.00	\$393,222.00	\$393,222.00	\$0.00	\$203,347.00	34.09
855000 Mandated Cost Reimbursements	\$0.00	\$0.00	\$51,478.00	\$51,478.00	\$0.00	(\$51,478.00)	0.00
856000 State Lottery Revenue	\$283,649.00	\$283,649.00	\$126,163.66	\$126,163.66	\$0.00	\$157,485.34	55.52
859000 All Other State Revenues	\$1,675,369.00	\$1,631,311.00	\$1,397,834.32	\$1,397,834.32	\$0.00	\$233,476.68	14.31
862500 Comm. Redevelop. Fds Not Sub. to RL Deduct.	\$26,700.00	\$26,700.00	\$36,045.92	\$36,045.92	\$0.00	(\$9,345.92)	(35.00)
865000 Leases and Rentals	\$22,000.00	\$22,000.00	\$14,937.31	\$14,937.31	\$0.00	\$7,062.69	32.10
866000 Interest	\$5,400.00	\$5,400.00	\$14,393.46	\$14,393.46	\$0.00	(\$8,993.46)	(166.55)
867700 Interagency Services Between LEAs	\$0.00	\$5,396.00	\$5,396.16	\$5,396.16	\$0.00	(\$0.16)	0.00
869900 All Other Local Revenues	\$99,200.00	\$104,554.38	\$107,017.90	\$107,017.90	\$0.00	(\$2,463.52)	(2.36)

Board Report

From 7/1/2012 thru 3/31/2013

Fund: 01 General Fund

	Approved	Working	Expended		Encumbered	Unencumbered	
			Current	Year To Date		Balance	%
879200 Transfers of Apportionments From County Offices	\$500,000.00	\$610,875.00	\$610,874.86	\$610,874.86	\$0.00	\$0.14	0.00
879900 Other Transfers In From All Others	\$0.00	\$18,600.00	\$18,600.00	\$18,600.00	\$0.00	\$0.00	0.00
891200 Between General Fund and Special Reserve Fund	\$1,500,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
891900 Other Authorized Interfund Transfers In	\$0.00	\$0.00	\$2,680.92	\$2,680.92	\$0.00	(\$2,680.92)	0.00
898000 Contributions from Unrestricted Revenues	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
**** 8000 Totals	\$15,805,069.00	\$15,960,639.20	\$9,348,428.58	\$9,348,428.58	\$0.00	\$6,612,210.62	41.43
**** Total Income & Beginning Balance	\$18,058,042.95	\$18,889,331.47	\$12,238,658.85	\$12,238,658.85	\$0.00	\$6,650,672.62	35.21
11(4) Teachers' Salaries	\$5,411,772.42	\$5,471,856.00	\$4,497,723.83	\$4,497,723.83	\$0.00	\$974,132.17	17.80
11(8) Substitute Teachers	\$182,000.00	\$189,985.00	\$149,473.44	\$149,473.44	\$0.00	\$40,511.56	21.32
110030 Teachers Salaries - Hourly	\$91,540.00	\$140,765.00	\$73,426.82	\$73,426.82	\$0.00	\$67,338.18	47.84
110060 Teachers Salaries - Stipends	\$28,000.00	\$49,442.00	\$17,501.50	\$17,501.50	\$0.00	\$31,940.50	64.60
120000 Certificated Pupil Support Salaries	\$263,003.00	\$263,003.00	\$238,656.93	\$238,656.93	\$0.00	\$24,346.07	9.26
120030 Certificated Pupil Support Salaries - Hourly	\$0.00	\$0.00	\$664.16	\$664.16	\$0.00	(\$664.16)	0.00
130000 Certificated Supervisors' and Administrators' Salaries	\$854,695.00	\$802,892.00	\$513,900.34	\$513,900.34	\$0.00	\$288,991.66	35.99
130010 Certificated Supervisor and Administrator Salaries-Su	\$0.00	\$30,000.00	\$38,744.82	\$38,744.82	\$0.00	(\$8,744.82)	(29.15)
130060 Certificated Supervisors and Administrators Salaries-	\$4,500.00	\$4,500.00	\$5,000.00	\$5,000.00	\$0.00	(\$500.00)	(11.11)
190000 Other Certificated Salaries	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
190020 Other Certificated Salaries - Other	\$36,500.00	\$36,500.00	\$42,820.00	\$42,820.00	\$0.00	(\$6,320.00)	(17.32)
190030 Other Certificated Salaries - Hourly	\$2,000.00	\$28,110.00	\$27,150.00	\$27,150.00	\$0.00	\$960.00	3.42
190060 Other Certificated Salaries - Stipend	\$12,000.00	\$12,000.00	\$10,500.00	\$10,500.00	\$0.00	\$1,500.00	12.50
**** 1000 Totals	\$6,886,010.42	\$7,029,053.00	\$5,615,561.84	\$5,615,561.84	\$0.00	\$1,413,491.16	20.11
210000 Instructional Aides' Salaries	\$246,037.20	\$268,546.20	\$211,385.71	\$211,385.71	\$0.00	\$57,160.49	21.29
210010 Instructional Aides- Substitute	\$3,000.00	\$9,000.00	\$13,776.45	\$13,776.45	\$0.00	(\$4,776.45)	(53.07)
210030 Instructional Aides Salaries - Hourly	\$3,000.00	\$8,228.00	\$5,797.84	\$5,797.84	\$0.00	\$2,430.16	29.54

Board Report

From 7/1/2012 thru 3/31/2013

Fund: 01 General Fund

	Approved	Working	Expended		Encumbered	Unencumbered	
			Current	Year To Date		Balance	%
220000 Classified Support Salaries	\$761,819.52	\$777,350.52	\$561,985.63	\$561,985.63	\$0.00	\$215,364.89	27.71
220010 Substitute Classified Support Salaries	\$9,000.00	\$9,129.00	\$22,691.99	\$22,691.99	\$0.00	(\$13,562.99)	(148.57)
220030 Classified Support Salaries - Hourly	\$29,110.00	\$28,981.00	\$8,057.43	\$8,057.43	\$0.00	\$20,923.57	72.20
220050 Classified Support Salaries - Overtime	\$34,200.00	\$34,300.00	\$21,529.41	\$21,529.41	\$0.00	\$12,770.59	37.23
230000 Classified Supervisors' and Administrators' Salaries	\$489,339.00	\$489,339.00	\$347,228.79	\$347,228.79	\$0.00	\$142,110.21	29.04
240000 Clerical & Office Salaries	\$406,771.00	\$403,079.00	\$313,418.31	\$313,418.31	\$0.00	\$89,660.69	22.24
240030 Clerical and Office Salaries - Hourly	\$2,000.00	\$5,000.00	\$3,608.20	\$3,608.20	\$0.00	\$1,391.80	27.84
240040 Clerical and Office Salaries - Overtime	\$0.00	\$0.00	\$214.97	\$214.97	\$0.00	(\$214.97)	0.00
290040 Other Classified Salaries - Other	\$129,500.00	\$129,500.00	\$58,450.58	\$58,450.58	\$0.00	\$71,049.42	54.86
290050 Other Classified Salaries - Overtime	\$0.00	\$0.00	\$508.57	\$508.57	\$0.00	(\$508.57)	0.00
**** 2000 Totals	\$2,113,776.72	\$2,162,452.72	\$1,568,653.88	\$1,568,653.88	\$0.00	\$593,798.84	27.46
310100 State Teachers' Retirement System. certificated	\$571,208.52	\$575,802.00	\$451,416.68	\$451,416.68	\$0.00	\$124,385.32	21.60
310160 STRS. certificated. stipend	\$2,769.00	\$2,769.00	\$0.00	\$0.00	\$0.00	\$2,769.00	100.00
310200 State Teachers' Retirement System. classified	\$0.00	\$0.00	\$469.85	\$469.85	\$0.00	(\$469.85)	0.00
320200 Public Employees' Retirement System. classified	\$238,275.00	\$237,448.00	\$162,111.72	\$162,111.72	\$0.00	\$75,336.28	31.73
330100 Social Security/Medicare/Alternative. certificated	\$99,768.85	\$101,930.00	\$76,515.36	\$76,515.36	\$0.00	\$25,414.64	24.93
330160 Soc Sec/Medicare/Alt Retire. certificated. stipend	\$476.00	\$476.00	\$0.00	\$0.00	\$0.00	\$476.00	100.00
330200 Social Security/Medicare/Alternative. classified	\$174,973.00	\$174,202.00	\$121,800.42	\$121,800.42	\$0.00	\$52,401.58	30.08
340100 Health & Welfare Benefits. certificated	\$867,438.75	\$859,560.00	\$745,566.46	\$745,566.46	\$0.00	\$113,993.54	13.26
340200 Health & Welfare Benefits. classified	\$531,522.00	\$501,211.00	\$341,569.73	\$341,569.73	\$0.00	\$159,641.27	31.85
350100 State Unemployment Insurance. certificated	\$75,901.42	\$76,994.00	\$60,063.96	\$60,063.96	\$0.00	\$16,930.04	21.99
350160 SUI. certificated. stipend	\$248.00	\$248.00	\$0.00	\$0.00	\$0.00	\$248.00	100.00
350200 State Unemployment Insurance. classified	\$27,750.00	\$27,134.00	\$16,872.76	\$16,872.76	\$0.00	\$10,261.24	37.82
360100 Worker's Compensation Insurance. certificated	\$146,874.67	\$148,115.13	\$120,626.83	\$120,626.83	\$0.00	\$27,488.30	18.56

Board Report

From 7/1/2012 thru 3/31/2013

Fund: 01 General Fund

	Approved	Working	Expended		Encumbered	Unencumbered Balance	%
			Current	Year To Date			
360160 WC. certificated. stipend	\$803.00	\$803.00	\$0.00	\$0.00	\$0.00	\$803.00	100.00
360200 Worker's Compensation Insurance. classified	\$51,383.00	\$51,159.00	\$32,747.67	\$32,747.67	\$0.00	\$18,411.33	35.99
370100 Retiree Benefits. certificated	\$54,096.00	\$54,096.00	\$46,602.17	\$46,602.17	\$0.00	\$7,493.83	13.85
370200 Retiree Benefits. classified	\$69,504.00	\$69,504.00	\$43,401.64	\$43,401.64	\$0.00	\$26,102.36	37.56
380200 PERS Reduction. Classified	\$17,843.00	\$17,301.00	\$19,516.77	\$19,516.77	\$0.00	(\$2,215.77)	(12.81)
390100 Other Benefits. certificated	\$150,000.00	\$150,000.00	\$102,471.62	\$102,471.62	\$0.00	\$47,528.38	31.69
**** 3000 Totals	\$3,080,834.21	\$3,048,752.13	\$2,341,753.64	\$2,341,753.64	\$0.00	\$706,998.49	23.19
410000 Approved Textbooks and Core Curricula Materials	\$49,275.00	\$128,071.00	\$90,312.19	\$90,312.19	\$2,172.60	\$35,586.21	27.79
420000 Books and Reference Materials	\$9,855.63	\$12,186.63	\$3,114.82	\$3,114.82	\$0.00	\$9,071.81	74.44
430000 Materials and Supplies	\$631,813.24	\$780,400.85	\$218,276.17	\$218,276.17	\$79,379.53	\$482,745.15	61.86
430010 Materials and Supplies - Gasoline/Fuel	\$98,577.00	\$104,096.00	\$61,723.61	\$61,723.61	\$38,274.19	\$4,098.20	3.94
430011 Materials and Supplies - Tires	\$12,000.00	\$12,000.00	\$678.50	\$678.50	\$4,300.00	\$7,021.50	58.51
440000 Noncapitalized Equipment	\$57,870.00	\$76,360.00	\$81,468.26	\$81,468.26	\$234.86	(\$5,343.12)	(7.00)
**** 4000 Totals	\$859,390.87	\$1,113,114.48	\$455,573.55	\$455,573.55	\$124,361.18	\$533,179.75	47.90
510000 Contracted Services	\$200,000.00	\$174,685.00	\$68,407.50	\$68,407.50	\$106,277.50	\$0.00	0.00
520000 Travel and Conferences	\$59,612.00	\$99,563.34	\$57,136.06	\$57,136.06	\$3,156.04	\$39,271.24	39.44
520010 Travel and Conference - Stipends	\$0.00	\$27,600.00	\$20,700.00	\$20,700.00	\$0.00	\$6,900.00	25.00
530000 Dues and Memberships	\$24,313.00	\$11,881.00	\$11,228.57	\$11,228.57	\$0.00	\$652.43	5.49
540000 Insurance	\$11,000.00	\$11,000.00	\$11,000.00	\$11,000.00	\$0.00	\$0.00	0.00
545000 Other Insurance	\$120,000.00	\$120,000.00	\$121,049.00	\$121,049.00	\$0.00	(\$1,049.00)	(0.87)
550010 Gas	\$38,850.00	\$38,850.00	\$22,991.84	\$22,991.84	\$15,858.16	\$0.00	0.00
550020 Electricity	\$273,800.00	\$275,800.00	\$185,430.74	\$185,430.74	\$85,248.09	\$5,121.17	1.86

Board Report

From 7/1/2012 thru 3/31/2013

Fund: 01 General Fund

	Approved	Working	Expended		Unencumbered	Balance	%
			Current	Year To Date			
550030 Water	\$11,750.00	\$14,300.00	\$9,107.70	\$9,107.70	\$5,192.30	\$0.00	0.00
550040 Sewer	\$19,512.00	\$22,180.00	\$19,140.71	\$19,140.71	\$3,039.29	\$0.00	0.00
550050 Garbage	\$64,500.00	\$64,641.00	\$38,438.68	\$38,438.68	\$26,201.80	\$0.52	0.00
550070 Pest Control	\$300.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
560010 Maintenance Agreements	\$18,575.00	\$15,533.00	\$11,469.44	\$11,469.44	\$1,480.67	\$2,582.89	16.63
560020 Repairs	\$85,750.00	\$76,292.00	\$47,152.92	\$47,152.92	\$20,383.91	\$8,755.17	11.48
560030 Leases and Rentals	\$48,100.00	\$63,669.00	\$42,197.45	\$42,197.45	\$16,901.58	\$4,569.97	7.18
571035 Direct Costs for Transfer of Services - Motor Pool	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
580000 Professional/Consulting Services and Operating Expe	\$861,022.85	\$1,825,237.67	\$607,597.40	\$607,597.40	\$360,467.59	\$857,172.68	46.96
580010 Prof. Services & Operating Expenses- Legal	\$30,000.00	\$124,866.00	\$92,500.24	\$92,500.24	\$5,304.97	\$27,060.79	21.67
580020 Prof. Services & Operating Expenses - Transportatio	\$800.00	\$800.00	\$0.00	\$0.00	\$0.00	\$800.00	100.00
580040 Prof. Services & Operating Expenses - Advertising	\$1,160.00	\$2,000.00	\$900.00	\$900.00	\$0.00	\$1,100.00	55.00
580050 Prof Services & Operating Expenses-Software Licens	\$36,500.00	\$69,289.00	\$40,067.32	\$40,067.32	\$13,583.00	\$15,638.68	22.57
580060 Prof Services and Operating Expenses - Fingerprint/	\$2,000.00	\$1,300.00	\$896.00	\$896.00	\$404.00	\$0.00	0.00
590010 Communications - Telephone	\$3,300.00	\$12,130.00	\$11,207.82	\$11,207.82	\$303.36	\$618.82	5.10
590030 Communications - Postage	\$30,010.00	\$30,155.00	\$29,451.57	\$29,451.57	\$692.74	\$10.69	0.04
590040 Communications - Cellular Phones	\$12,080.00	\$11,240.00	\$8,976.54	\$8,976.54	\$669.45	\$1,594.01	14.18
**** 5000 Totals	\$1,952,934.85	\$3,093,012.01	\$1,457,047.50	\$1,457,047.50	\$665,164.45	\$970,800.06	31.39
**** 1000 - 5000	\$14,892,947.07	\$16,446,384.34	\$11,438,590.41	\$11,438,590.41	\$789,525.63	\$4,218,268.30	25.65
540000 Equipment - Over \$5000 per unit	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
**** 6000 Totals	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
**** 1000 - 6000	\$14,892,947.07	\$16,446,384.34	\$11,438,590.41	\$11,438,590.41	\$789,525.63	\$4,218,268.30	25.65
713000 State Special Schools	\$13,930.00	\$13,930.00	\$6,943.00	\$6,943.00	\$0.00	\$6,987.00	50.16
714200 Other Tuition, Excess Costs, and/or Deficits Pavment	\$350,000.00	\$292,879.90	\$159,299.70	\$159,299.70	\$0.00	\$133,580.20	45.61
728200 All Other Transfers to County Offices	\$27,560.00	\$27,560.00	\$13,756.50	\$13,756.50	\$0.00	\$13,803.50	50.09

Board Report

From 7/1/2012 thru 3/31/2013

Fund: 01 General Fund

	Approved	Working	Expended		Encumbered	Unencumbered	
			Current	Year To Date		Balance	%
731000 Transfers of Indirect Costs	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
743800 Debt Service Interest	\$717,344.00	\$717,344.00	\$713,143.36	\$713,143.36	\$0.00	\$4,200.64	0.59
743900 Other Debt Service Pavments	\$520,000.00	\$520,000.00	\$520,000.00	\$520,000.00	\$0.00	\$0.00	0.00
761600 From General Fund to Cafeteria Fund	\$0.00	\$133,861.00	\$0.00	\$0.00	\$0.00	\$133,861.00	100.00
**** 7000 Totals	\$1,628,834.00	\$1,705,574.90	\$1,413,142.56	\$1,413,142.56	\$0.00	\$292,432.34	17.15
**** 1000 - 7000	\$16,521,781.07	\$18,151,959.24	\$12,851,732.97	\$12,851,732.97	\$789,525.63	\$4,510,700.64	24.85

Board Report

From 7/1/2012 thru 3/31/2013

Fund: 01 General Fund

	Approved	Working	Expended		Encumbered	Unencumbered	
			Current	Year To Date		Balance	%
Total: Beginning Balance	\$2,252,973.95	\$2,928,692.27	\$2,890,230.27	\$2,890,230.27	\$0.00	\$38,462.00	1.31
Total: Income Current Year	\$15,805,069.00	\$15,960,639.20	\$9,348,428.58	\$9,348,428.58	\$0.00	\$6,612,210.62	41.43
Total: 1000 - 5000	\$14,892,947.07	\$16,446,384.34	\$11,438,590.41	\$11,438,590.41	\$789,525.63	\$4,218,268.30	25.65
Total: 1000 - 6000	\$14,892,947.07	\$16,446,384.34	\$11,438,590.41	\$11,438,590.41	\$789,525.63	\$4,218,268.30	25.65
Total: 1000 - 7000	\$16,521,781.07	\$18,151,959.24	\$12,851,732.97	\$12,851,732.97	\$789,525.63	\$4,510,700.64	24.85
Total: 9710 - 9719	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: 9770 - 9780	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: Estimated Fund Balance (9790)	\$1,536,261.88	\$737,372.23	(\$613,074.12)	(\$613,074.12)	(\$789,525.63)	\$2,139,971.98	290.22
-53							
Total Income & Beginning Balance	\$18,058,042.95	\$18,889,331.47	\$12,238,658.85	\$12,238,658.85	\$0.00	\$6,650,672.62	35.21
Total Expenditures & Ending Balance	\$18,058,042.95	\$18,889,331.47	\$12,238,658.85	\$12,238,658.85	\$0.00	\$6,650,672.62	35.21

Board Report

From 7/1/2012 thru 3/31/2013

Fund: 09 Charter Schools Fund

	Approved	Working	Expended		Encumbered	Unencumbered	
			Current	Year To Date		Balance	%
**** Total Adjusted Beginning Balance	<u>\$383,086.51</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>0.00</u>
801500 Charter Schools Gen Purpose Entitlement-State Aid	\$0.00	\$0.00	\$6,819.00	\$6,819.00	\$0.00	(\$6,819.00)	0.00
801900 Revenue Limit State Aid - Prior Years	\$0.00	\$0.00	(\$38,551.00)	(\$38,551.00)	\$0.00	\$38,551.00	0.00
856000 State Lottery Revenue	\$0.00	\$0.00	\$2,881.90	\$2,881.90	\$0.00	(\$2,881.90)	0.00
859000 All Other State Revenues	\$0.00	\$0.00	(\$6,819.00)	(\$6,819.00)	\$0.00	\$6,819.00	0.00
866000 Interest	\$0.00	\$0.00	\$34.52	\$34.52	\$0.00	(\$34.52)	0.00
89 - 0 Other Authorized Interfund Transfers In	\$0.00	\$0.00	\$36,217.58	\$36,217.58	\$0.00	(\$36,217.58)	0.00
**** 8000 Totals	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$583.00</u>	<u>\$583.00</u>	<u>\$0.00</u>	<u>(\$583.00)</u>	<u>0.00</u>
**** Total Income & Beginning Balance	<u>\$383,086.51</u>	<u>\$0.00</u>	<u>\$583.00</u>	<u>\$583.00</u>	<u>\$0.00</u>	<u>(\$583.00)</u>	<u>0.00</u>
240000 Clerical & Office Salaries	\$0.00	\$0.00	\$770.00	\$770.00	\$0.00	(\$770.00)	0.00
**** 2000 Totals	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$770.00</u>	<u>\$770.00</u>	<u>\$0.00</u>	<u>(\$770.00)</u>	<u>0.00</u>
320200 Public Employees' Retirement System. classified	\$0.00	\$0.00	\$87.91	\$87.91	\$0.00	(\$87.91)	0.00
330200 Social Security/Medicare/Alternative. classified	\$0.00	\$0.00	\$58.91	\$58.91	\$0.00	(\$58.91)	0.00
350200 State Unemployment Insurance. classified	\$0.00	\$0.00	\$8.47	\$8.47	\$0.00	(\$8.47)	0.00
360200 Worker's Compensation Insurance. classified	\$0.00	\$0.00	\$17.00	\$17.00	\$0.00	(\$17.00)	0.00
**** 3000 Totals	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$172.29</u>	<u>\$172.29</u>	<u>\$0.00</u>	<u>(\$172.29)</u>	<u>0.00</u>
560030 Leases and Rentals	\$0.00	\$0.00	(\$359.29)	(\$359.29)	\$0.00	\$359.29	0.00
**** 5000 Totals	<u>\$0.00</u>	<u>\$0.00</u>	<u>(\$359.29)</u>	<u>(\$359.29)</u>	<u>\$0.00</u>	<u>\$359.29</u>	<u>0.00</u>
**** 1000 - 5000	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$583.00</u>	<u>\$583.00</u>	<u>\$0.00</u>	<u>(\$583.00)</u>	<u>0.00</u>

Board Report

From 7/1/2012 thru 3/31/2013

Fund: 09 Charter Schools Fund

	Approved	Working	Expended		Encumbered	Unencumbered	
			Current	Year To Date		Balance	%
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	\$583.00	\$583.00	\$0.00	\$0.00	0.00
Total: 1000 - 5000	\$0.00	\$0.00	\$583.00	\$583.00	\$0.00	(\$583.00)	0.00
Total: 1000 - 6000	\$0.00	\$0.00	\$583.00	\$583.00	\$0.00	(\$583.00)	0.00
Total: 1000 - 7000	\$0.00	\$0.00	\$583.00	\$583.00	\$0.00	(\$583.00)	0.00
Total: 9710 - 9719	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: 9770 - 9780	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: Estimated Fund Balance (9790)	\$383,086.51	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
-							
-							
Total Income & Beginning Balance	\$383,086.51	\$0.00	\$583.00	\$583.00	\$0.00	(\$583.00)	0.00
Total Expenditures & Ending Balance	\$383,086.51	\$0.00	\$583.00	\$583.00	\$0.00	(\$583.00)	0.00

Board Report

From 7/1/2012 thru 3/31/2013

Fund: 13 Cafeteria Fund

	Approved	Working	Expended		Unencumbered	
			Current	Year To Date	Encumbered	Balance %
**** Total Adjusted Beginning Balance	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00 0.00</u>
822000 Child Nutrition Programs	\$332,000.00	\$328,539.00	\$223,076.31	\$223,076.31	\$0.00	\$105,462.69 32.10
852000 Child Nutrition	\$25,000.00	\$36,100.00	\$18,133.57	\$18,133.57	\$0.00	\$17,966.43 49.77
863400 Food Services Sales	\$65,000.00	\$79,753.00	\$39,482.63	\$39,482.63	\$0.00	\$40,270.37 50.49
866000 Interest	\$0.00	\$0.00	(\$348.55)	(\$348.55)	\$0.00	\$348.55 0.00
891600 To Cafeteria Fund. From General Fund	\$0.00	\$133,861.00	\$0.00	\$0.00	\$0.00	\$133,861.00 100.00
**** 8000 Totals	<u>\$422,000.00</u>	<u>\$578,253.00</u>	<u>\$280,343.96</u>	<u>\$280,343.96</u>	<u>\$0.00</u>	<u>\$297,909.04 51.52</u>
**** Total Income & Beginning Balance	<u>\$422,000.00</u>	<u>\$578,253.00</u>	<u>\$280,343.96</u>	<u>\$280,343.96</u>	<u>\$0.00</u>	<u>\$297,909.04 51.52</u>
220000 Classified Support Salaries	\$75,000.00	\$75,937.00	\$63,208.16	\$63,208.16	\$0.00	\$12,728.84 16.76
230000 Classified Supervisors' and Administrators' Salaries	\$45,886.00	\$45,886.00	\$34,241.13	\$34,241.13	\$0.00	\$11,644.87 25.38
**** 2000 Totals	<u>\$120,886.00</u>	<u>\$121,823.00</u>	<u>\$97,449.29</u>	<u>\$97,449.29</u>	<u>\$0.00</u>	<u>\$24,373.71 20.01</u>
320200 Public Employees' Retirement System. classified	\$7,150.00	\$7,150.00	\$7,060.29	\$7,060.29	\$0.00	\$89.71 1.25
330200 Social Security/Medicare/Alternative. classified	\$9,300.00	\$9,300.00	\$7,440.36	\$7,440.36	\$0.00	\$1,859.64 20.00
340200 Health & Welfare Benefits. classified	\$9,100.00	\$16,092.00	\$24,048.47	\$24,048.47	\$0.00	(\$7,956.47) (49.44)
350200 State Unemployment Insurance. classified	\$1,950.00	\$1,950.00	\$1,069.89	\$1,069.89	\$0.00	\$880.11 45.13
360200 Worker's Compensation Insurance. classified	\$2,950.00	\$2,950.00	\$2,147.39	\$2,147.39	\$0.00	\$802.61 27.21
**** 3000 Totals	<u>\$30,450.00</u>	<u>\$37,442.00</u>	<u>\$41,766.40</u>	<u>\$41,766.40</u>	<u>\$0.00</u>	<u>(\$4,324.40) (11.55)</u>
370000 Materials and Supplies	\$2,700.00	\$1,450.00	\$958.25	\$958.25	\$441.75	\$50.00 3.45
70000 Food	\$261,764.00	\$410,176.00	\$298,670.85	\$298,670.85	\$95,915.05	\$15,590.10 3.80

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Board Report

From 7/1/2012 thru 3/31/2013

Fund: 13 Cafeteria Fund

	Approved	Working	Expended		Encumbered	Unencumbered	
			Current	Year To Date		Balance	%
**** 4000 Totals	<u>\$264,464.00</u>	<u>\$411,626.00</u>	<u>\$299,629.10</u>	<u>\$299,629.10</u>	<u>\$96,356.80</u>	<u>\$15,640.10</u>	<u>3.80</u>
520000 Travel and Conferences	\$1,200.00	\$2,029.00	\$1,134.80	\$1,134.80	\$0.00	\$894.20	44.07
560000 Rentals, Leases and Repairs	\$500.00	\$1,739.00	\$1,738.17	\$1,738.17	\$0.00	\$0.83	0.05
580000 Professional/Consulting Services and Operating Expe	\$4,500.00	\$3,594.00	\$2,440.10	\$2,440.10	\$1,153.62	\$0.28	0.01
**** 5000 Totals	<u>\$6,200.00</u>	<u>\$7,362.00</u>	<u>\$5,313.07</u>	<u>\$5,313.07</u>	<u>\$1,153.62</u>	<u>\$895.31</u>	<u>12.16</u>
**** 1000 - 5000	<u>\$422,000.00</u>	<u>\$578,253.00</u>	<u>\$444,157.86</u>	<u>\$444,157.86</u>	<u>\$97,510.42</u>	<u>\$36,584.72</u>	<u>6.33</u>

Board Report

From 7/1/2012 thru 3/31/2013

Fund: 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	\$578,253.00	\$280,343.96	\$280,343.96	\$0.00	\$0.00	0.00
Total: 1000 - 5000	\$422,000.00	\$578,253.00	\$444,157.86	\$444,157.86	\$97,510.42	\$297,909.04	51.52
Total: 1000 - 6000	\$422,000.00	\$578,253.00	\$444,157.86	\$444,157.86	\$97,510.42	\$36,584.72	6.33
Total: 1000 - 7000	\$422,000.00	\$578,253.00	\$444,157.86	\$444,157.86	\$97,510.42	\$36,584.72	6.33
Total: 9710 - 9719	\$0.00	\$0.00	\$0.00	\$0.00	\$97,510.42	\$36,584.72	6.33
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	(\$163,813.90)	(\$163,813.90)	(\$97,510.42)	\$261,324.32	0.00
- 58							
Total Income & Beginning Balance	\$422,000.00	\$578,253.00	\$280,343.96	\$280,343.96	\$0.00	\$297,909.04	51.52
Total Expenditures & Ending Balance	\$422,000.00	\$578,253.00	\$280,343.96	\$280,343.96	\$0.00	\$297,909.04	51.52

Board Report

From 7/1/2012 thru 3/31/2013

Fund: 14 Deferred Maintenance Fund

	Approved	Working	Expended		Encumbered	Unencumbered	
			Current	Year To Date		Balance	%
**** Total Adjusted Beginning Balance	<u>\$562.67</u>	<u>\$2,687.20</u>	<u>\$2,687.20</u>	<u>\$2,687.20</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>0.00</u>
859000 All Other State Revenues	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
866000 Interest	\$0.00	\$0.00	(\$6.28)	(\$6.28)	\$0.00	\$6.28	0.00
869900 All Other Local Revenues	\$0.00	\$35,000.00	\$35,000.00	\$35,000.00	\$0.00	\$0.00	0.00
**** 8000 Totals	<u>\$0.00</u>	<u>\$35,000.00</u>	<u>\$34,993.72</u>	<u>\$34,993.72</u>	<u>\$0.00</u>	<u>\$6.28</u>	<u>0.02</u>
**** Total Income & Beginning Balance	<u>\$562.67</u>	<u>\$37,687.20</u>	<u>\$37,680.92</u>	<u>\$37,680.92</u>	<u>\$0.00</u>	<u>\$6.28</u>	<u>0.02</u>
56(-) Repairs	\$0.00	\$35,000.00	\$35,000.00	\$35,000.00	\$0.00	\$0.00	0.00
**** 5000 Totals	<u>\$0.00</u>	<u>\$35,000.00</u>	<u>\$35,000.00</u>	<u>\$35,000.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>0.00</u>
**** 1000 - 5000	<u>\$0.00</u>	<u>\$35,000.00</u>	<u>\$35,000.00</u>	<u>\$35,000.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>0.00</u>
761900 Other Authorized Interfund Transfers Out	\$0.00	\$0.00	\$2,680.92	\$2,680.92	\$0.00	(\$2,680.92)	0.00
**** 7000 Totals	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$2,680.92</u>	<u>\$2,680.92</u>	<u>\$0.00</u>	<u>(\$2,680.92)</u>	<u>0.00</u>
**** 1000 - 7000	<u>\$0.00</u>	<u>\$35,000.00</u>	<u>\$37,680.92</u>	<u>\$37,680.92</u>	<u>\$0.00</u>	<u>(\$2,680.92)</u>	<u>(7.66)</u>

Board Report

From 7/1/2012 thru 3/31/2013

4/2/2013 6:19:46AM

Fund: 14 Deferred Maintenance Fund

	Approved	Working	Expended		Encumbered	Unencumbered	
			Current	Year To Date		Balance	%
Total: Beginning Balance	\$562.67	\$2,687.20	\$2,687.20	\$2,687.20	\$0.00	\$0.00	0.00
Total: Income Current Year	\$0.00	\$35,000.00	\$34,993.72	\$34,993.72	\$0.00	\$6.28	0.02
Total: 1000 - 5000	\$0.00	\$35,000.00	\$35,000.00	\$35,000.00	\$0.00	\$0.00	0.00
Total: 1000 - 6000	\$0.00	\$35,000.00	\$35,000.00	\$35,000.00	\$0.00	\$0.00	0.00
Total: 1000 - 7000	\$0.00	\$35,000.00	\$37,680.92	\$37,680.92	\$0.00	(\$2,680.92)	(7.66)
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)	\$562.67	\$2,687.20	\$0.00	\$0.00	\$0.00	\$2,687.20	100.00
09 -							
Total Income & Beginning Balance	\$562.67	\$37,687.20	\$37,680.92	\$37,680.92	\$0.00	\$6.28	0.02
Total Expenditures & Ending Balance	\$562.67	\$37,687.20	\$37,680.92	\$37,680.92	\$0.00	\$6.28	0.02

Board Report

From 7/1/2012 thru 3/31/2013

Fund: 17 Special Reserve Fund for Other than

	Approved	Working	Expended Current	Expended Year To Date	Encumbered	Unencumbered Balance	%
**** Total Adjusted Beginning Balance	<u>\$7,759,205.38</u>	<u>\$4,252,143.60</u>	<u>\$2,997,754.12</u>	<u>\$2,997,754.12</u>	<u>\$0.00</u>	<u>\$1,254,389.48</u>	<u>29.50</u>
866000 Interest	\$0.00	\$0.00	\$8,585.16	\$8,585.16	\$0.00	(\$8,585.16)	0.00
**** 8000 Totals	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$8,585.16</u>	<u>\$8,585.16</u>	<u>\$0.00</u>	<u>(\$8,585.16)</u>	<u>0.00</u>
**** Total Income & Beginning Balance	<u>\$7,759,205.38</u>	<u>\$4,252,143.60</u>	<u>\$3,006,339.28</u>	<u>\$3,006,339.28</u>	<u>\$0.00</u>	<u>\$1,245,804.32</u>	<u>29.30</u>
761200 Between General Fund and Special Reserve Fund	\$1,500,000.00	\$0.00	\$36,217.58	\$36,217.58	\$0.00	(\$36,217.58)	0.00
**** 7000 Totals	<u>\$1,500,000.00</u>	<u>\$0.00</u>	<u>\$36,217.58</u>	<u>\$36,217.58</u>	<u>\$0.00</u>	<u>(\$36,217.58)</u>	<u>0.00</u>
**** 1000 - 7000	<u>\$1,500,000.00</u>	<u>\$0.00</u>	<u>\$36,217.58</u>	<u>\$36,217.58</u>	<u>\$0.00</u>	<u>(\$36,217.58)</u>	<u>0.00</u>

Board Report

From 7/1/2012 thru 3/31/2013

Fund: 17 Special Reserve Fund for Other than

	Approved	Working	Expended		Encumbered	Unencumbered	
			Current	Year To Date		Balance	%
Total: Beginning Balance	\$7,759,205.38	\$4,252,143.60	\$2,997,754.12	\$2,997,754.12	\$0.00	\$1,254,389.48	29.50
Total: Income Current Year	\$0.00	\$0.00	\$8,585.16	\$8,585.16	\$0.00	(\$8,585.16)	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	\$0.00	\$36,217.58	\$36,217.58	\$0.00	(\$36,217.58)	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)	\$6,259,205.38	\$4,252,143.60	\$2,970,121.70	\$2,970,121.70	\$0.00	\$1,282,021.90	30.15
-							
- 62							
Total Income & Beginning Balance	\$7,759,205.38	\$4,252,143.60	\$3,006,339.28	\$3,006,339.28	\$0.00	\$1,245,804.32	29.30
Total Expenditures & Ending Balance	\$7,759,205.38	\$4,252,143.60	\$3,006,339.28	\$3,006,339.28	\$0.00	\$1,245,804.32	29.30

Board Report

From 7/1/2012 thru 3/31/2013

Fund: 25 Capital Facilities Fund

	Approved	Working	Expended		Encumbered	Unencumbered	
			Current	Year To Date		Balance	%
**** Total Adjusted Beginning Balance	<u>\$407,847.12</u>	<u>\$456,422.12</u>	<u>\$494,884.12</u>	<u>\$494,884.12</u>	<u>\$0.00</u>	<u>(\$38,462.00)</u>	<u>(8.43)</u>
866000 Interest	\$0.00	\$0.00	\$1,509.92	\$1,509.92	\$0.00	(\$1,509.92)	0.00
868100 Mitigation/Developer Fees	\$5,000.00	\$5,000.00	\$7,261.90	\$7,261.90	\$0.00	(\$2,261.90)	(45.24)
869900 All Other Local Revenues	\$2,000.00	\$2,000.00	\$0.00	\$0.00	\$0.00	\$2,000.00	100.00
**** 8000 Totals	<u>\$7,000.00</u>	<u>\$7,000.00</u>	<u>\$8,771.82</u>	<u>\$8,771.82</u>	<u>\$0.00</u>	<u>(\$1,771.82)</u>	<u>(25.31)</u>
**** Total Income & Beginning Balance	<u>\$414,847.12</u>	<u>\$463,422.12</u>	<u>\$503,655.94</u>	<u>\$503,655.94</u>	<u>\$0.00</u>	<u>(\$40,233.82)</u>	<u>(8.68)</u>
64() Equipment - Over \$5000 per unit	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
**** 6000 Totals	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>0.00</u>
**** 1000 - 6000	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>0.00</u>
743800 Debt Service Interest	\$23,694.00	\$23,852.00	\$23,851.76	\$23,851.76	\$0.00	\$0.24	0.00
743900 Other Debt Service Pavments	\$80,979.00	\$84,821.00	\$84,821.00	\$84,821.00	\$0.00	\$0.00	0.00
**** 7000 Totals	<u>\$104,673.00</u>	<u>\$108,673.00</u>	<u>\$108,672.76</u>	<u>\$108,672.76</u>	<u>\$0.00</u>	<u>\$0.24</u>	<u>0.00</u>
**** 1000 - 7000	<u>\$104,673.00</u>	<u>\$108,673.00</u>	<u>\$108,672.76</u>	<u>\$108,672.76</u>	<u>\$0.00</u>	<u>\$0.24</u>	<u>0.00</u>

Board Report

From 7/1/2012 thru 3/31/2013

Fund: 25 Capital Facilities Fund

	Approved	Working	Expended		Encumbered	Unencumbered	
			Current	Year To Date		Balance	%
Total: Beginning Balance	\$407,847.12	\$456,422.12	\$494,884.12	\$494,884.12	\$0.00	(\$38,462.00)	(8.43)
Total: Income Current Year	\$7,000.00	\$7,000.00	\$8,771.82	\$8,771.82	\$0.00	(\$1,771.82)	(25.31)
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	\$108,672.76	\$108,672.76	\$0.00	\$0.24	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)	\$310,174.12	\$354,749.12	\$394,983.18	\$394,983.18	\$0.00	(\$40,234.06)	(11.34)
- Total Income & Beginning Balance	\$414,847.12	\$463,422.12	\$503,655.94	\$503,655.94	\$0.00	(\$40,233.82)	(8.68)
Total Expenditures & Ending Balance	\$414,847.12	\$463,422.12	\$503,655.94	\$503,655.94	\$0.00	(\$40,233.82)	(8.68)

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Board Report

From 7/1/2012 thru 3/31/2013

Fund: 35 School Facility Program (Regular)

	Approved	Working	Expended		Encumbered	Unencumbered	
			Current	Year To Date		Balance	%
**** Total Adjusted Beginning Balance	<u>\$2,699,961.51</u>	<u>\$1,408,851.76</u>	<u>\$1,408,851.76</u>	<u>\$1,408,851.76</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>0.00</u>
866000 Interest	\$7,000.00	\$7,000.00	\$5,630.54	\$5,630.54	\$0.00	\$1,369.46	19.56
**** 8000 Totals	<u>\$7,000.00</u>	<u>\$7,000.00</u>	<u>\$5,630.54</u>	<u>\$5,630.54</u>	<u>\$0.00</u>	<u>\$1,369.46</u>	<u>19.56</u>
**** Total Income & Beginning Balance	<u>\$2,706,961.51</u>	<u>\$1,415,851.76</u>	<u>\$1,414,482.30</u>	<u>\$1,414,482.30</u>	<u>\$0.00</u>	<u>\$1,369.46</u>	<u>0.10</u>
580000 Professional/Consulting Services and Operating Expe	\$50,000.00	\$50,000.00	\$18,627.00	\$18,627.00	\$8,825.00	\$22,548.00	45.10
**** 5000 Totals	<u>\$50,000.00</u>	<u>\$50,000.00</u>	<u>\$18,627.00</u>	<u>\$18,627.00</u>	<u>\$8,825.00</u>	<u>\$22,548.00</u>	<u>45.10</u>
**** 1000 - 5000	<u>\$50,000.00</u>	<u>\$50,000.00</u>	<u>\$18,627.00</u>	<u>\$18,627.00</u>	<u>\$8,825.00</u>	<u>\$22,548.00</u>	<u>45.10</u>
626000 Buildings and Improvement of Buildings	\$2,607,967.00	\$1,365,851.76	\$798,004.50	\$798,004.50	\$8,150.00	\$559,697.26	40.98
**** 6000 Totals	<u>\$2,607,967.00</u>	<u>\$1,365,851.76</u>	<u>\$798,004.50</u>	<u>\$798,004.50</u>	<u>\$8,150.00</u>	<u>\$559,697.26</u>	<u>40.98</u>
**** 1000 - 6000	<u>\$2,657,967.00</u>	<u>\$1,415,851.76</u>	<u>\$816,631.50</u>	<u>\$816,631.50</u>	<u>\$16,975.00</u>	<u>\$582,245.26</u>	<u>41.12</u>

-65
626000

Board Report

From 7/1/2012 thru 3/31/2013

Fund: 35 School Facility Program (Regular)

	Approved	Working	Expended		Encumbered	Unencumbered	
			Current	Year To Date		Balance	%
Total: Beginning Balance							
Total: Income Current Year	\$2,699,961.51	\$1,408,851.76	\$1,408,851.76	\$1,408,851.76	\$0.00	\$0.00	0.00
Total: 1000 - 5000	\$7,000.00	\$7,000.00	\$5,630.54	\$5,630.54	\$0.00	\$1,369.46	19.56
Total: 1000 - 6000	\$50,000.00	\$50,000.00	\$18,627.00	\$18,627.00	\$8,825.00	\$22,548.00	45.10
Total: 1000 - 7000	\$2,657,967.00	\$1,415,851.76	\$816,631.50	\$816,631.50	\$16,975.00	\$582,245.26	41.12
Total: 9710 - 9719	\$2,657,967.00	\$1,415,851.76	\$816,631.50	\$816,631.50	\$16,975.00	\$582,245.26	41.12
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	\$0.00	\$0.00	\$0.00	\$0.00	0.00
	\$48,994.51	\$0.00	\$597,850.80	\$597,850.80	(\$16,975.00)	(\$580,875.80)	0.00
-							
Total Income & Beginning Balance	\$2,706,961.51	\$1,415,851.76	\$1,414,482.30	\$1,414,482.30	\$0.00	\$1,369.46	0.10
Total Expenditures & Ending Balance	\$2,706,961.51	\$1,415,851.76	\$1,414,482.30	\$1,414,482.30	\$0.00	\$1,369.46	0.10

Board Report

From 7/1/2012 thru 3/31/2013

Fund: 51 Bond Interest and Redemption Fund

	Approved	Working	Expended Current	Expended Year To Date	Encumbered	Unencumbered Balance	%
**** Total Adjusted Beginning Balance	<u>\$1,450,614.00</u>	<u>\$1,646,838.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$1,646,838.00</u>	<u>100.00</u>
	\$1,450,614.00	\$1,646,838.00	\$0.00	\$0.00	\$0.00	\$1,646,838.00	100.00

Board Report

From 7/1/2012 thru 3/31/2013

Fund: 51 Bond Interest and Redemption Fund

	Approved	Working	Expended		Encumbered	Unencumbered	
			Current	Year To Date		Balance	%
Total: Beginning Balance	\$1,450,614.00	\$1,646,838.00	\$0.00	\$0.00	\$0.00	\$1,646,838.00	100.00
Total: Income Current Year	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: 1000 - 5000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: 1000 - 6000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: 1000 - 7000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: 9710 - 9719	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: 9770 - 9780	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: Estimated Fund Balance (9790)	\$1,450,614.00	\$1,646,838.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
					\$0.00	\$1,646,838.00	100.00
-							
89							
Total Income & Beginning Balance	\$1,450,614.00	\$1,646,838.00	\$0.00	\$0.00	\$0.00	\$1,646,838.00	100.00
Total Expenditures & Ending Balance	\$1,450,614.00	\$1,646,838.00	\$0.00	\$0.00	\$0.00	\$1,646,838.00	100.00

Board Report

From 7/1/2012 thru 3/31/2013

Fund: 56 Debt Service Fund

	Approved	Working	Expended		Encumbered	Unencumbered	
			Current	Year To Date		Balance	%
**** Total Adjusted Beginning Balance	\$0.00	\$0.00	\$1,254,389.48	\$1,254,389.48	\$0.00	(\$1,254,389.48)	0.00
	\$0.00	\$0.00	\$1,254,389.48	\$1,254,389.48	\$0.00	(\$1,254,389.48)	0.00

Board Report

From 7/1/2012 thru 3/31/2013

Fund: 56 Debt Service Fund

	Approved	Working	Expended		Encumbered	Unencumbered	
			Current	Year To Date		Balance	%
Total: Beginning Balance	\$0.00	\$0.00	\$1,254,389.48	\$1,254,389.48	\$0.00	(\$1,254,389.48)	0.00
Total: Income Current Year	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: 1000 - 5000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: 1000 - 6000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: 1000 - 7000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: 9710 - 9719	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: 9770 - 9780	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: Estimated Fund Balance (9790)	\$0.00	\$0.00	\$1,254,389.48	\$1,254,389.48	\$0.00	(\$1,254,389.48)	0.00
-70 Total Income & Beginning Balance	\$0.00	\$0.00	\$1,254,389.48	\$1,254,389.48	\$0.00	(\$1,254,389.48)	0.00
Total Expenditures & Ending Balance	\$0.00	\$0.00	\$1,254,389.48	\$1,254,389.48	\$0.00	(\$1,254,389.48)	0.00

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

SUBJECT: Site Enrollment, Attendance, and Referral Statistics **MEETING:** April 10, 2013

AGENDA SECTION:

- ACTION**
 - INFORMATION**
 - ACTION/CONSENT**
-

Board Goals:

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

Summary:

Attached are reports for each site indicating enrollment, attendance, and discipline.

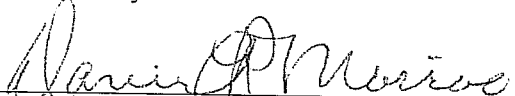
Recommendation:

This is an information item only.

Fiscal Impact:


None

Submitted By:



Daniel R. Moirao, Ed.D.
State Administrator

Approved:



Daniel R. Moirao, Ed.D.
State Administrator

Greenfield High School

2012-2013

ADS Discipline Distribution Report from 3/1/2013 to 3/28/2013

4/2/2013

Page 1

Code # and Name	Total	Grade				Sex	
		9	10	11	12	F	M
01 *Alcohol, Possession of (E)	1	-	1	-	-	-	1
04 *Assault (E) 48900 (a)(2)	1	1	-	-	-	-	1
15 *Knife, Brandishing	1	1	-	-	-	-	1
36 Behavior, Defiance (E)	9	2	2	2	3	2	7
37 Behavior, Disobedience (E)	1	-	-	1	-	-	1
38 Behavior, Disruptive (E)	7	5	1	-	1	-	7
39 Behavior, Inappropriate (E)	3	3	-	-	-	1	2
47 Disruption of School	2	1	1	-	-	-	2
74 Profanity (E) 48900 (i)	7	4	-	1	2	-	7
Totals:	32	17	5	4	6	3	29

Greenfield High School

4/2/2013 9:00:14 AM

2012-2013

Daily Apportionment for Month 8

Page 1

Day #	Date	Holiday	Enrollment	Apportionment	Difference	Percent Present
141	2/25/2013		883	843	40	95.47%
142	2/26/2013		884	852	32	96.38%
143	2/27/2013		886	854	32	96.39%
144	2/28/2013		886	847	39	95.60%
145	3/1/2013		886	837	49	94.47%
146	3/4/2013		886	831	55	93.79%
147	3/5/2013		885	845	40	95.48%
148	3/6/2013		883	845	38	95.70%
149	3/7/2013		882	847	35	96.03%
150	3/8/2013		881	842	39	95.57%
151	3/11/2013	@	0	0	0	
152	3/12/2013		878	842	36	95.90%
153	3/13/2013		878	837	41	95.33%
154	3/14/2013		876	835	41	95.32%
155	3/15/2013		875	823	52	94.06%
156	3/18/2013		875	820	55	93.71%
157	3/19/2013		875	844	31	96.46%
158	3/20/2013		877	845	32	96.35%
159	3/21/2013		876	851	25	97.15%
160	3/22/2013		875	828	47	94.63%
Month 8 Average:			880.37	840.42		95.46%

@ = School not in session

King City High School

2012-2013

ADS Discipline Distribution Report from 3/1/2013 to 3/28/2013

4/2/2013

Page 1

Code # and Name	Total	Grade				Sex	
		9	10	11	12	F	M
07 *Drugs, Paraphernalia (E)	1	-	1	-	-	1	-
08 *Drugs, Possession of (E)	4	1	3	-	-	-	4
10 *Drugs, Use of (E) 48900	1	-	-	1	-	-	1
25 *Weapon, Possession of (E)	3	1	2	-	-	1	2
36 Behavior, Defiance (E)	1	1	-	-	-	1	-
38 Behavior, Disruptive (E)	3	1	1	-	1	1	2
39 Behavior, Inappropriate (E)	1	1	-	-	-	1	-
47 Disruption of School	5	1	3	-	1	-	5
52 Fighting (E) 48900 (a)(1)	9	5	4	-	-	5	4
65 Language, Profanity (E)	1	1	-	-	-	1	-
Totals:	29	12	14	1	2	11	18

-74-

King City High School

4/2/2013 9:36:24 AM

2012-2013

Daily Apportionment for Month 8

Page 1

Day #	Date	Holiday	Enrollment	Apportionment	Difference	Percent Present
141	2/25/2013		901	845	56	93.78%
142	2/26/2013		901	851	50	94.45%
143	2/27/2013		901	865	36	96.00%
144	2/28/2013		901	851	50	94.45%
145	3/1/2013		901	857	44	95.12%
146	3/4/2013		900	844	56	93.78%
147	3/5/2013		899	864	35	96.11%
148	3/6/2013		899	868	31	96.55%
149	3/7/2013		898	855	43	95.21%
150	3/8/2013		900	851	49	94.56%
151	3/11/2013	@	0	0	0	
152	3/12/2013		898	860	38	95.77%
153	3/13/2013		896	858	38	95.76%
154	3/14/2013		896	851	45	94.98%
155	3/15/2013		898	860	38	95.77%
156	3/18/2013		895	850	45	94.97%
157	3/19/2013		894	868	26	97.09%
158	3/20/2013		893	873	20	97.76%
159	3/21/2013		893	864	29	96.75%
160	3/22/2013		892	839	53	94.06%
Month 8 Average:			897.68	856.53		95.42%

@ = School not in session

Portola-Butler Contin. High School

2012-2013

ADS Discipline Distribution Report from 3/1/2013 to 3/28/2013

4/2/2013

Page 1

Code # and Name	Total	Grade				Sex	
		9	10	11	12	F	M
08 *Drugs, Possession of (E)	1	-	-	1	-	-	1
36 Behavior, Defiance (E)	5	-	-	3	2	-	5
Totals:	6	-	-	4	2	-	6

Portola-Butler Contin. High School

4/2/2013 9:48:50 AM

2012-2013

Daily Apportionment for Month 8

Page 1

Day #	Date	Holiday	Enrollment	Apportionment	Difference	Percent Present
141	2/25/2013		113	113	0	100.00%
142	2/26/2013		108	108	0	100.00%
143	2/27/2013		107	107	0	100.00%
144	2/28/2013		107	107	0	100.00%
145	3/1/2013		107	107	0	100.00%
146	3/4/2013		106	106	0	100.00%
147	3/5/2013		105	105	0	100.00%
148	3/6/2013		107	107	0	100.00%
149	3/7/2013		107	107	0	100.00%
150	3/8/2013		106	106	0	100.00%
151	3/11/2013	@	0	0	0	
152	3/12/2013		109	109	0	100.00%
153	3/13/2013		107	107	0	100.00%
154	3/14/2013		109	109	0	100.00%
155	3/15/2013		109	109	0	100.00%
156	3/18/2013		108	108	0	100.00%
157	3/19/2013		108	108	0	100.00%
158	3/20/2013		107	107	0	100.00%
159	3/21/2013		107	107	0	100.00%
160	3/22/2013		109	109	0	100.00%
Month 8 Average:			107.68	107.68		100.00%

@ = School not in session

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

SUBJECT: Board Policies – First Reading

MEETING: April 10, 2013

AGENDA SECTION:

ACTION

INFORMATION

ACTION/CONSENT

GOVERNING BOARD

Board Goals:

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

Summary:

The following Board Policies are presented for a first reading before final approval. The first reading is the time individual Board members should suggest changes and modifications to the Policies and Administrative Regulations presented. This allows the second reading to have only minimal adjustments, before the policies are published.

BP 3100 Business and Noninstructional Operations (revised)

BP 5113.1 Chronic Absence and Truancy (revised)
AR 5113.1 Chronic Absence and Truancy (revised)

AR 5125 Student Records (revised)

BP 5136 Gangs (new)
AP 5136 Gangs (new)

AR 5141.3 Students Health Examinations (revised)

BP 5144 Discipline (revised)
AR 5144 Discipline (revised)

BP 5144.1 Suspension and Expulsion Due Process (revised)
AR 5144.1 Suspension and Expulsion Due Process (revised)

BP 5145.6 Parental Notification (revised)


Recommendation:

It is recommended that the board accept the first reading of the Board Policies


Fiscal Impact:

None

Submitted By:


Daniel R. Moirao Ed.D.
State Administrator

Approved:


Daniel R. Moirao Ed.D.
State Administrator

BP 3100 Business and Noninstructional Operations

Budget

The Governing Board recognizes its critical responsibility for adopting a sound budget for each fiscal year which is aligned with the district's vision, goals, and priorities. The district budget shall guide administrative decisions and actions throughout the year and shall serve as a tool for monitoring the fiscal health of the district.

(cf. 0000 - Vision)

(cf. 3000 - Concepts and Roles)

(cf. 3300 - Expenditures and Purchases)

(cf. 3460 - Financial Reports and Accountability)

(cf. 9000 - Role of the Board)

The district budget shall show a complete plan and itemized statement of all proposed expenditures and all estimated revenues for the following fiscal year, together with a comparison of revenues and expenditures for the current fiscal year. The budget shall also include the appropriations limit and the total annual appropriations subject to limitation as determined pursuant to Government Code 7900-7914. (Education Code 42122)

Budget Development and Adoption Process

The Superintendent or designee shall establish an annual budget development process and calendar in accordance with the ~~dual~~ **single** budget adoption process described in Education Code 42127(e) and (g).

In order to provide guidance in the development of the budget, the Board shall annually establish budget priorities based on identified district needs and goals and on realistic projections of available funds.

The Superintendent or designee shall oversee the preparation of a proposed district budget for approval by the Board and shall involve appropriate staff in the development of budget projections.

The Board encourages public input in the budget development process and shall hold public hearings and meetings in accordance with Education Code 42103 and 42127.

(cf. 9320 - Meetings and Notices)

(cf. 9322 - Agenda/Meeting Materials)

(cf. 9323 - Meeting Conduct)

The budget that is formally adopted by the Board shall be in the format prescribed by the Superintendent of Public Instruction. The Superintendent or designee may supplement this format with additional information as necessary to effectively communicate the budget to the Board, staff, and public.

Budget Advisory Committee

The Board may appoint a budget advisory committee composed of staff, Board representatives, and/or members of the community.

The committee shall develop recommendations during the budget development process and its duties shall be assigned each year based on district needs. All recommendations of the committee shall be advisory only and shall not be binding on the Board or the Superintendent or designee.

(cf. 1220 - Citizen Advisory Committees)
(cf. 2230 - Representative and Deliberative Groups)
(cf. 3350 - Travel Expenses)
(cf. 9130 - Board Committees)
(cf. 9140 - Board Representatives)

Budget Criteria and Standards

In developing the district budget, the Superintendent or designee shall analyze criteria and standards adopted by the State Board of Education which address estimation of funded average daily attendance (ADA), projected enrollment, ratio of ADA to enrollment, projected revenue limit, salaries and benefits, other revenues and expenditures, facilities maintenance, deficit spending, fund balance, and reserves. The budget review shall also identify supplemental information regarding contingent liabilities, use of one-time revenues for ongoing expenditures, use of ongoing revenues for one-time expenditures, contingent revenues, contributions, long-term commitments, unfunded liabilities, and the status of labor agreements. (Education Code 33127, 33128, 33129; 5 CCR 15440-15451)

The Board shall establish and maintain a general fund reserve for economic uncertainty that meets or exceeds the requirements of law. (Education Code 33128.3; 5 CCR 15450)

The Board may establish other budget assumptions or parameters which may take into consideration the stability of funding sources, legal requirements and constraints on the use of funds, anticipated increases and/or decreases in the cost of services and supplies, categorical program requirements, and any other factors necessary to ensure that the budget is a realistic plan for district revenues and expenditures.

(cf. 2210 - Administrative Discretion Regarding Board Policy)
(cf. 3110 - Transfer of Funds)

Fund Balance

The Board shall adopt a formal resolution that provides for classification of fund balances in the general fund and is compliant with Governmental Accounting Standards Board (GASB) Statement 54. The resolution also shall:

1. Establish specific steps for committing funds that cannot be used for any other purpose unless the Board takes action to remove or change the constraint
2. Express the authority of the Board and/or delegate authority to other person(s) to identify intended uses of assigned funds
3. Establish the order in which fund balances will be spent when multiple fund balance types are available for an expenditure
4. Address the minimum fund balance in the general fund by establishing an appropriate level of unrestricted fund balance that will be maintained in the general fund, the circumstances under which the unrestricted fund balance can be spent down, and the procedure for replenishing deficiencies

The Board reserves the authority to review and amend this resolution as needed to reflect changing circumstances and district needs.

Long-Term Financial Obligations

The district's current-year budget and multi-year projections shall include adequate provisions for addressing the district's long-term financial obligations, including, but not limited to, long-term obligations resulting from collective bargaining agreements, financing of facilities projects, unfunded or future liability for retiree benefits, and accrued workers' compensation claims.

(cf. 4141/4241 - Collective Bargaining Agreement)

(cf. 4143/4243 - Negotiations/Consultation)

(cf. 4154/4254/4354 - Health and Welfare Benefits)

(cf. 7210 - Facilities Financing)

(cf. 9250 - Remuneration, Reimbursement and Other Benefits)

The Board shall approve a plan for meeting the district's long-term obligations to fund nonpension, other postemployment benefits (OPEBs). This plan shall include a specific funding strategy and the method that will be used to finance the district's annual fiscal obligations for such benefits in a manner that continually reduces the deficit to the district to the extent possible. The Board reserves the authority to review and amend the funding strategy as necessary to ensure that it continues to serve the best interests of the district and maintains flexibility to adjust for changing budgetary considerations.

When the Superintendent or designee presents a report to the Board on the estimated accrued but unfunded cost of OPEBs, the Board shall disclose, as a separate agenda item at the same meeting, whether or not it will reserve a sufficient amount of money in its budget to fund the present value of the benefits of existing retirees and/or the future cost of employees who are eligible for benefits in the current fiscal year. (Education Code 42140)

When the Superintendent or designee presents a report to the Board on the estimated accrued but unfunded cost of workers' compensation claims, the Board shall disclose, as a separate agenda item at the same meeting, whether or not it will reserve in the budget sufficient amounts to fund the present value of accrued but unfunded workers' compensation claims or if it is otherwise decreasing the amount in its workers' compensation reserve fund. The Board shall annually certify to the County Superintendent the amount, if any, that it has decided to reserve in the budget for these costs. The Board shall submit to the County Superintendent any budget revisions that may be necessary to account for this budget reserve. (Education Code 42141)

Budget Amendments

Whenever revenues and expenditures change significantly throughout the year, the Superintendent or designee shall recommend budget amendments to ensure accurate projections of the district's net ending balance. When final figures for the prior-year budget are available, this information shall be used as soon as possible to update the current-year budget's beginning balance and projected revenues and expenditures.

In addition, budget amendments shall be submitted for Board approval when the state budget is adopted, collective bargaining agreements are accepted, district income declines, increased revenues or unanticipated savings are made available to the district, program proposals are significantly different from those approved during budget adoption, interfund transfers are needed to meet actual program expenditures, and/or other significant changes occur that impact budget projections.

Legal Reference:

EDUCATION CODE

- 1240 Duties of county superintendent of schools
- 33127-33131 Standards and criteria for local budgets and expenditures
- 35035 Powers and duties of superintendent
- 35161 Powers and duties, generally, of governing boards
- 42103 Public hearing on proposed budget; requirements for content of proposed budget
- 42122-42129 Budget requirements
- 42130-42134 Financial certifications
- 42140-42141 Disclosure of fiscal obligations
- 42602 Use of unbudgeted funds
- 42605 Tier 3 categorical flexibility
- 42610 Appropriation of excess funds and limitation thereon
- 44518-44519.2 Chief business officer training program
- 45253 Annual budget of personnel commission
- 45254 First year budget of personnel commission

GOVERNMENT CODE

- 7900-7914 Appropriations limit

CODE OF REGULATIONS, TITLE 5

15060 Standardized account code structure

15440-15451 Criteria and standards for school district budgets

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Governance: Budget Planning and Adoption, 2006

Maximizing School Board Governance: Understanding District Budgets, 2006

School Finance CD-ROM, 2005

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM PUBLICATIONS

Fiscal Oversight Guide for AB 1200, AB 2756 and Subsequent Related Legislation, September 2006

GOVERNMENT FINANCE OFFICERS ASSOCIATION

Best Practice: Appropriate Level of Unrestricted Fund Balance in the General Fund, 2009

GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENTS

Statement 54, Fund Balance Reporting and Governmental Fund Type Definitions, March 2009

Statement 45, Accounting and Financial Reporting by Employers for Post-employment Benefits Other Than Pensions, June 2004

Statement 34, Basic Financial Statements and Management's Discussion and Analysis - For State and Local Governments, June 1999

WEB SITES

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

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

California Department of Education, Finance and Grants: <http://www.cde.ca.gov/fg>

California Department of Finance: <http://www.dof.ca.gov>

Fiscal Crisis and Management Assistance Team: <http://www.fcmat.org>

Government Finance Officers Association: <http://www.gfoa.org>

Governmental Accounting Standards Board: <http://www.gasb.org>

Legislative Analyst's Office: <http://www.lao.ca.gov>

School Services of California, Inc.: <http://www.sscal.com>

(11/08 11/09) 7/10

Policy

First Reading: April 10, 2013

Adopted:

KING CITY JOINT UNION HIGH SCHOOL DISTRICT

King City, California

BP 5113.1 Students

Chronic Absence And Truancy

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

(cf. 5113 - Absences and Excuses)

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

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

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

~~*(cf. 0450 - Comprehensive Safety Plan)*~~

~~*(cf. 5126 - Awards for Achievement)*~~

~~*(cf. 5131 - Conduct)*~~

~~*(cf. 5137 - Positive School Climate)*~~

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

~~*****Note: Contingent on the receipt of federal funding, Education Code 60901 requires the California Department of Education (CDE) to include data on the quarterly rate of student attendance within the California Longitudinal Pupil Achievement Data System (CALPADS). When funded, the system will periodically provide districts with districtwide, school, class, and individual student reports on rates of absence and chronic absentees, and will provide early warning reports to identify individual students who are at risk of academic failure or dropping out of school. Districts' submission of attendance data to CALPADS will be voluntary.*****~~

~~*****Note: Other tools to calculate chronic absence are available, such as the District Attendance Tracking Tool and School Attendance Tracking Tool from Attendance Works and an online software application from OnTrackCA; see the management resources listed below in this policy.*****~~

The State Administrator/Superintendent or designee shall establish a system to accurately

track student attendance in order to identify individual students classified as chronic absentees and truants, as defined in law and administrative regulation.

The State Administrator/Superintendent or designee shall develop strategies that focus on prevention of attendance problems, which may include, but are not limited to, efforts to provide a safe and positive school environment, relevant and engaging learning experiences, school activities that help develop students' feelings of connectedness with the school, school-based health services, and incentives and rewards to recognize students who achieve excellent attendance or demonstrate significant improvement in attendance. The Superintendent or designee also shall develop strategies that enable early outreach to students as soon as they show signs of poor attendance.

- (cf. 0410 - Nondiscrimination in District Programs and Activities)
- (cf. 0450 - Comprehensive Safety Plan)
- (cf. 5126 - Awards for Achievement)
- (cf. 5131 - Conduct)
- (cf. 5131.2 - Bullying)
- (cf. 5137 - Positive School Climate)
- (cf. 5141.6 - School Health Services)
- (cf. 5145.3 - Nondiscrimination/Harassment)

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

- (cf. 1020 - Youth Services)
- (cf. 3550 - Food Service/Child Nutrition Program)
- (cf. 5030 - Student Wellness)
- (cf. 5145.6 - School Health Services)
- (cf. 5146 - Married/Pregnant/Parenting Students)
- (cf. 5147 - Dropout Prevention)
- (cf. 5149 - At-Risk Students)
- (cf. 6158 - Independent Study)
- (cf. 6164.2 - Guidance/Counseling Services)
- (cf. 6164.5 - Student Success Teams)
- (cf. 6173 - Education for Homeless Children)
- (cf. 6173.1 - Education for Foster Youth)
- (cf. 6173.2 - Education of Children of Military Families)
- (cf. 6175 - Migrant Education Program)
- (cf. 6179 - Supplemental Instruction)
- (cf. 6181 - Alternative Schools/Programs of Choice)
- (cf. 6183 - Home and Hospital Instruction)
- (cf. 6184 - Continuation Education)

(cf. 6185 - Community Day School)

~~***Note: State law establishes a series of interventions that the district is required or authorized to impose depending on the number of trancies committed by a student; see the accompanying administrative regulation. Habitually truant students, as defined in Education Code 48262, may be referred to a school attendance review board (SARB) established by the county or, if no county SARB exists, to a SARB established by the district Governing Board pursuant to Education Code 48321. Instead of the SARB process, students may be referred to a truancy mediation program operated by the county's district attorney or probation officer pursuant to Education Code 48260.6. As amended by AB 2616 (Ch. 432, Statutes of 2012), Education Code 48264.5 authorizes, but does not require, students who continue to be truant after receiving these interventions to be referred to a juvenile court. Parents/guardians of truants may be subject to penalties pursuant to Education Code 48293, Penal Code 270.1, and/or Penal Code 272.***~~

Students who are identified as truants shall be subject to the interventions specified in law and administrative regulation.

~~***Note: Education Code 48900 expresses legislative intent that alternatives to suspension or expulsion be used with students who are truant, tardy, or otherwise absent from assigned school activities; see BP 5144 Discipline and BP 5144.1 Suspension and Expulsion/Due Process.***~~

A student's truancy, tardiness, or other absence from school shall not be the sole basis for his/her out-of-school suspension or expulsion. Alternative disciplinary strategies and positive reinforcement for attendance shall be used whenever possible.

As required by law, habitually truant students shall be referred to a district truancy specialist, a truancy mediation program operated by the county's district attorney or probation officer, and/or a juvenile court.

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

Legal Reference:

EDUCATION CODE

1740 Employment of personnel to supervise attendance (county superintendent)

37223 Weekend classes

41601 Reports of average daily attendance

46000 Records (attendance)

46010-46014 Absences

46110-46119 Attendance in kindergarten and elementary schools
46140-46147 Attendance in junior high and high schools
48200-48208 Children ages 6-18 (compulsory full-time attendance)
48240-48246 Supervisors of attendance
48260-48273 Truants
48290-48296 Failure to comply; complaints against parents
48320-48325 School attendance review boards
48340-48341 Improvement of student attendance
48400-48403 Compulsory continuation education
49067 Unexcused absences as cause of failing grade
60901 Chronic absence

GOVERNMENT CODE

54950-54963 The Ralph M. Brown Act

PENAL CODE

270.1 Chronic truancy; parent/guardian misdemeanor

272 Parent/guardian duty to supervise and control minor child; criminal liability for truancy

830.1 Peace officers

VEHICLE CODE

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

WELFARE AND INSTITUTIONS CODE

601-601.4 Habitually truant minors

11253.5 Compulsory school attendance

CODE OF REGULATIONS, TITLE 5

306 Explanation of absence

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

Management Resources:

CSBA PUBLICATIONS

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

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

School Attendance Review Board Handbook, 2009

School Attendance Improvement Handbook, 2000

WEB SITES

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

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

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

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

(11/99) 11/10

Policy SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

First Reading: April 10, 2013

Adopted: King City, California

AR 5113.1 Students

Chronic Absence And Truancy

Definitions

Chronic absentee means a student who is absent for any reason on 10 percent or more of the school days in the school year, when the total number of days the student is absent is divided by the total number of days the student is enrolled and school was actually taught in the regular day schools of the district, exclusive of Saturdays and Sundays.

Truant means a student who is absent from school without a valid excuse three full days in one school year, or tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof. (Education Code 48260)

Habitual truant means a student who has been reported as a truant three or more times within the same school year, provided the district has made a conscientious effort to hold at least one conference with the student and his/her parent/guardian. (Education Code 48262, 48264.5)

Chronic truant means a student who has been absent from school without a valid excuse for 10 percent or more of the school days in one school year, from the date of enrollment to the current date, provided the district has met the requirements of Education Code 48260-48263 and 48291. (Education Code 48263.6)

~~***Note: As provided above, definitions of the various categories of truancy are based on the number of absences from school without a valid excuse. As amended by AB 2616 (Ch. 432, Statutes of 2012), Education Code 48260 defines a "valid excuse," for purposes of classifying a student as a truant, as any of the reasons specified in Education Code 48205 (i.e., illness, quarantine, health services appointments, funeral service attendance, jury duty, illness or medical appointment of student's child, justifiable personal reasons, service on precinct board, time with family member called to active duty or on leave from active duty, and religious exercises), Education Code 48225.5 (i.e., entertainment or allied industries work permits and nonprofit organization performances), or other reasons at the discretion of school administrators. AR 5113 - Absences and Excuses reflects the reasons that students may be excused from school pursuant to Education Code 48205 and provides information about methods of verification of student absences.***~~

For purposes of classifying a student as a truant, valid excuse includes, but is not limited to, the reasons for which a student shall be excused from school pursuant to Education Code 48205 and 48225.5. A valid excuse also may include other reasons that are within the discretion of school administrators and, based on the facts of the student's circumstances, are deemed to constitute a valid excuse. (Education Code 48260)

(cf. 5113 - Absences and Excuses)

(cf. 5113.2 - Work Permits)

Truancy Specialist

The Superintendent or designee shall appoint a district truancy specialist to monitor the attendance of district students. Such district truancy specialist shall perform duties related to compulsory full-time education, truancy, compulsory continuation education, and any additional duties prescribed by the Superintendent. (Education Code 48240, 48243, 48244)

(cf. 5113 - Absences and Excuses)

(cf. 5113.2 - Work Permits)

Addressing Chronic Absence

When a student is identified as a chronic absentee, the district truancy specialist shall communicate with the student and his/her parent/guardian to determine the reason(s) for the excessive absences, ensure the student and parent/guardian are aware of the adverse consequences of poor attendance, and jointly develop a plan for improving the student's school attendance.

(cf. 6020 - Parent Involvement)

The student may be referred to a student success team or the truancy specialist to assist in evaluating the student's needs and identifying strategies and programs that may assist him/her.

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

(cf. 5147 - Dropout Prevention)

(cf. 5149 - At-Risk Students)

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6164.5 - Student Success Teams)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

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

(cf. 6175 - Migrant Education Program)

A student who is struggling academically may be offered tutoring or other supplemental instruction, extended learning opportunities, and/or alternative educational options as appropriate.

(cf. 6158 - Independent Study)

(cf. 6176 - Weekend/Saturday Classes)

(cf. 6178.1 - Work Experience Education)

(cf. 6179 - Supplemental Instruction)
(cf. 6181 - Alternative Schools/Programs of Choice)
(cf. 6183 - Home and Hospital Instruction)
(cf. 6184 - Continuation Education)

Whenever chronic absenteeism is linked to a non-school condition, the district truancy specialist may recommend community resources and/or collaborate with community agencies and organizations to address the needs of the student and his/her family.

(cf. 1020 - Youth Services)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 5145.6 - School Health Services)

Addressing Truancy

A district truancy specialist, peace officer, probation officer, or school administrator or designee may arrest or assume temporary custody, during school hours, of any minor student found away from his/her home who is absent from school without a valid excuse. Any person arresting or assuming temporary custody of a minor student shall deliver the student and make reports in accordance with Education Code 48265 and 48266. (Education Code 48264, 48265, 48266)

(cf. 3515.3 - District Police/Security Department)

The district truancy specialist shall investigate a complaint from any person that a parent/guardian has violated the state compulsory education laws contained in Education Code 48200-48341. (Education Code 48290)

When a student has been identified as a truant, as defined above, the following steps shall be implemented based on the number of trancies he/she has committed:

1. Initial truancy

- a. A student who is initially classified as truant shall be reported to the truancy specialist. (Education Code 48260)
- b. The student's parent/guardian shall be notified: by the most cost-effective method possible, which may include email or a telephone call, that: (Education Code 48260.5)

(1) The student is truant.

(2) The parent/guardian is obligated to compel the student to attend school. If the parent/guardian fails to meet this obligation, he/she may be guilty of an infraction of the law and subject to prosecution pursuant to Education Code 48290-48296.

- (3) Alternative educational programs are available in the district.
- (4) The parent/guardian has the right to meet with appropriate school personnel to discuss solutions to the student's truancy.
- (5) The student may be subject to arrest or held in temporary custody by a probation officer, a peace officer, a school administrator or attendance supervisor or his/her designee under Education Code 48264 if found away from home and absent from school without a valid excuse.
- (6) The student may be subject to suspension, restriction, or delay of his/her driving privilege pursuant to Vehicle Code 13202.7.
- (7) It is recommended that the parent/guardian accompany the student to school and attend classes with the student for one day.

(cf. 5145.6 - Parental Notifications)

- c. The student may be required to attend makeup classes on one day of a weekend pursuant to Education Code 37223. (Education Code 48264.5)
- d. The student may be given a written warning by a peace officer. A record of this warning may be kept at school for not less than two years or until the student graduates or transfers from the school. If the student transfers, the record may be forwarded to the new school. (Education Code 48264.5)

(cf. 5125 - Student Records)

- e. The **State Administrator**/Superintendent or district truancy specialist may notify the district attorney and/or probation officer of the name of each student who has been classified as a truant and the name and address of the student's parents/guardians. (Education Code 48260.6)

2. Second truancy

- a. Any student who has once been reported as a truant shall again be reported to the truancy specialist as a truant if he/she is absent from school without valid excuse one or more days or is tardy on one or more days. (Education Code 48261)
- b. The student may be required to attend makeup classes on one day of a weekend pursuant to Education Code 37223. (Education Code 48264.5)
- c. The student may be assigned to an after-school or weekend study program within the county. If the student fails to successfully complete this study program, he/she shall be subject to item #3 below. (Education Code 48264.5)

- d. An appropriate district staff member shall make a conscientious effort to hold at least one conference with the student and parent/guardian by communicating with the parent/guardian at least once using the most cost-effective method possible, which may include email or a telephone call. (Education Code 48262)
- e. The truancy specialist may notify the district attorney and/or probation officer whether the student continues to be classified as a truant after the parents/guardians have been notified in accordance with item #1b above. (Education Code 48260.6)

3. Third truancy (habitual truancy)

- a. A student who is habitually truant, irregular in school attendance, or habitually insubordinate or disorderly during attendance at school may be referred to, and required to attend, a truancy mediation program established by the district attorney or the probation officer, or a comparable program deemed acceptable by the district's truancy specialist. (Education Code 48263, 48264.5)
- b. Upon making a referral to the probation department, the Superintendent or district truancy specialist shall provide the student and parent/guardian, in writing, the name and address of the SARB or probation department and the reason for the referral. This notice shall indicate that the student and parent/guardian shall be required, along with the district staff person making the referral, to meet with a probation officer to consider a proper disposition of the referral. (Education Code 48263)
- c. If the student does not successfully complete the truancy mediation program or other similar program, he/she shall be subject to item #4 below. (Education Code 48264.5)
- d. If the truancy specialist determines that available community services cannot resolve the problem of the truant or insubordinate student or if the student and/or student's parents/guardians have failed to respond to the directives of the district or to services provided, the truancy specialist may so notify the district attorney and/or the probation officer. (Education Code 48263)
- e. Upon his/her fourth truancy within the same school year, the student shall be within the jurisdiction of the juvenile court. (Education Code 48264.5; Welfare and Institutions Code 601)
- f. If a student has been adjudged by the county juvenile court to be a habitual truant, the Superintendent or district truancy specialist shall notify the juvenile court and the student's probation or parole officer whenever the student is truant or tardy on one or more days without a valid excuse in the same or succeeding school year, or is habitually insubordinate or disorderly at school. The juvenile court and probation or parole officer shall be notified within 10 days of the violation. (Education Code 48267)

5. Absence for 10 percent of school days (chronic truancy)

- a. The district truancy specialist shall ensure that the student's parents/guardians are offered language-accessible support services to address the student's truancy.
- b. If a chronically truant student is at least age 6 years and has not reached the age of 18 years, the attendance supervisor shall notify the parents/guardians that failure to reasonably supervise and encourage the student's school attendance may result in the parent/guardian being found guilty of a misdemeanor pursuant to Penal Code 270.1.

Records

The Superintendent or district truancy specialist shall maintain accurate attendance records for students identified as habitual or chronic truants. The Superintendent or designee also shall document all contacts with a student and his/her parent/guardian regarding the student's attendance, including a summary of all conversations and a record of all intervention efforts.

~~***Note: Education Code 48273 mandates that the district adopt rules and regulations for the purpose of gathering data and making a report to the County Superintendent of Schools regarding SARB referrals. The CDE's web site provides a model annual summary report form.***~~

The Superintendent or designee shall gather and transmit to the County Superintendent of Schools the number and types of referrals made to the SARB and of requests for petitions made to the juvenile court. (Education Code 48273)

(3/02 11/10) 11/12

Regulation SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

First Reading: April 10, 2013

Adopted:

King City, California

AR 5125 Students

Student Records

Definitions

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

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

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

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

1. Directory information

(cf. 5125.1 - Release of Directory Information)

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

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

(cf. 3515 - Campus Security)

(cf. 3515.3 - District Police/Security Department)

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

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

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

Mandatory interim student records are those records which the schools are directed to compile and maintain for stipulated periods of time and are then destroyed in accordance with state law,

regulation, or administrative directive. (5 CCR 430)

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

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

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

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

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

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

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

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

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

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

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

Persons Granted Access Without Prior Written Consent

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

1. Parents/guardians of students younger than age 18 years, including the parent who is not the student's custodial parent (Education Code 49069; Family Code 3025)
2. An adult student age 18 or older or a student under the age of 18 who attends a postsecondary institution, in which case the student alone shall exercise rights related to his/her student records and grant consent for the release of records (34 CFR 99.3, 99.5)

~~***Note: Pursuant to Education Code 56041.5, all the rights accorded to the parent/guardian of a student with disabilities, including the right to access student records, are transferred to the student when he/she reaches age 18 years except when the student has been declared incompetent under state law.***~~

3. Parents/guardians of an adult student with disabilities who is age 18 years or older and has been declared incompetent under state law (Education Code 56041.5)

(cf. 6159 - Individualized Education Program)

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

1. Parents/guardians of a dependent student age 18 or older (Education Code 49076; 34 CFR 99.31)
2. Students who are age 16 or older or who have completed the 10th grade (Education Code 49076; 34 CFR 99.31)
3. School officials and employees consistent with definition provided in the section "Definitions" above (Education Code 49076; 34 CFR 99.31)

4. Members of a school attendance review board (SARB) and any volunteer aide age 18 or older who has been investigated, selected, and trained by the SARB to provide follow-up services to a referred student (Education Code 49076)

(cf. 5113.1 – *Truancy and Chronic Attendance*)

5. Officials and employees of other public schools, school systems, or postsecondary institutions where the student intends or is directed to enroll, including local, county, or state correctional facilities where educational programs leading to high school graduation are provided, or where the student is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer (Education Code 49076; 34 CFR 99.31)

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

6. **Any county placing agency acting as an authorized representative of a state or local educational agency which is required to audit or evaluate a state or federally supported education program pursuant to item #6 above (Education Code 49076)**
7. Federal, state, and local officials, as needed for an audit, evaluation, or compliance activity related to a state or federally funded education program and in accordance with a written agreement developed pursuant to 34 CFR 99.35 (Education Code 49076; 34 CFR 99.3, 99.31, 99.35)
8. Any person, agency, or organization authorized in compliance with a court order or lawfully issued subpoena (Education Code 49077; 5 CCR 435; 34 CFR 99.31)

Unless otherwise instructed by the court, the Superintendent or designee shall, prior to disclosing a record pursuant to a court order or subpoena, give the parent/guardian or adult student at least three days' notice of the name of the requesting agency and the specific record requested, if lawfully possible within the requirements of the judicial order. (Education Code 49077; 5 CCR 435; 34 CFR 99.31)
9. Any district attorney who is participating in or conducting a truancy mediation program or participating in the presentation of evidence in a truancy petition (Education Code 49076)
10. A prosecuting agency for consideration-against a parent/guardian for failure to comply with compulsory education laws (Education Code 49076)
11. Any probation officer district attorney or counsel of record for a minor student for the purposes of conducting a criminal investigation or an investigation in regards to declaring

the minor student a ward of the court or involving a violation of a condition of probation subject to specified evidentiary rules (Education Code 49076)

When disclosing records for these purposes, the Superintendent or designee shall obtain written certification from the recipient of the record(s) that the information will not be disclosed to another party without prior written consent of the student's parent/guardian or the holder of the student's educational rights, unless specifically authorized by state or federal law. (Education Code 49076)

12. Any judge or probation officer for the purpose of conducting a truancy mediation program for a student or for the purpose of presenting evidence in a truancy petition pursuant to Welfare and Institutions Code 681 (Education Code 49076)

In such cases, the judge or probation officer shall certify in writing to the Superintendent or designee that the information will be used only for truancy purposes. Upon releasing student information to a judge or probation officer, the Superintendent or designee shall inform, or provide written notification to, the student's parent/guardian within 24 hours. (Education Code 49076)

13. Any county placing agency for the purpose of preparing a health and education summary pursuant to Welfare and Institutions Code 16010 for a child placed in foster care, fulfilling educational case management responsibilities required by the juvenile court or by law, or assisting with the school transfer or enrollment of a student (Education Code 49076)

(cf. 6173.1 - Education for Foster Youth)

In such cases, the judge or probation officer shall certify in writing to the Superintendent or designee that the information will be used only for truancy purposes. Upon releasing student information to a judge or probation officer, the Superintendent or designee shall inform, or provide written notification to, the student's parent/guardian within 24 hours. (Education Code 49076)

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

(cf. 6159 - Individualized Education Program)

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

15. Appropriate law enforcement authorities, in circumstances where Education Code 48902 requires that the district provide special education and disciplinary records of a student with disabilities who is suspended or expelled for committing an act violating Penal Code 245

(Education Code 48902, 49076)

16. Designated peace officers or law enforcement agencies in cases where the district is authorized by law to assist law enforcement in investigations of suspected criminal conduct or kidnapping and a written parental consent, lawfully issued subpoena, or court order is submitted to the district, or information is provided to it indicating that an emergency exists in which the student's information is necessary to protect the health or safety of the student or other individuals (Education Code 49076.5; 34 CFR 99.1-99.67)

In such cases, the Superintendent or designee shall provide information about the identity and location of the student as it relates to the transfer of that student's records to another public school district or California private school. (Education Code 49076.5)

When disclosing such records, the **State Administrator**/Superintendent or designee shall obtain written certification by the recipient of the records as described in item #11 above. (Education Code 49076)

At his/her discretion, the **State Administrator**/Superintendent or designee may release information from a student's records to the following: (34 CFR 99.31, 99.36; Education Code 49076)

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

or intends to enroll

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5. Local health departments operating countywide or regional immunization information and reminder systems and the California Department of Public Health, in which case the

Superintendent or designee shall notify the student's parent/guardian of his/her rights in accordance with law prior to releasing the information (Health and Safety Code 120440)

~~***Note: Education Code 49076, as amended by AB 733 (Ch. 388, Statutes of 2012), has included "contractors" and "consultants," as defined above in the section entitled "Definitions," among the categories of individuals to whom a student's personally identifiable information may be disclosed under certain circumstances. Unlike 34 CFR 99.34, however, Education Code 49076 prohibits disclosure of such information to volunteers and other parties.***~~

6. **Contractors and consultants having a legitimate educational interest based on services or functions which have been outsourced to them through a formal written agreement or contract by the district, excluding volunteers or other parties (Education Code 49076)**

(cf. 3600 - Consultants)

7. Agencies or organizations in connection with the student's application for or receipt of financial aid, provided that, information permitting the personal identification of a student or his/her parents/guardians for these purposes may be disclosed only as may be necessary to determine the eligibility of the student for financial aid, determine the amount of financial aid, determine the conditions which will be imposed regarding the financial aid, or enforce the terms or conditions of the financial aid (Education Code 49076; 34 CFR 99.31, 99.36)

- ~~8. County elections officials for the purpose of identifying students eligible to register to vote and offering such students an opportunity to register (Education Code 49076; 34 CFR 99.31, 99.36)~~

8. **County elections officials for the purpose of identifying students eligible to register to vote or offering such students an opportunity to register, subject to the provisions of 34 CFR 99.37 and under the condition that any information provided on this basis shall not be used for any other purpose or transferred to any other person or agency (Education Code 49076; 34 CFR 99.31, 99.37)**

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

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

Persons Granted Access With Prior Written Consent

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

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

(cf. 5021 - Noncustodial Parents)

Any person, agency, or organization granted access is prohibited from releasing information to another person or agency without written permission from the parent/guardian or adult student unless specifically allowed by state law or the federal Family Educational Rights and Privacy Act. (Education Code 49076)

De-Identification of Records

When authorized by law for any program audit, educational research, or other purposes the **State Administrator** Superintendent or designee may release information from a student record without prior consent of the parent/guardian or adult student after the removal of all personally identifiable information, a reasonable determination that the student's identity is not personally identifiable, whether through single or multiple releases, and taking into account other reasonably available information. (34 CFR 99.31)

Process for Providing Access to Records

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

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

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

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

When prior written consent is required by law, the parent/guardian shall provide a written, signed and dated consent before the district discloses the student record. Such consent may be given

through electronic means in those cases where it can be authenticated. The district's consent form shall specify the records that may be disclosed, state the purpose of the disclosure, and identify the party or class of parties to whom the disclosure may be made. Upon request by the parent/guardian, the district shall provide him/her a copy of the records disclosed. (34 CFR 99.30)

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

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

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

Access Log

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

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

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

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

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

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

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

Duplication of Student Records

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

Changes to Student Records

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

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

(cf. 5125.3 - *Challenging Student Records*)

Retention and Destruction of Student Records

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

Mandatory Permanent Student Records

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

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

(cf. 5111 - *Admission*)

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

(cf. 5111.1 - *District Residency*)

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

5. Entrance and departure dates of each school year and for any summer session or other extra

session

7. Subjects taken during each year, half-year, summer session, or quarter, and marks or credits given

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

7. Verification of or exemption from required immunizations

(cf. 5141.31 - *Immunizations*)

8. Date of high school graduation or equivalent

Mandatory Interim Student Records

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

1. Expulsion orders and the causes therefor

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

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

2. A log identifying persons or agencies who request or receive information from the student record

3. Health information, including verification or waiver of the health screening for school entry

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

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

(cf. 6159 - *Individualized Education Program*)

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

5. Language training records

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

6. Progress slips/notices required by Education Code 49066 and 49067

7. Parental restrictions/stipulations regarding access to directory information

8. Parent/guardian or adult student rejoinders to challenged records and to disciplinary action
9. Parent/guardian authorization or denial of student participation in specific programs
10. Results of standardized tests administered within the past three years

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

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

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

(cf. 6158 - *Independent Study*)

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

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

(cf. 5144 - *Discipline*)

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

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

Transfer of Student Records

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

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

Code 48201)

(cf. 4158/4258/4358 - Employee Security)
(cf. 5119 - Students Expelled From Other Districts)

When a student transfers from this district to another school district or to a private school, the

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

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

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

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

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

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

Notification of Parents/Guardians

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

(cf. 5145.6 - Parental Notifications)

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

1. The types of student records kept by the district and the information contained therein
2. The title(s) of the official(s) responsible for maintaining each type of record
3. The location of the log identifying those who request information from the records
4. District criteria for defining school officials and employees and for determining legitimate

educational interest

5. District policies for reviewing and expunging student records
6. The right to inspect and review student records and the procedures for doing so
7. The right to challenge and the procedures for challenging the content of a student record that the parent/guardian or student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights

(cf. 5125.3 - *Challenging Student Records*)

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

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

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

(3/06 3/08) 3/09

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

First Reading: April 10, 2013

Adopted:

King City, California

Students

Gangs

~~***Note:—The following optional policy and regulation may be used as a component of a comprehensive district safety plan and should be revised to reflect district circumstances.***~~

The Governing Board desires to keep district schools free from the threats or harmful influence of any groups or gangs which exhibit drug use, violence or disruptive behavior. The Superintendent or designee shall take steps to deter gang intimidation of students and staff and confrontations between members of different gangs. He/she shall exchange information and establish mutually supportive efforts with local law enforcement authorities.

(cf. 5131.4 - Student Disturbances)

(cf. 5131.7 - Weapons and Dangerous Instruments)

~~***Note:—Education Code 51265 urges districts to give high priority to inservice programs on gang violence and substance abuse prevention education.***~~

The Superintendent or designee shall provide inservice training which helps staff to identify gangs and gang symbols, recognize early manifestations of disruptive activities, and respond appropriately to gang behavior. Staff shall be informed about conflict management techniques and alerted to intervention measures and community resources.

The Board realizes that students become involved in gangs for many reasons, such as peer pressure, the need for a sense of belonging, and lack of refusal skills. Age-appropriate gang violence prevention education shall start with students in the early elementary grades and may start in kindergarten.

To further discourage the influence of gangs, the Superintendent or designee shall ensure that school rules of conduct and any school dress code prohibiting gang-related apparel are enforced consistently. If a student exhibits signs of gang affiliation, staff shall so inform the parent/guardian.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5132 - Dress and Grooming)

(cf. 6164.2 - Guidance/Counseling Services)

Legal Reference:

EDUCATION CODE

35183 Gang-related apparel

32282 School safety plans
41510-41514 School Safety Consolidated Competitive Grant
48907 Student exercise of free expression
51264 Educational inservice training; CDE guidelines
51265 Gang violence and drug and alcohol abuse prevention inservice training
51266-51266.5 Model gang and substance abuse prevention curriculum

PENAL CODE

186.22 Participation in criminal street gang
13826-13826.7 Gang violence suppression

UNITED STATES CODE, TITLE 20

7101-7184 Safe and Drug-Free Schools and Communities Act

Management Resources:

CDE PUBLICATIONS

On Alert: Gang Prevention in School and Inservice Guidelines, January 1994

CSBA PUBLICATIONS

Protecting Our Schools: Governing Board Strategies to Combat School Violence, 1995

(2/94 10/95) 10/96

Policy SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT
First Reading: April 10, 2013
Adopted:

AR 5136 Students

Gangs

~~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 these 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.~~

Prevention and Intervention Measures

~~***Note: The following section incorporates components of several violence prevention grant programs and should be modified so as to specify those measures being implemented by the district. Support for district efforts in this area is available through the CDE under the federal Safe and Drug-Free Schools and Communities Act of 1994; through the Office of Criminal Justice Planning pursuant to Penal Code 13826.65; and through the School Safety Consolidated Competitive Grant Program pursuant to Education Code 41510-41514.~~

In order to discourage the influence of gangs, school staff shall take the following measures:

1. Any student displaying behavior, gestures, apparel or paraphernalia indicative of gang affiliation shall be referred to the principal or designee.
 - a. The student's parent/guardian shall be contacted and may be asked to meet with school staff.
 - b. The student may be sent home to change clothes if necessary.

(cf. 5132 - Dress and Grooming)

2. Staff members shall be provided with the names of known gang members.
3. Students who seek help in rejecting gang associations may be referred to community-based gang suppression and prevention organizations.

(cf. 1020 - Youth Services)

4. Any gang graffiti on school premises shall be removed, washed down or painted over as soon

as discovered.

- a. Daily checks for graffiti shall be made throughout the campus.
- b. Graffiti shall be photographed before it is removed. These photographs shall be shared with local law enforcement authorities and used in future disciplinary or criminal action against the offenders.

(cf. 3515 - Campus Security)
(cf. 5131.5 - Vandalism and Graffiti)

5. Classroom and after-school programs at each school shall be designed to enhance individual self esteem, provide positive reinforcement for acceptable behavior, and foster interest in a variety of constructive activities. These programs shall also:

- a. Explain the dangers of gang membership
- b. Provide counseling for targeted at-risk students
- c. Include lessons or role-playing workshops in gang avoidance skills and nonviolent conflict resolution, including communication skills, anger management, ethnic/cultural tolerance, and mediation skills
- d. Assign individual gang members to cooperative learning groups in which they may work toward common goals with students who are not members of their gang
- e. Provide school-to-career instruction
- f. Provide positive interaction with local law enforcement staff

(cf. 5137 - Positive School Climate)

Gang prevention lessons may be taught jointly by teachers and law enforcement staff.

6. Staff shall actively promote membership in authorized student organizations which can provide students companionship, safety, and a sense of purpose and belonging, including:

- a. Positive sports and cultural activities and affiliations with the local community

(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)

- b. Structured, goal-oriented community service projects

(cf. 6142.4 - Service Learning/Community Service Classes)

Community Outreach

~~***Note: The following section is offered for districts that wish to provide gang education programs for parents/guardians or the community.~~

Gang prevention classes or counseling offered for parents/guardians shall address the following topics:

1. The dangers of gang membership
2. Warning signs which may indicate that children are at risk of becoming involved with gangs
3. The nature of local gang apparel and graffiti
4. Effective parenting techniques
5. Conflict resolution techniques

Community programs shall address:

1. The scope and nature of local gang problems
2. Strategies by which each segment of the community may alleviate gang problems

(2/94 10/95) 10/96

(cf. 6142.4 - Service Learning/Community Service Classes)

Community Outreach

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(2/94 10/95) 10/96

Regulation SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT
First Reading: April 10, 2013
Adopted:

AR 5141.31 Students

Immunizations

Required Immunizations

The **State Administrator**/Superintendent or designee shall provide parents/guardians, upon school registration, a written notice summarizing the state's immunization requirements.

The **State Administrator**/Superintendent or designee shall not unconditionally admit any student to a district secondary school, unless that student has presented documentation of full immunization, in accordance with the age/grade and dose required by the California Department of Public Health (CDPH), against the following diseases: (Health and Safety Code 120335; 17 CCR 6020)

1. Measles, mumps and rubella (MMR)
2. Diphtheria, tetanus and pertussis (whooping cough) (DTP, DTaP, or Tdap)
3. Poliomyelitis (polio)
4. Hepatitis B
5. Varicella (chickenpox)
6. Haemophilus influenza type b (Hib meningitis)
7. Any other disease designated by the CDPH

(cf. 5141.22 - Infectious Diseases)

The student's immunization record shall be provided by the student's health care provider or from the student's previous school immunization record. The record must show the date that each dose was administered.

Exemptions

Exemption from immunization requirements is allowed when: (Health and Safety Code 120365, 120370; 17 CCR 6051)

1. ~~The student's parent/guardian states in writing that immunization is contrary to his/her beliefs.~~

However, if there is good cause to believe that the student has been exposed to one of the communicable diseases listed above, the student may be temporarily excluded from school until the local public health officer is satisfied that the student is no longer at risk of developing the disease.

1. The student's parent/guardian provides a written statement by a licensed physician that, due to the physical condition or medical circumstances of the student, one or more immunizations are considered unsafe or are permanently not indicated. The physician's statement shall indicate the specific nature and probable duration of the medical condition or circumstances that contraindicate immunization. In such circumstances, the student shall be exempted from one or more vaccines to the extent indicated by the physician's statement.

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

~~2. The student's parent/guardian provides a written statement by a licensed physician that the physical condition or medical circumstances of the student are such that immunization is unsafe or is permanently not indicated, in which case the student shall be exempted to the extent indicated by the physician's statement.~~

~~***Note: Health and Safety Code 120365 exempts a student from one or more immunization requirements if the parent/guardian states in writing that the immunizations are contrary to his/her beliefs. AB 2109 (Ch. 821, Statutes of 2012) amended Health and Safety Code 120365 to require that this written statement also document which immunizations have been given and to specify which immunizations are contrary to the parent/guardian's beliefs. On or after January 1, 2014, the parent/guardian statement must be accompanied by (1) a CDPH form signed by a physician attesting that he/she has provided certain information to the parent/guardian, as provided below, and (2) the parent/guardian's acknowledgment of the receipt of the information.***~~

2. The student's parent/guardian provides a letter or affidavit documenting which immunizations required by Health and Safety Code 120355 have been given and which immunizations have not been given on the basis that they are contrary to the parent/guardian's beliefs.

When immunization(s) are contrary to the parent/guardian's personal beliefs but there is good cause to believe that the student has been exposed to one of the communicable diseases listed in Health and Safety Code 120325, the student may be temporarily excluded from school until the local public health officer is satisfied that the student is no longer at risk of developing the disease.

On or after January 1, 2014, the parent/guardian shall also submit a form prescribed by the CDPH which includes a signed attestation by a health care practitioner that indicates he/she has provided the parent/guardian with information regarding the benefits and risks of the immunization and the health risks of the communicable diseases listed in Health and Safety Code 120335 to the person and the community. The parent/guardian shall sign a statement indicating that he/she has received this information. Neither the health care

practitioner nor the parent/guardian shall sign these statements more than six months prior to the date that the student is subject to the immunization requirement. In lieu of the original form, the district shall accept a photocopy of the signed form or a letter by a health care practitioner that includes all information and attestations included on the form.

Exclusions Due to Lack of Immunizations

Any student without the required evidence of immunization may be excluded from school until the immunization is obtained or the student presents a letter or affidavit of exemption from his/her parent/guardian or physician to the Superintendent or designee.

(cf. 5112.2 - Exclusions from Attendance)
(cf. 6183 - Home and Hospital Instruction)

Before an already admitted student is excluded from school attendance because of lack of immunization, the Superintendent or designee shall notify the parent/guardian that he/she has 10 school days to supply evidence of proper immunization or an appropriate letter of exemption. (Education Code 48216; 17 CCR 6040)

This notice shall refer the parent/guardian to the student's usual source of medical care or, if the student has no usual source of medical care, then to the county health department or school immunization program, if any. (Education Code 48216)

The Superintendent or designee shall exclude from further attendance any already admitted student who fails to obtain the required immunization within 10 school days following the parent/guardian's receipt of the notice specified above, unless the student is exempt from immunization for medical reasons or personal beliefs. The student shall remain excluded from school until he/she has received another dose of each required vaccine due at that time. The student shall also be reported to the attendance supervisor or principal. (17 CCR 6055)

Conditional Enrollment

The **State Administrator**/Superintendent or designee may conditionally admit a student with documentation from an authorized health care provider that: (Health and Safety Code 120340; 17 CCR 6000, 6035)

1. He/she has received some but not all required immunizations and is not due for any vaccine dose at the time of admission
2. He/she has a temporary exemption from immunization for medical reasons

The **State Administrator**/Superintendent or designee shall notify the student's parents/guardians of the date by which the student must complete all the remaining doses when they become due as specified in 17 CCR 6035.

The **State Administrator**/Superintendent or designee shall review the immunization record of each student admitted conditionally every 30 days until that student has received all the required immunizations. If the student does not receive the required immunizations within the specified time limits, he/she shall be excluded from further attendance until the immunizations are received. (Health and Safety Code 120375; 17 CCR 6070)

Records

The **State/Administrator** Superintendent or designee shall record each new entrant's immunizations in the California School Immunization Record and retain it as part of the student's mandatory permanent student record. District staff shall maintain the confidentiality of immunization records and may disclose such information to state and local health departments only in accordance with law. (Health and Safety Code 120375, 120440; 17 CCR 6070)

(cf. 5125 - Student Records)

Regulation SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

First Reading: April 10, 2013

Adopted:

King City, California

BP 5144 Students

Discipline

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

The State Administrator/Superintendent or designee shall approve, for each school, a complement of effective, age-appropriate strategies for correcting student behavior. Such strategies may include, but are not limited to, conferences with students and their parents/guardians; use of study, guidance, or other intervention-related teams; enrollment in a program teaching prosocial behavior or anger management; and participation in a restorative justice program. Staff shall use preventative measures and positive conflict resolution techniques whenever possible. Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as suspension and expulsion, shall be imposed only when required by law and when other means of correction have failed. (Education Code 48900.5)

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

Board policies and administrative regulations shall outline acceptable student conduct and provide the basis for sound disciplinary practices. Each school shall develop disciplinary rules to meet the school's particular needs. **However, the rules shall be consistent with law, Board policy, and district regulations. The Board may review, at an open meeting, the approved school discipline rules for consistency with Board policy and state law. (Education Code 35291.5)**

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

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

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3515 - Campus Security)
(cf. 3515.3 - District Police/Security Department)

(cf. 4158/4258/4358 - Employee Security)
(cf. 5136 - Gangs)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6159.4 - Behavioral Interventions for Special Education Students)
(cf. 6164.5 - Student Success Teams)
(cf. 6184 - Continuation Education)
(cf. 6185 - Community Day School)

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

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

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

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

Corporal Punishment

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of, or willfully causing the infliction of, physical pain on a student. (Education Code 49001)

However, corporal punishment does not include any pain or discomfort suffered by a student as a result of his/her voluntary participation in an athletic or other recreational competition or activity. In addition, an employee's use of force that is reasonable and necessary to protect himself/herself, students, staff, or other persons, to prevent damage to property, or to obtain possession of weapons or other dangerous objects within the control of the student is not corporal punishment. (Education Code 49001)

(cf. 4158/4258/4358 - Employee Security)
(cf. 5131.7 - Weapons and Dangerous Instruments)
(cf. 6145.2 - Athletic Competition)

Legal Reference:

EDUCATION CODE

32280-32288 School safety plans

35146 Closed sessions

35291 Rules

35291.5-35291.7 School-adopted discipline rules
37223 Weekend classes
44807.5 Restriction from recess
48900-48926 Suspension and expulsion
48980-48985 Notification of parent/guardian
49000-49001 Prohibition of corporal punishment
49330-49335 Injurious objects

CIVIL CODE

1714.1 Parental liability for child's misconduct

CODE OF REGULATIONS, TITLE 5

307 Participation in school activities until departure of bus

353 Detention after school

Management Resources:

CSBA PUBLICATIONS

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

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

CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES

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

STATE BOARD OF EDUCATION POLICIES

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

WEB SITES

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

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

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

Policy SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

First Reading: April 10, 2013

Adopted:

King City, California

AR 5144 Students

Discipline

Site-Level Rules

In developing site-level disciplinary rules, the principal or designee shall solicit the participation, views, and advice of one representative selected by each of the following groups: (Education Code 35291.5)

1. Parents/guardians
2. Teachers
3. School administrators
4. School security personnel, if any

(cf. 3515.3 - District Police/Security Department)

5. For junior high and high schools, students enrolled in the school

~~***Note: Education Code 35291.5 provides that schools may adopt discipline rules at least every four years. The following optional paragraph, including the timelines for review of the school's discipline rules, may be revised to reflect district practice.***~~

Each school shall review its site-level discipline rules at least every four years.

It shall be the duty of each employee of the school to enforce the school rules on student discipline. (Education Code 35291)

~~Disciplinary strategies provided in Board policy, administrative regulation, and law may be used in developing site-level rules. These strategies include, but are not limited to:~~

- ~~1. Referral of the student for advice and counseling~~

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

- ~~2. Discussion or conference with parents/guardians~~

~~*(cf. 5020 - Parent Rights and Responsibilities)*
(cf. 6020 - Parent Involvement)~~

~~3. Recess restriction~~

~~4. Detention during and after school hours~~

~~5. In accordance with Board policy and administrative regulation, restriction or disqualification from participation in extracurricular activities~~

~~(cf. 6145 - Extracurricular/Cocurricular Activities)~~

~~6. Community service~~

~~7. Reassignment to an alternative educational environment~~

~~(cf. 6158 - Independent Study)~~

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

~~(cf. 6184 - Continuation Education)~~

~~(cf. 6185 - Community Day School)~~

~~8. Suspension and expulsion in accordance with law, Board policy, and administrative regulation~~

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

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

~~Disciplinary Strategies~~

~~***Note: Education Code 48900.5, as amended by AB 1729 (Ch. 425, Statutes of 2012), provides methods of correction of student behavior that a district may use. The district should select those strategies that are appropriate for its student population. The following strategies may be modified or expanded to reflect district practice. Also see CSBA's publication Safe Schools: Strategies for Governing Boards to Ensure Student Success.***~~

To the extent possible, staff shall use disciplinary strategies that keep students in school and participating in the instructional program. Disciplinary strategies may include, but are not limited to:

1. Discussion or conference between school staff and the student and his/her parents/guardians

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

2. Referral of the student to the school counselor or other school support service personnel for case management and counseling

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6164.2 - Guidance/Counseling Services)

3. Convening of a study, guidance, resource panel, or other intervention-related team to assess the behavior and develop and implement an individual plan to address the behavior in partnership with the student and his/her parents/guardians

(cf. 6164.5 - Student Success Teams)

4. When applicable, referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program or a Section 504 plan

(cf. 6159 - Individualized Education Program)

(cf. 6164.6 - Identification and Education under Section 504)

5. Enrollment in a program for teaching prosocial behavior or anger management

6. Participation in a restorative justice program

7. A positive behavior support approach with tiered interventions that occur during the school day on campus

8. After-school programs that address specific behavioral issues or expose students to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups

(cf. 5148.2 - Before/After School Programs)

9. Restriction from passing period and/or break periods as provided in the section below entitled "Passing Period Restriction"

10. Detention after school hours as provided in the section below entitled "Detention After School"

11. Community service as provided in the section below entitled "Community Service"

12. In accordance with Board policy and administrative regulation, restriction or disqualification from participation in extracurricular activities

(cf. 6145 - Extracurricular/Cocurricular Activities)

13. Reassignment to an alternative educational environment

(cf. 6158 - Independent Study)

- (cf. 6181 - Alternative Schools/Programs of Choice)
- (cf. 6184 - Continuation Education)
- (cf. 6185 - Community Day School)

14. Suspension and expulsion in accordance with law, Board policy, and administrative regulation

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

Passing Period Restriction

~~***Note: Education Code 44807.5 authorizes the district to adopt reasonable regulations allowing a teacher to restrict recess time for disciplinary purposes. The following optional section should be revised to reflect district practice.***~~

A teacher may restrict a student's passing period and/or break time only when he/she believes that this action is the most effective way to bring about improved behavior. When passing period restriction may involve the withholding of physical activity from a student, the teacher shall try other disciplinary measures before imposing the restriction. Passing period restriction shall be subject to the following conditions:

- 1. The student shall be given adequate time to use the restroom and get a drink or eat lunch, as appropriate.**
- 2. The student shall remain under a certificated employee's supervision during the period of restriction.**
- 3. Teachers shall inform the principal of any passing period restrictions they impose.**

- (cf. 5030 - Student Wellness)
- (cf. 6142.7 - Physical Education and Activity)

Each school shall file a copy of its rules with the Superintendent or designee.

The rules shall be consistent with law, Board policy, and district regulations. The Governing Board may review, at an open meeting, the approved school discipline rules for consistency with Board policy and state law. (Education Code 35291.5)

Each school shall review its site-level discipline rules at least every four years.

It shall be the duty of each employee of the school to enforce the school rules on student discipline. (Education Code 35291)

Corporal Punishment

Corporal punishment shall not be used as a disciplinary measure against any student.

Corporal punishment includes the willful infliction of, or willfully causing the infliction of, physical pain on a student. (Education Code 49001)

Corporal punishment does not include any pain or discomfort suffered by a student as a result of his/her voluntary participation in an athletic or other recreational competition or activity. In addition, an employee's use of force that is reasonable and necessary to protect himself/herself, students, staff, or other persons, or to prevent damage to property, or to obtain possession of weapons or other dangerous objects within the control of the student is not corporal punishment. (Education Code 49001)

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

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 6145.2 - Athletic Competition)

Detention After School

Students may be detained for disciplinary reasons up to one hour after the close of the maximum school day. (5 CCR 353)

If a student will miss his/her school bus on account of being detained after school, or if the student is not transported by school bus, the principal or designee shall notify parents/guardians of the detention at least one day in advance so that alternative transportation arrangements may be made. The student shall not be detained unless the principal or designee notifies the parent/guardian.

In cases where the school bus departs more than one hour after the end of the school day, students may be detained until the bus departs. (5 CCR 307, 353)

Students shall remain under the supervision of a certificated employee during the period of detention.

Students may be offered the choice of serving their detention on Saturday rather than after school.

(cf. 6176 - Weekend/Saturday Classes)

Community Service

As part of or instead of disciplinary action, the Board, Superintendent, principal, or principal's designee may, at his/her discretion, require a student to perform community service during nonschool hours, on school grounds, or, with written permission of the student's parent/guardian,

off school grounds. Such service may include, but is not limited to, community or school outdoor beautification, campus betterment, and teacher, peer, or youth assistance programs. (Education Code 48900.6)

This community service option is not available for a student who has been suspended, pending expulsion, pursuant to Education Code 48915. However, if the recommended expulsion is not implemented or the expulsion itself is suspended, then a student may be required to perform community service for the resulting suspension. (Education Code 48900.6)

Notice to Parents/Guardians and Students

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians, in writing, about the availability of district rules related to discipline. (Education Code 35291, 48980)

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall also provide written notice of the rules related to discipline to transfer students at the time of their enrollment in the district.

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

First Reading: April 10, 2013

Adopted:

King City, California

BP 5144.1 Students

Suspension And Expulsion/Due Process

The Governing Board has established policies and standards of behavior in order to promote learning and protect the safety and well-being of all students. When these policies and standards are violated, it may be necessary to suspend or expel a student from regular classroom instruction.

(ef. 5144—Discipline)

Suspended or expelled students shall be denied the privilege of participation in all extracurricular activities during the period of suspension or expulsion.

(ef. 6145—Extracurricular and Cocurricular Activities)

Except where suspension for a first offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct. (Education Code 48900.5)

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion shall be used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to others.

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be those specified in law and/or administrative regulation.

*****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.***

*****Note:** While recognizing that suspension or expulsion of students is sometimes necessary, the California State Legislature has made its intent clear that instructional time should be used for student learning purposes and that school discipline should be imposed in a way that, as much as possible, would not exclude students from school or limit their ability or opportunity to learn. Pursuant to Education Code 48900.5, as amended by AB 1729 (Ch. 425, Statutes of 2012), a district is not authorized to suspend a student for certain specified violations unless other means of correction have failed to bring about proper conduct. Such other means of correction include, but are not limited to, conferences between school personnel and the student and his/her parents/guardians; use of study, guidance, or other intervention teams to develop a plan to address the behavior in partnership with the student; and participation in a restorative justice program. Education Code 48900.5, as amended, also authorizes a district to document in

~~a student's records the alternative means of correction used to address the student's behavior. For further information about specific disciplinary strategies, see BP/AR 5144 - Discipline.***~~

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. 5131.1 - Bus Conduct)

(cf. 5131.2 - Bullying)

To correct the behavior of any student who is subject to discipline, the State Administrator/Superintendent or designee shall, to the extent allowed by law, first use alternative disciplinary strategies specified in AR 5144 - Discipline. (Education Code 48900.5)

(cf. 1020 - Youth Services)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

(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 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(e) 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. However, as amended by AB 2537 (Ch. 431, Statutes of 2012), Education Code 48915(e) clarifies that a~~

~~student's possession of an "imitation firearm" does not require expulsion. See accompanying administrative regulation and BP/AR 5131.7 Weapons and Dangerous Instruments.***~~

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 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.

(cf. 5131.7 - Weapons and Dangerous Instruments)

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. As part of its justification for passing AB 1729 (Ch. 425, Statutes of 2012), the Legislature noted in its findings that suspension and expulsion are disproportionately imposed on some vulnerable student populations. 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)

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 administrative regulation as cause for suspension or expulsion.

Student Due Process

The Board shall provide for the fair and equitable treatment of students facing suspension and expulsion by affording them their due process rights under the law. The **State Administrator**/Superintendent or designee shall comply with procedures for notices and appeals as specified in administrative regulation and/or law. (Education Code 48911, 48915, 48915.5)

(cf. 5119 - Students Expelled from Other Districts)

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

The Board recognizes that students who are suspended from school often have no supervision or guidance during the school hours when they are off campus and may fall behind in the coursework. The Board believes that, in many cases, it would be better to manage the student's behavior by keeping the student at school and providing him/her with supervision that is separated from the regular classroom.

The **State Administrator**/Superintendent or designee shall establish a supervised classroom suspension program which meets the requirements of law for students suspended for any of the reasons enumerated in Education Code 48900 and 48900.2, who pose no imminent danger or threat at school, and for whom an expulsion action has not been initiated. .

The **State Administrator**/Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program which involves progressive discipline during the school day on campus; use of conferences between staff, parents/guardians and students; detention; student study teams or other assessment-related teams; and/or referral to school support services staff. The use of such alternatives does not preclude off-campus suspensions.

Required Parental Attendance

The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise.

Whenever a student is suspended from class by a teacher because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities, or otherwise willfully defied valid staff authority, the teacher of the class from which the student was removed may provide that the student's parent/guardian attend a portion of a school day in the class from which the student was suspended. (Education Code 48900.1)

Removal from Class by a Teacher and Parental Attendance

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 teacher and the student and his/her parents/guardians and to improve the student's 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)

(cf. 5145.6 - Parental Notifications)

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

At the meeting with the student's parent/guardian, the principal or designee shall explain the district's and school's discipline policies, including the disciplinary strategies that may be used to achieve proper student conduct.

~~***Note: For any district that authorizes parental attendance as a disciplinary option, 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 method 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)

~~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.~~

The principal or designee shall contact a parent/guardian who does not respond to the request to attend school. The Board recognizes that parent/guardian compliance with this policy may be delayed, modified, or prevented for reasons such as serious illness/injury/disability, absence from town, or inability to get release time from work.

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. However, Education Code 48900.5, as amended by AB 1729 (Ch. 425, Statutes of 2012), requires a district to try other means of correction, under certain circumstances, before imposing a supervised suspension.***~~

~~***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 suspension classroom program which meets the requirements of law.

Except where a supervised suspension is permitted by law for a student's first offense, supervised suspension shall be imposed only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5)

Decision Not to Enforce Expulsion Order

On a case-by-case basis, the enforcement of an expulsion order may be suspended by the Board pursuant to the requirements of law.

Monitoring the Use of Suspension and Expulsion

~~***Note: The following section is optional. Pursuant to Education Code 48900.8 and 48916, the district is required to maintain data related to suspensions and expulsions and to report them to the Superintendent of Public Instruction upon request. For the specific information required, see the accompanying administrative regulation.***~~

At the end of each school year, the State Administrator/Superintendent or designee shall present a report to the Board regarding the use of suspension and/or expulsion in district schools. The report shall include, but is not limited to, outcome data which the district is required by law to collect and data related to the effect of suspension and/or expulsion on the district's minority student populations or groupings.

(cf. 9320 - Meetings and Notices)

Legal Reference:

EDUCATION CODE

212.5 Sexual harassment

233 Hate violence
1981 Enrollment of students in community school
17292.5 Program for expelled students
32261 Interagency School Safety Demonstration Act of 1985
35145 Open board meetings
35146 Closed sessions (regarding suspensions)
35291 Rules (for government and discipline of schools)
35291.5 Rules and procedures on school discipline
48645.5 Readmission; contact with juvenile justice system
48660-48667 Community day schools
48853.5 Foster youth
48900-48927 Suspension and expulsion
48950 Speech and other communication
48980 Parental notifications
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

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

First Reading: April 10, 2013

Adopted:

King City, California

AR Students

Suspension And Expulsion/Due Process

Definitions

Suspension from school means removal of a student from ongoing instruction for adjustment purposes. However, suspension does not mean any of the following: (Education Code 48925)

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level.
2. Referral to a certificated employee designated by the principal to advise students.
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910. Removal from a particular class shall not occur more than once every five school days.

Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. (Education Code 48925)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(u))

Notice of Regulations

At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, 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))

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))

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.

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.

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.

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)

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

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)

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)

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.

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)

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)

~~***Note: When the student being considered for expulsion is a foster youth, Education Code 48911, as amended by AB 1909 (Ch. 849, Statutes of 2012), and Education Code 48918.1, as added by AB 1909, require the district to invite the student's attorney and an appropriate county child welfare agency representative to the meeting specified above. To ensure such invitation, the following paragraph provides that the district liaison for foster youth be notified. However, any district that has designated another position to carry out this responsibility may modify the paragraph to specify that position. For designation of the liaison for foster youth, see AR 6173.1 Education for Foster Youth.***~~

If the student involved is a foster youth, the Superintendent or designee shall notify the district liaison for foster youth of the need to invite the student's attorney and a representative of the appropriate county child welfare agency to attend the meeting. (Education Code 48853.5, 48911, 48918.1)

(cf. 6173.1 - Education for Foster Youth)

~~***Note: The following optional paragraph may be revised to reflect district practice. Since Education Code 48900 and 48900.5, as amended by AB 1729 (Ch. 425, Statutes of 2012), require a district, under certain circumstances, to use alternative disciplinary measures prior to imposing suspension, including supervised suspension, the district may, as necessary, provide services that would address the student's specific misbehavior along with the suspension program. For example, the district may require the student to enroll in a program that teaches prosocial behavior or anger management even while the student is suspended.***~~

In addition to suspending a student, the Superintendent, principal, or designee may provide services or require the student to participate in an alternative disciplinary program designed to correct his/her behavior and keep him/her in school.

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

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

In determining whether or not to recommend the expulsion of a student, the State Administrator/Superintendent, principal, or designee shall act as quickly as possible to ensure that the student does not lose instructional time. (Education Code 48915)

Mandatory Recommendation and Mandatory Expulsion

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

~~***Note: Education Code 48915, as amended by AB 2537 (Ch. 431, Statutes of 2012), clarifies that possession of an "imitation firearm" is not an offense requiring mandatory expulsion as provided in item #1 below.***~~

However, possession of an imitation firearm, as defined in Education Code 48900(m), shall not be regarded as an offense requiring a mandatory recommendation for expulsion and mandatory expulsion.

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

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))

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

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental, or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

Written Notice of the Expulsion Hearing

Written notice of the expulsion hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code 48900.8, 48918(b))

1. The date and place of the hearing.
2. A statement of the specific facts, charges, and offense upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915(a) or (c).

(cf. 5119 - Students Expelled from Other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person or be represented by legal counsel or by a nonattorney advisor.

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Nonattorney advisor means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.

6. The right to inspect and obtain copies of all documents to be used at the hearing.

7. The opportunity to confront and question all witnesses who testify at the hearing.
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses.

~~***Note:—Prior to conducting a hearing to determine whether a foster youth should be expelled, Education Code 48918.1, as added by AB 1909 (Ch. 849, Statutes of 2012), requires the district to notify the student's attorney and a representative of an appropriate county child welfare agency, provided that the violation does not require a mandatory recommendation for expulsion. However, if the offense requires a mandatory recommendation for expulsion, the notice is permitted but not required.***~~

At least 10 days prior to a hearing to determine if a student who is a foster youth as defined under Education Code 48853.5 should be expelled for an offense not requiring a mandatory recommendation for expulsion, the Superintendent or designee shall notify the student's attorney and a representative of an appropriate county child welfare agency. If the hearing is pursuant to an offense requiring a mandatory expulsion recommendation, the Superintendent or designee may provide the same notification. The notice shall be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code 48918.1)

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public unless another student's privacy rights would be violated. (Education Code 48918(c))

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine whether or not the student should be expelled. If the Board admits any other person to this closed session, the parent/guardian, the student, and the counsel of the student also shall be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including, but not limited to, videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. (Education Code 48918(g))

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing

officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government

Code 11455.20. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

4. Presentation of Evidence: Technical rules of evidence shall not apply to the expulsion hearing, but relevant evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. The decision of the Board to expel shall be supported by substantial evidence that the student committed any of the acts pursuant to Education Code 48900 and listed in "Grounds for Suspension and Expulsion" above. (Education Code 48918(h))

Findings of fact shall be based solely on the evidence at the hearing. While no finding shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm. (Education Code 48918(f))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

5. Testimony by Complaining Witnesses: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918, 48918.5)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
- g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
 - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
 - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
 - (3) The person conducting the hearing may:
 - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
 - (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours
 - (c) Permit one of the support persons to accompany the complaining witness to the

witness stand

6. Decision: 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

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

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for 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

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

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

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

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

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)

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

~~***Note: The following paragraph is optional and may be revised to reflect district practice. In passing AB 1729 (Ch. 425, Statutes of 2012), the Legislature noted the disproportionate use of suspension and expulsion against minority student populations. To ensure that suspension and expulsion are being enforced in a fair and even handed manner, districts should monitor their uses against such student populations and make necessary changes accordingly.***~~

In addition, the State Administrator/Superintendent or designee shall disaggregate student data collected based on race, color, nationality, religion, disability, and other categories protected from discrimination under the law.

(3/10 3/12) 7/12

Regulation SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

First Reading: April 10, 2013

Adopted:

King City, CA

BP 5145.6 Students

Parental Notifications

The Governing Board recognizes that notifications are essential to effective communication between the school and the home. The Superintendent or designee shall send students and parents/guardians all notifications required by law, including notifications about their legal rights, and any other notifications he/she believes will promote parental understanding and involvement.

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 5022 - Student and Family Privacy Rights)

(cf. 6020 - Parent Involvement)

~~The Superintendent or designee shall ensure that notifications which must be sent at the beginning of each academic year include a request that the parent/guardian sign the notice and return it to the school. (Education Code 48981, 48982)~~

~~Notifications to parents/guardians shall be written both in English and in the family's primary language when so required by law. Whenever an employee learns that a student's parent/guardian is for any reason unable to understand the district's printed notifications, the principal or designee shall work with the parent/guardian to establish other appropriate means of communication.~~

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

~~***Note: Education Code 48981 and 48982, as amended by AB 2262 (Ch. 17, Statutes of 2012), authorize annual parental notifications to be sent electronically upon request, as provided below.***~~

~~The notice required pursuant to Education Code 48980 shall be sent at the beginning of each academic year and may be provided either by regular mail, in electronic form when so requested by the parent/guardian, or by any other method normally used to communicate with parents/guardians in writing. (Education Code 48981, 48982)~~

~~If any activity specified in Education Code 48980 will be undertaken by any school during the forthcoming school term, the notice shall state that fact and the approximate date on which any such activity will occur. No such activity shall be undertaken with respect to any particular student unless his/her parent/guardian has been informed of such action through the annual notification or other separate special notification. (Education Code 48983-48984)~~

~~The annual notification shall include a request that the parent/guardian sign the notice and return it to the school or, if the notice is provided in electronic format, that the parent/guardian submit a signed acknowledgment of receipt of the notice to the school. The parent/guardian's signature is an acknowledgment of receipt of the information but does~~

not indicate that consent to participate in any particular program has been given or withheld. (Education Code 48982)

Notifications to parents/guardians shall be written both in English and in the family's primary language when so required by law. (Education Code 48981, 48985; 20 USC 6311, 6312)

Whenever an employee learns that a student's parent/guardian is, for any reason, unable to understand the district's printed notifications, the principal or designee shall work with the parent/guardian to establish other appropriate means of communication.

Legal Reference:

EDUCATION CODE

- 221.5 Prohibited sex discrimination**
- 231.5 Sexual harassment policy**
- 262.3 Appeals for discrimination complaints; information regarding availability of civil remedies**
- 310 Structured English immersion program**
- 440 English language proficiency assessment; instruction in English language development**
- 17288 Building standards for university campuses**
- 17612 Notification of pesticide use**
- 32221.5 Insurance for athletic team members**
- 32255-32255.6 Right to refuse harmful or destructive use of animals**
- 32390 Fingerprint program; contracts; funding; consent of parent/guardian**
- 35160.5 Extracurricular and cocurricular activities**
- 35178.4 Notice of accreditation status**
- 35183 School dress codes; uniforms**
- 35186 Complaints concerning deficiencies in instructional materials and facilities**
- 35256 School Accountability Report Card**
- 35291 Rules for student discipline**
- 37254 Intensive instruction for students who have not passed High School Exit Examination**
- 37616 Consultation regarding year-round schedule**
- 39831.5 School bus rider rules and information**
- 44808.5 Permission to leave school grounds**
- 46010.1 Notice regarding excuse to obtain confidential medical services**
- 46014 Regulations regarding absences for religious purposes**
- 46600-46611 Interdistrict attendance agreements**
- 48000 Minimum age of admission**
- 48070.5 Promotion or retention of students**
- 48204 Residency requirements**
- 48205 Absence for personal reasons**
- 48206.3 Students with temporary disabilities; individual instruction; definitions**

- 48207-48208 Students with temporary disabilities in hospitals
- 48213 Prior notice of exclusion from attendance
- 48216 Immunization
- 48260.5 Notice regarding truancy
- 48262 Need for parent conference regarding truancy
- 48263 Referral to school attendance review board or probation department
- 48354 Option to transfer from school identified under Open Enrollment Act
- 48357 Status of application for transfer from school identified under Open Enrollment Act
- 48432.5 Involuntary transfers of students
- 48900.1 Parental attendance required after suspension
- 48904 Liability of parent/guardian for willful student misconduct
- 48904.3 Withholding grades, diplomas, or transcripts
- 48906 Notification of release of student to peace officer
- 48911 Notification in case of suspension
- 48911.1 Assignment to supervised suspension classroom
- 48912 Closed sessions; consideration of suspension
- 48915.1 Expelled students; enrollment in another district
- 48916 Readmission procedures
- 48918 Rules governing expulsion procedures
- 48980 Required notification at beginning of term
- 48980.3 Notification of pesticide use
- 48981 Time and means of notification
- 48982 Parent signature acknowledging receipt of notice
- 48983 Contents of notice
- 48984 Activities prohibited unless notice given
- 48985 Notices to parents in language other than English
- 48987 Child abuse information
- 49013 Use of uniform complaint procedures for complaints regarding student fees
- 49063 Notification of parental rights
- 49067 Student evaluation; student in danger of failing course
- 49068 Transfer of permanent enrollment and scholarship record
- 49069 Absolute right to access
- 49073 Release of directory information
- 49076 Access to student records
- 49077 Access to information concerning a student in compliance with court order
- 49403 Cooperation in control of communicable disease and immunization
- 49423 Administration of prescribed medication for student
- 49451 Physical examinations: parent's refusal to consent
- 49452.5 Screening for scoliosis
- 49452.7 Information on type 2 diabetes
- 49452.8 Oral health assessment
- 49456 Results of vision or hearing test
- 49472 Insurance

- 49475 Student athletes; concussions and head injuries
- 49480 Continuing medication regimen for nonepisodic conditions
- 49510-49520 Duffy-Moscone Family Nutrition Education and Services Act of 1970
- 51225.3 Graduation requirements; courses that satisfy college entrance criteria
- 51229 Course of study for grades 7-12
- 51513 Personal beliefs; privacy
- 51938 HIV/AIDS and sexual health instruction
- 52164.1 Census-taking methods; determination of primary language; assessment of language skills
- 52164.3 Reassessment of English learners; notification of results
- 52173 Bilingual education
- 52244 Advanced Placement program
- 54444.2 Migrant education programs; parent involvement
- 56301 Child-find system; policies regarding written notification rights
- 56321 Special education: proposed assessment plan
- 56321.5-56321.6 Notice of parent rights pertaining to special education
- 56329 Written notice of right to findings; independent assessment
- 56341.1 Development of individualized education program; right to audio record meeting
- 56341.5 Individualized education program team meetings
- 56343.5 Individualized education program meetings
- 58501 Alternative schools; notice required prior to establishment
- 60641 Standardized Testing and Reporting Program
- 60850 High School Exit Examination
- 60852.4 High School Exit Examination; waiver for student with disabilities
- HEALTH AND SAFETY CODE**
- 1596.857 Right to enter child care facility
- 104855 Availability of topical fluoride treatment
- 120365-120375 Immunizations
- 120440 Sharing immunization information
- 124100 Health screening and immunizations
- PENAL CODE**
- 627.5 Hearing request following denial or revocation of registration
- CODE OF REGULATIONS, TITLE 5**
- 850 Definitions; notification regarding use of California Modified Assessment
- 863 Standardized Testing and Reporting Program
- 3052 Behavioral intervention
- 3831 General standards, Gifted and Talented Education program
- 4622 Notification of uniform complaint procedures
- 4631 Uniform complaint procedures; notification of decision and right to appeal
- 4702 Student transfer from school identified under Open Enrollment Act
- 4917 Notification of sexual harassment policy
- 11303 Reclassification of English learners
- 11309 Parental exception waivers

11523 Notice of proficiency examinations
18066 Child care policies regarding excused and unexcused absences
CODE OF REGULATIONS, TITLE 17
6040 Time period to obtain needed immunizations
UNITED STATES CODE, TITLE 20
1232g Family Educational and Privacy Rights Act
1232h Privacy rights
1415 Procedural safeguards
6311 State plans
6312 Local education agency plans
6316 Academic assessment and local education agency school improvement
6318 Parental involvement
7012 Instruction in English language development
7908 Armed forces recruiter access to students
UNITED STATES CODE, TITLE 42
1758 Child nutrition programs
CODE OF FEDERAL REGULATIONS, TITLE 7
245.5 Eligibility criteria for free and reduced-price meals
245.6a Verification of eligibility for free and reduced-price meals
CODE OF FEDERAL REGULATIONS, TITLE 34
99.7 Student records, annual notification
99.34 Student records, disclosure to other educational agencies
99.37 Disclosure of directory information
104.32 District responsibility to provide free appropriate public education
104.36 Procedural safeguards
104.8 Nondiscrimination
106.9 Dissemination of policy, nondiscrimination on basis of sex
200.61 Teacher qualifications
300.300 Parent consent for special education evaluation
300.322 Parent participation in IEP team meetings
300.502 Independent educational evaluation of student with disability
300.503 Prior written notice regarding identification, evaluation, or placement of student with disability
300.504 Procedural safeguards notice for students with disabilities
300.508 Due process complaint
300.530 Discipline procedures
CODE OF FEDERAL REGULATIONS, TITLE 40
763.84 Asbestos inspections, response actions and post-response actions
763.93 Asbestos management plans

(3/06 3/07) 11/12

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

SUBJECT: 2013-2014 Academic Calendars

MEETING: April 10, 2013

AGENDA SECTION:

ACTION

INFORMATION

ACTION/CONSENT

GOVERNING BOARD

Board Goals:

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

Summary:

The school district with the teacher's association and CSEA have agreed to the attached calendars for the 2013-2014 academic year.


Recommendation:

It is the recommendation that the State Administrator approve the calendars as presented.

Fiscal Impact:

None

Submitted By:



Daniel R. Moirao Ed. D.
State Administrator

Approved:



Daniel R. Moirao Ed.D.
State Administrator

SMCJUHS

2013-2014 School Calendar

	MON	TUE	WED	THR	FRI	Week		Quarter		Semester	
	July	7/1	7/2	7/3	7/4	7/5	0				
7/8		7/9	7/10	7/11	7/12	0					
7/15		7/16	7/17	7/18	7/19	0					
7/22		7/23	7/24	7/25	7/26	0					
7/29		7/30	7/31	8/1	8/2	0					
August	8/5	8/6	8/7	8/8	8/9	5					
	8/12	8/13	8/14	8/15	8/16	5					
	8/19	8/20	8/21	8/22	8/23	5					
	8/26	8/27	8/28	8/29	8/30	5					
September	9/2	9/3	9/4	9/5	9/6	4					
	9/9	9/10	9/11	9/12	9/13	5					
	9/16	9/17	9/18	9/19	9/20	4					
	9/23	9/24	9/25	9/26	9/27	4					
	9/30	10/1	10/2	10/3	10/4	5					
						19					
October	10/7	10/8	10/9	10/10	10/11	5		47			9
	10/14	10/15	10/16	10/17	10/18	5					
	10/21	10/22	10/23	10/24	10/25	4					
	10/28	10/29	10/30	10/31	11/1	5					
						22					
November	11/4	11/5	11/6	11/7	11/8	5					
	11/11	11/12	11/13	11/14	11/15	4					
	11/18	11/19	11/20	11/21	11/22	5					
	11/25	11/26	11/27	11/28	11/29	2					
						17					
December	12/2	12/3	12/4	12/5	12/6	5					
	12/9	12/10	12/11	12/12	12/13	5					
	12/16	12/17	12/18	12/19	12/20	3					
	12/23	12/24	12/25	12/26	12/27	0					
	12/30	12/31	1/1	1/2	1/3	0					
						43	90				
January	1/6	1/7	1/8	1/9	1/10	0					
	1/13	1/14	1/15	1/16	1/17	5					
	1/20	1/21	1/22	1/23	1/24	4					
	1/27	1/28	1/29	1/30	1/31	5					
						14					
February	2/3	2/4	2/5	2/6	2/7	5					
	2/10	2/11	2/12	2/13	2/14	5					
	2/17	2/18	2/19	2/20	2/21	4					
	2/24	2/25	2/26	2/27	2/28	5					
						19					
March	3/3	3/4	3/5	3/6	3/7	5					
	3/10	3/11	3/12	3/13	3/14	4					
	3/17	3/18	3/19	3/20	3/21	5					
	3/24	3/25	3/26	3/27	3/28	4					
	3/31	4/1	4/2	4/3	4/4	0					
						47					
April	4/7	4/8	4/9	4/10	4/11	5					
	4/14	4/15	4/16	4/17	4/18	5					
	4/21	4/22	4/23	4/24	4/25	5					
	4/28	4/29	4/30	5/1	5/2	4					
						17					
May	5/5	5/6	5/7	5/8	5/9	5					
	5/12	5/13	5/14	5/15	5/16	4					
	5/19	5/20	5/21	5/22	5/23	5					
	5/26	5/27	5/28	5/29	5/30	4					
						18					
June	6/2	6/3	6/4	6/5	6/6	4					
	6/9	6/10	6/11	6/12	6/13	0					
	6/16	6/17	6/18	6/19	6/20	0					
	6/23	6/24	6/25	6/26	6/27	0					
	6/30	7/1	7/2	7/3	7/4	182					
						45	4	180			

	Legal Holidays
	Non-school Days
	Minimum Days (mid-terms / finals)

- 7/4 Independence Day
- 8/2 Orientation for New Teachers
- 8/5 Staff Development Day
- 8/6 First Day of School
- 9/2 Labor Day
- 9/23 Non-School Day
- 10/12 End of 1st Quarter
- 10/21 Non-School Day
- 11/11 Veterans Day
- 11/28 Thanksgiving Day
- 11/27 - 11/29 Thanksgiving Break
- 12/16 - 12/18 Midterms/Finals (Minimum Days)
- 12/18 End of 2nd Quarter
- 12/18 End of 1st Semester
- 12/19 - 1/10 Winter Break
- 12/25 Christmas Day
- 1/1 New Year's Day
- 1/20 Dr. Martin Luther King, Jr. Day
- 2/17 Presidents' Day (Lincoln & Washington)
- 3/10 Non-School Day
- 3/21 End of 3rd Quarter
- 3/28 - 4/4 Spring Break
- 4/28 Non-School Day
- 5/16 Non-School Day
- 5/26 Memorial Day
- 6/3 - 6/5 Finals (Minimum Days)
- 6/5 End of 4th Quarter
- 6/5 End of 2nd Semester
- 6/5 Last Day of School

TA Date: _____

2013-2014 School Calendar

	MON	TUE	WED	THR	FRI	Week	Quarter	Semester
July	7/1	7/2	7/3	7/4	7/5	0		
	7/8	7/9	7/10	7/11	7/12	0		
	7/15	7/16	7/17	7/18	7/19	0		
	7/22	7/23	7/24	7/25	7/26	0		
	7/29	7/30	7/31	8/1	8/2	0		
August	8/5	8/6	8/7	8/8	8/9	4		
	8/12	8/13	8/14	8/15	8/16	5		
	8/19	8/20	8/21	8/22	8/23	5		
	8/26	8/27	8/28	8/29	8/30	5	19	
September	9/2	9/3	9/4	9/5	9/6	4		
	9/9	9/10	9/11	9/12	9/13	5		
	9/16	9/17	9/18	9/19	9/20	5		
	9/23	9/24	9/25	9/26	9/27	4		
	9/30	10/1	10/2	10/3	10/4	5	19	
October	10/7	10/8	10/9	10/10	10/11	5	47	9
	10/14	10/15	10/16	10/17	10/18	5		
	10/21	10/22	10/23	10/24	10/25	4		
	10/28	10/29	10/30	10/31	11/1	5		13
November	11/4	11/5	11/6	11/7	11/8	5		
	11/11	11/12	11/13	11/14	11/15	4		
	11/18	11/19	11/20	11/21	11/22	5		
	11/25	11/26	11/27	11/28	11/29	2	17	
December	12/2	12/3	12/4	12/5	12/6	5		
	12/9	12/10	12/11	12/12	12/13	5		
	12/16	12/17	12/18	12/19	12/20	3	43	13
	12/23	12/24	12/25	12/26	12/27	0		90
	12/30	12/31	1/1	1/2	1/3	0		
January	1/6	1/7	1/8	1/9	1/10	0		
	1/13	1/14	1/15	1/16	1/17	5		
	1/20	1/21	1/22	1/23	1/24	4		
	1/27	1/28	1/29	1/30	1/31	5	14	
February	2/3	2/4	2/5	2/6	2/7	5		
	2/10	2/11	2/12	2/13	2/14	5		
	2/17	2/18	2/19	2/20	2/21	4		
	2/24	2/25	2/26	2/27	2/28	5	19	
March	3/3	3/4	3/5	3/6	3/7	5		
	3/10	3/11	3/12	3/13	3/14	4		
	3/17	3/18	3/19	3/20	3/21	5	47	
	3/24	3/25	3/26	3/27	3/28	4		18
	3/31	4/1	4/2	4/3	4/4	0		
April	4/7	4/8	4/9	4/10	4/11	5		
	4/14	4/15	4/16	4/17	4/18	5		
	4/21	4/22	4/23	4/24	4/25	5		
	4/28	4/29	4/30	5/1	5/2	4	17	
May	5/5	5/6	5/7	5/8	5/9	5		
	5/12	5/13	5/14	5/15	5/16	4		
	5/19	5/20	5/21	5/22	5/23	5		
	5/26	5/27	5/28	5/29	5/30	4	20	
June	6/2	6/3	6/4	6/5	6/6	4	45	4
	6/9	6/10	6/11	6/12	6/13	0		
	6/16	6/17	6/18	6/19	6/20	0		
	6/23	6/24	6/25	6/26	6/27	0		
	6/30	7/1	7/2	7/3	7/4	182	182	100

Legal Holidays
Non-school Days
Minimum Days (mid-terms / finals)

School Day Only: 8/6 - 6/5

10.5 mo work year: 7/25 - 6/6

11 mo work year: 7/18 - 6/13

- 7/4 Independence Day
- 8/2 Orientation for New Teachers
- 8/5 Staff Development Day
- 8/6 First Day of School
- 9/2 Labor Day
- 9/23 Non-School Day
- 10/12 End of 1st Quarter
- 10/21 Non-School Day
- 11/11 Veterans Day
- 11/27 Non-School Day
- 11/28 - 11/29 Thanksgiving Day and day after
- 12/16 - 12/18 Midterms/Finals (Minimum Days)
- 12/18 End of 2nd Quarter
- End of 1st Semester
- 12/19 - 1/10 Winter Break
- 12/24 Christmas Eve Day
- 12/25 Christmas Day
- 12/31 New Year's Eve Day
- 1/1 New Year's Day
- 1/20 Dr. Martin Luther King, Jr. Day
- 2/17 Presidents' Day (Lincoln & Washington)
- 3/10 Non-School Day
- 3/21 End of 3rd Quarter
- 3/28 - 4/4 Spring Break
- 4/28 Non-School Day
- 5/16 Non-School Day
- 5/26 Memorial Day
- 6/3 - 6/5 Finals (Minimum Days)
- 6/5 End of 4th Quarter
- End of 2nd Semester
- Last Day of School

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

SUBJECT: Adoption of Resolution #20:12-13
Categorical Flexibility Funds

MEETING: April 10, 2013

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:

Districts are required under the Budget Act of 2009, to report on the use of the categorical flexibility funds on an annual basis. The attached schedule shows how the funds were used in the 2012-13 year and the proposed use of the funds for the 2013-14 budget year.

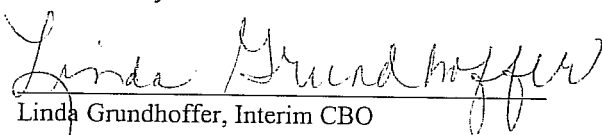
Recommendation:

Approve the use of the Categorical Flexibility Funds for the 2013-14 year.

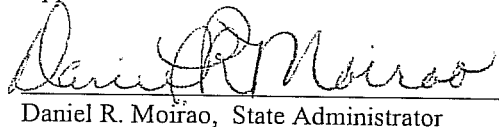
Fiscal Impact:

None

Submitted By:


Linda Grundhoffer, Interim CBO

Approved:


Daniel R. Moirao, State Administrator

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

RESOLUTION FOR ADOPTING THE 2013-14 USE OF
CATEGORICAL FLEXIBILITY FUNDS
RESOLUTION #20:12-13

WHEREAS, the State Adopted Budgets of 2008-09 and 2009-10 (SBX3 4) provides "flexibility" for the use of certain Categorical Program Funds to be used in response to the State fiscal crisis, and

WHEREAS, the Flexibility legislation requires the State Administrator, at a regularly scheduled open public hearing take testimony from the public and shall discuss and approve or disapprove the proposed use of funding, and

WHEREAS, the attached schedule reflects the estimated amount of flexibility funds to be used in the General Fund for any education purpose as will be reflected in the various budgets for the 2013-14 fiscal year,

NOW THEREFORE, BE IT RESOLVED, the State Administrator approves the use of the Flexibility Funds as required by the Budget Act of 2009.

APPROVED AND ADOPTED this 10th day of April, 2013.

Daniel R. Moirao, State Administrator

Exhibit A

TIER III

Program	Budgeted Revenue 2012-13	Use in 2012-13	Proposed Use in 2013-14
Supplemental Counseling	124,118	General instruction	General instruction
9 th Grade Class Size Reduction	93,779	General instruction	General instruction
Gifted and Talented Education	13,692	General instruction	General instruction
Instructional Materials	120,829	General instruction	General instruction
Peer Assistance and Review	6,325	General instruction	General instruction
Community Based English	21,108	General instruction	General instruction
Math & Reading	4,009	General instruction	General instruction
Staff Development	1,002	General instruction	General instruction
Administrator Training	7,274	General instruction	General instruction
ROC/P	250,000	ROC/P classes	ROC/P classes
Professional Development	45,691	General instruction	General instruction
Targeted Instruction	40,125	General instruction	General instruction
School & Library Improvement	1,404	General instruction	General instruction
School Safety & Violence	38,222	General instruction	Offset SRO costs
Pupil Retention Block Grant	276,789	General instruction	General instruction
CAHSEE Intensive Instruction	116,576	General instruction and testing supplies	General instruction and testing supplies
Arts & Music Block Grant	33,188	General instruction	General instruction
Deferred Maintenance	81,851	General instruction	General instruction
Adult Education	274,520	General instruction	General instruction

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

SUBJECT: Approval of Resolution #21:12/13 Proclaiming
and Honoring California Day of the Teacher,
May 9, 2012

MEETING: April 10, 2013

AGENDA SECTION:

ACTION

INFORMATION

ACTION/CONSENT

Board Goals:

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

Summary:

The District would like to acknowledge the dedicated certificated professionals in the district and their contribution in fulfilling the mission of education to prepare our students for the future.

The District and Board would like to recognize and honor Day of the Teacher on May 8, 2013.

Recommendation:

The recommendation is to approve the resolution.

Fiscal Impact:

None

Submitted By:



Daniel R. Moirao, Ed.D.
State Administrator

Approved:



Daniel R. Moirao, Ed.D.
State Administrator

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

**Resolution No. 21:12/13
Observance of
CALIFORNIA DAY OF THE TEACHER
May 8, 2013**

WHEREAS, over 3,500 committed teachers in Monterey County share their passion and love of learning to inspire more than 70,000 students across county to learn and pursue their own dreams; and

WHEREAS, the South Monterey County Joint Union High School District recognizes California's standards for becoming a certificated teacher are among the highest in the nation and that our teachers not only provide the encouragement and support for our children to succeed, they also partner with parents, families, and the communities to improve student learning and help build a better California; and

WHEREAS, teachers demonstrate and share their love of learning in the classroom every day and fill many roles, as listeners, explorers, role models, motivators, and mentors; and, by doing so, are partners with parents and the community in inspiring students dreams and laying the foundation for them to be good citizens; and

WHEREAS, the South Monterey County Joint Union High School District Board of Education recognizes that the quality of all students' educational experiences depends significantly and vitally upon the quality of their teachers, because the influence of a good teacher continues long after school days are only memories:

WHEREAS, we recognize the dedication and hard work educators accomplish in their classrooms every day, but especially on May 8, when the California Education Code 37222.10 (a) designates the second Wednesday in May as Day of the Teacher in honor of these committed professionals who are entrusted with fulfilling the mission of education to prepare our students for bright futures; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the South Monterey County Joint Union High School District does hereby adopt Resolution No. 21:12/13 to acknowledge the contributions of all dedicated teachers and recognizes May 8, 2013, as the Day of the Teacher; and, moreover, urges parents, students and the community to publicly show their appreciation for teachers and their contributions that improve our daily lives, our community and our futures.

PASSED AND ADOPTED by the State Administrator on April 10, 2013.

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

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

SUBJECT: Approval of Resolution #22:12/13 Proclaiming
and Honoring Classified School Employees Week,
May 19-25, 2013

MEETING: April 10, 2013

AGENDA SECTION:

ACTION

INFORMATION

ACTION/CONSENT

Board Goals:

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

Summary:

The District would like to acknowledge the dedicated classified professionals in the district and for providing the efficient and effective support to certificated staff and for giving the students the type of individual attention and support they need to succeed academically.

The District and Board would like to recognize and honor Classified School Employee Week, May 19-25, 2013.

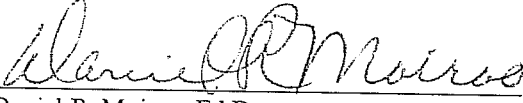
Recommendation:

The recommendation is to approve the resolution.

Fiscal Impact:

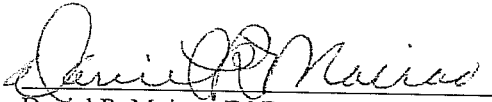
None

Submitted By:



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

Approved:



Daniel R. Moirao, Ed.D.
State Administrator

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Resolution No. 22:12/13 Proclaiming and Honoring Classified School Employee Week – May 19 – 25, 2013

WHEREAS, when a child rides the bus, eats a school breakfast or lunch, checks a book out from the school library, goes to the school office and attends school in a clear well maintained safe environment, he or she is touched by a classified school employee; and

WHEREAS, classified school employees in our school districts, County Office of Education and community colleges are the "backbone" of our public education system; and,

WHEREAS, the classified school employees of the South Monterey County Joint Union High School District provide efficient and effective support and ancillary services which are essential ingredients to excellent teaching, sound administration, and high achievement by students; and

WHEREAS, classified school employees are rarely in the spotlight, but are always central to the activities of our schools, for they serve with professionalism and dedication and set a high standard for caring and compassion; and

WHEREAS, many classified school employees serve as paraprofessionals providing direct assistance to certificated staff in the classroom and giving students the type of individual attention and support they need to succeed academically; and

WHEREAS, other classified employees perform vital clerical, transportation, food service, office support, maintenance of safe environments, and many other functions without which local school sites, and district offices, could not operate, and without which many students would not receive important educational and health-related services; and

WHEREAS, even as our system of public education depends on classified employees to serve students and staff, they often serve in challenging circumstances and, with diverse talents and true dedication, continue to nurture our students and support their colleagues;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the South Monterey County Joint Union High School District does hereby adopt Resolution No. 22:12/13 to honor the contributions of classified school employees to quality education in Monterey County and recognizes the week of May 19-25, 2013 as Classified School Employee Week, an opportunity to pay homage to these valued members of Monterey County's educational teams.

PASSED AND ADOPTED by the State Administrator on April 10, 2013.

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

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

SUBJECT: Resolution #23:12/13 and # 24:12/13-Layoff of
Classified Staff due to Lack of Funds and/or Lack of Work

MEETING: April 10, 2013

AGENDA SECTION:

ACTION

INFORMATION

ACTION/CONSENT

Board Goals:

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

Summary:

As a result of lack of funds and/or lack of work, and because the District is in a severe budget crisis and is seeking ways to align expenditures with income for the 2013-2014 school year, it is necessary to eliminate the identified classified positions.

Under state law, Education Code §§ 45114, 45117, 45298, and 45308, school districts must provide not less than 60 days notice to classified employees of a layoff. The District will continue to identify alternative solutions to ensure the least or a minimal impact on employees of the District.

Recommendation:


It is recommended that the State Administrator approve Resolution #23:12/13 and #24:12/13-Layoff of Classified Staff due to Lack of Funds and/or Lack of Work.

Fiscal Impact:

Budget reductions needed to assist in addressing the District's budget shortfall.

Submitted By:

Approved:



Claudia Arellano
Human Resources Administrator



Daniel R. Moirao, Ed.D.
State Administrator

**SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT
RESOLUTION # 23:12/13**

LAYOFF OF CLASSIFIED STAFF DUE TO LACK OF FUNDS AND/OR LACK OF WORK

WHEREAS, due to lack of funds the District is in a severe budget crisis and is seeking ways to align expenditures with income for the 2013-2014 school year; and

WHEREAS, pursuant to Education Code sections 45101, 45114, 45117, 45298 and 45308, the Board of Trustees hereby finds it necessary and in the best interest of the District to eliminate and/or reduce the following positions:

- (1) One 8-hour Truancy Specialist
- (1) One 8-hour Student Information Manager
- (1) One 8-hour Registrar
- (1) One 8-hour Technology Technician II
- (2) Two 6.5 hour Severe-Needs Paraeducator
- (1) One 3.5 hour Severe-Needs Paraeducator
- (2) Two 2.0 hour Food & Nutritional Services Worker
- (2) Two 5.5 hour Food & Nutritional Services Worker
- (1) One 6.0 hour Food & Nutritional Services Worker
- (1) One 6.5 hour Food & Nutritional Services Worker
- (1) One 8.0 hour Food & Nutritional Services Worker

NOW, THEREFORE, BE IT RESOLVED that as of the thirtieth day of June, 2013, the classified positions as listed above shall be eliminated.

BE IT FURTHER RESOLVED that the State Administrator's designed is authorized and directed to give notices of layoff to all affected employees not later than 60 days prior to the effective date of this action as set forth above.

PASSED AND ADOPTED this 10th day of April, 2013, by the action of the State Administrator.

Daniel R. Moirao, ED.D. State
Administrator
South Monterey County Joint Union High School District
County of Monterey, State of California

**SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT
RESOLUTION # 24:12/13**

LAYOFF OF CLASSIFIED STAFF DUE TO LACK OF FUNDS AND/OR LACK OF WORK

WHEREAS, due to lack of funds the District is in a severe budget crisis and is seeking ways to align expenditures with income for the 2013-2014 school year; and

WHEREAS, pursuant to Education Code sections 45101, 45114, 45117, 45298 and 45308, the Board of Trustees hereby finds it necessary and in the best interest of the District to eliminate the following positions:

- (1) One 8-hour Food & Nutritional Services Manager
- (1) One 8-hour Fiscal Services Manager

NOW, THEREFORE, BE IT RESOLVED that as of the thirtieth day of June, 2013, the classified positions as listed above shall be eliminated.

BE IT FURTHER RESOLVED that the State Administrator's designed is authorized and directed to give notices of layoff to all affected employees not later than 60 days prior to the effective date of this action as set forth above.

PASSED AND ADOPTED this 10th day of April, 2013, by the action of the State Administrator.

Daniel R. Moirao, ED.D. State
Administrator
South Monterey County Joint Union High School District
County of Monterey, State of California

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

SUBJECT: Board Policies – Second Readings

MEETING: April 10, 2013

AGENDA SECTION:

ACTION

INFORMATION

ACTION/CONSENT

GOVERNING BOARD

Board Goals:

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

Summary:

The following Board Policies were presented for a first reading at the March 13, 2013 meeting of the board. They are now presented as a second reading with modifications to the Policies and Administrative Regulations as suggested by the Board of Education and are now ready for approval.

BP 3260 Fees and Charges (revised)
AR3260 Fees and Charges (revised)

AR3543 Transportation Safety (revised)

BP4030 Nondiscrimination in Employment (revised)

AR4161.2 Personal Leave (revised)

AR4217.3 Layoff Rehire (revised)

BP5131.61 Drug Testing (new)

BP5141.33 Head Lice (new)

BP6146.2 Certificate of Proficiency (new)

AR6146.2 Certificate of Proficiency/High School Equivalency Exam (new)

BP 6178 Career Technical Education (revised)

AR 6178 Career Technical Education (revised)

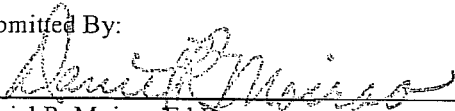
Recommendation:

It is recommended that the State Administrator accept these Board Policies

Fiscal Impact:

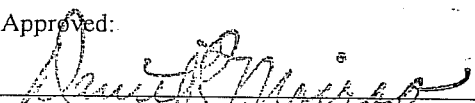
None

Submitted By:



Daniel R. Moirao Ed.D.
State Administrator

Approved:



Daniel R. Moirao Ed.D.
State Administrator

BP 3260 Business and Noninstructional Operations

Fees And Charges

The Governing Board recognizes its responsibility to ensure that books, materials, equipment, supplies, and other resources necessary for students' participation in the educational program are made available to them. No student shall be required to pay any fees, deposits, or other charges for his/her participation in an educational activity which constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities.

- (cf. 1321 - Solicitation of Funds from and by Students)
- (cf. 3100 - Budget)
- (cf. 3290 - Gifts, Grants and Bequests)
- (cf. 6145 - Extracurricular and Cocurricular Activities)

As necessary, the Board may approve fees, deposits, and other charges which are specifically authorized by law. For such authorized fees, deposits, and charges, the district shall consider students' and parents/guardians' ability to pay when establishing fee schedules and granting waivers or exceptions.

- (cf. 3250 - Transportation Fees)
- (cf. 3515.4 - Recovery for Property Loss or Damage)
- (cf. 3553 - Free and Reduced Price Meals)
- (cf. 5143 - Insurance)
- (cf. 9323.2 - Actions by the Board)

Whenever a student or parent/guardian believes that an impermissible fee, deposit, or other charge is being required of the student for his/her participation in an educational activity, the student or his/her parent/guardian may file a complaint with the principal or designee using the district's procedures in BP/AR 1312.3 - Uniform Complaint Procedures. (Education Code 49013)

- (cf. 1312.3 - Uniform Complaint Procedures)

The State Administrator/Superintendent or designee shall include information in the annual notification required by 5 CCR 4622 to be provided to all district students, parents/guardians, employees, and other interested parties about the requirements relating to the prohibition against districts requiring students to pay fees, deposits or other charges in order to participate in an educational activity, unless authorized by law, and the filing of complaints for alleged violations using the uniform complaint procedures. (Education Code 49013)

- (cf. 4112.9/4212.9/4312.9 - Employee Notifications)
- (cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall provide professional development opportunities to administrators, teachers, and other personnel to learn about permissible fees.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Legal Reference:

EDUCATION CODE

8239 Preschool and wraparound child care services

8263 Child care eligibility

8760-8773 Outdoor science and conservation programs

17551 Property fabricated by students

19910-19911 Offenses against libraries

32033 Eye protective devices

32221 Insurance for athletic team member

32390 Fingerprinting program

35330-35332 Excursions and field trips

35335 School camp programs

38080-38085 Cafeteria establishment and use

38120 Use of school band equipment on excursions to foreign countries

39807.5 Payment of transportation costs

39837 Transportation of students to places of summer employment

48050 Residents of adjoining states

48052 Tuition for foreign residents

48904 Liability of parent or guardian

49010-49013 Student fees

49065 Charge for copies

49066 Grades, effect of physical education class apparel

49091.14 Prospectus of school curriculum

51810-51815 Community service classes

52612 Tuition for adult classes

52613 Nonimmigrant aliens

60410 Students in classes for adults

GOVERNMENT CODE

6253 Request for copy; fee

CALIFORNIA CONSTITUTION

Article 9, Section 5 Common school system

CODE OF REGULATIONS, TITLE 5

350 Fees not permitted

4622 Notice

UNITED STATES CODE, TITLE 8

1184 Foreign students

COURT DECISIONS

Driving School Assn of CA v. San Mateo Union HSD (1993) 11 Cal. App. 4th 1513

Arcadia Unified School District v. State Department of Education (1992) 2 Cal 4th 251

Steffes v. California Interscholastic Federation (1986) 176 Cal. App. 3d 739

Hartzell v. Connell (1984) 35 Cal. 3d 899

CTA v. Glendale School District Board of Education (1980) 109 Cal. App. 3d 738

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT ADVISORIES

1030.97 Fiscal Management Advisory 97-02: Fees, Deposits and Other Charges

WEB SITES

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

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

(6/93 7/00) 11/12

Policy

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: April 10, 2013

King City, California

AR 3260 Business and Noninstructional Operations

Fees and Charges

The district shall charge only those fees specifically authorized by law. (5 CCR 350)

The following fees and charges are permissible if approved by the Governing Board:

1. Insurance for athletic team members, with an exemption for financial hardship (Education Code 32221)

(cf. 5143 - Insurance)

2. Insurance for medical or hospital service for students participating in field trips and excursions (Education Code 35331)

3. Expenses of students' participation in a field trip or excursion to another state, the District of Columbia or a foreign country, as long as no student is prohibited from making the field trip due to lack of funds (Education Code 35330)

(cf. 6153 - School-Sponsored Trips)

4. Student fingerprinting program (Education Code 32390)

(cf. 5142.1 - Identification and Reporting of Missing Children)

5. School camp programs operated pursuant to Education Code 8760-8773 provided that the fee is not mandatory (Education Code 35335)

(cf. 6142.5 - Environmental Education)

6. Personal property of the district fabricated by students, as long as the cost of the property does not exceed the cost of the materials provided by the district (Education Code 17551)

7. Home-to-school transportation and transportation between school and regional occupational centers, programs or classes, as long as the fee does not exceed the statewide average nonsubsidized cost per student and so long as exemptions are made for indigent and disabled students (Education Code 39807.5)

(cf. 3250 - Transportation Fees)

8. Transportation to and from summer employment programs for youth (Education Code 39837)

(6/93) 7/00

9. Deposit for band instruments, music, uniforms, and other regalia which school band members take on excursions to foreign countries (Education Code 38120)
10. Fees for community service classes (Education Code 51815)
(cf. 6142.4 - Service Learning/Community Service Classes)
11. Eye safety devices, at a price not to exceed the district's actual costs (Education Code 32033)
(cf. 5142 - Safety)
12. Actual cost of furnishing copies of any student's records except, if he/she is a former student, up to two transcripts or two verifications of his/her various records (Education Code 49065)
(cf. 5125 - Student Records)
13. Actual costs of duplication for copies of public records (Government Code 6253)
(cf. 1340 - Access to District Records)
14. Actual costs of duplication for reproduction of the prospectus of school curriculum (Education Code 49091.14)
(cf. 5020 - Parent Rights and Responsibilities)
15. Food sold at school subject to free and reduced-price meal program eligibility and other restrictions specified in law (Education Code 38084)
(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3551 - Food Service Operations/Cafeteria Funds)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 3554 - Other Food Sales)
16. Fines or reimbursements for lost or damaged district property or damage to library property (Education Code 19910-19911, 48904)
(cf. 3515.4 - Recovery for Property Loss or Damage)
17. Tuition for district school attendance by an out-of-state and out-of-country resident (Education Code 48050, 48052, 52613; 8 USC 1184)

(cf. 5111.2 - Nonresident Foreign Students)

18. Adult education books, materials, and classes as specified in law (Education Code 52612, 60410)

(cf. 6200 - Adult Education)

20. Physical education uniforms

(cf. 6142.7 - Physical Education and Activity)

(6/93 7/00) 11/12

Regulation

KING CITY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: April 10, 2013

King City, California

AR 3543 Business and Noninstructional Operations

Cautionary Notice: AB 1610 (Ch. 724, Statutes of 2010) amended Government Code 17581.5 to relieve districts from the obligation to implement specified statutes whenever they are identified in the Budget Act as being ones for which state mandate reimbursement is not provided for that fiscal year. As a result, certain provisions of the following administrative regulation that reflect those requirements may be suspended. It is recommended that districts consult legal counsel prior to suspending any provisions.

Each day, prior to driving a school bus, each school bus driver shall inspect the bus to ensure that it is in safe operating condition and equipped as required by law and that all equipment is in good working order. At the completion of each day's work, the driver shall prepare and sign a written report of the condition of the equipment listed in 13 CCR 1215, including any defect or deficiency discovered by or reported to him/her which would affect safe operation or result in mechanical breakdown of the bus, or indicating that no defect or deficiency was discovered or reported. Any defect or deficiency that would affect safe operation shall be repaired prior to operating the bus. (13 CCR 1215)

(cf. 3540 - Transportation)
 (cf. 3541.1 - Transportation for School-Related Trips)
 (cf. 3542 - School Bus Drivers)

In the event of a school bus accident, the driver shall immediately notify the California Highway Patrol, the Superintendent or designee, and, if the bus is operated under contract, the driver's employer. The driver shall not leave the immediate vicinity of the bus to seek aid unless necessary. (13 CCR 1219)

The Superintendent or designee shall review all investigations of bus incidents and accidents to develop preventative measures.

(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)

Passenger Restraint Systems

The Superintendent or designee shall ensure that any school bus or student activity bus which is purchased or leased by the district is equipped with a combination pelvic and upper torso passenger restraint system at all designated seating positions if that bus: (Vehicle Code 27316, 27316.5; 13 CCR 1201)

1. Is a Type 1 school bus manufactured on or after July 1, 2005 which is designed for carrying more than 16 passengers and the driver
2. Is a Type 2 school bus or student activity bus manufactured on or after July 1, 2004 which meets one of the following criteria:

- a. Is designed for carrying 16 or fewer passengers and the driver
- b. Has a manufacturer's vehicle weight rating of 10,000 pounds or less and is designed for carrying not more than 20 passengers and the driver

The Superintendent or designee shall prioritize the allocation of school buses purchased, leased, or contracted to ensure that elementary students receive first priority for new school buses equipped with passenger restraint systems whenever feasible.

When a school bus or student activity bus is equipped with a passenger restraint system, all passengers shall use the passenger restraint system. (5 CCR 14105)

Bus drivers shall be instructed regarding procedures to enforce the proper use of the passenger restraint system. Students who fail to follow instructions of the bus driver may be subject to discipline, including suspension of riding privileges, in accordance with Board policy and administrative regulations.

(cf. 5131.1 - Bus Conduct)
(cf. 5144 - Discipline)

Fire Extinguishers

Each school bus shall be equipped with at least one fire extinguisher located in the driver's compartment which meets the standards specified in law. In addition, a wheelchair school bus shall have another fire extinguisher placed at the wheelchair loading door or emergency exit. All fire extinguishers shall be regularly inspected and serviced in accordance with regulations adopted by the State Fire Marshal. (Education Code 39838; 13 CCR 1242; 19 CCR 574-575.3)

Electronic Communications Devices

A bus driver shall not drive a school bus or student activity bus while using a wireless telephone, except under the following conditions: (Vehicle Code 23123, 23125)

1. When he/she uses a wireless telephone that is specifically designed and configured to allow hands-free listening and talking, provided it is used in that manner while driving
2. For emergency purposes, including, but not limited to, a call to a law enforcement agency, health care provider, fire department, or other emergency service agency or entity
3. For work-related purposes

(cf. 3513.1 - Cellular Phone Reimbursement)

A bus driver shall not drive while using an electronic wireless communications device to write, send, or read a text-based communication, including, but not limited to, text messages, instant messages, and email, unless the device is specifically designed and configured to allow voice-operated and hands-free operation and is used in that manner. This prohibition does not include reading, selecting, or entering a telephone number or name in an electronic wireless communications device for the purpose of making or receiving a telephone call. (Vehicle Code 23123.5)

A bus driver shall follow the most current Vehicle Code governing the operation of a school bus.

Safe Bus Operations

School buses and student activity buses shall not be operated whenever the number of passengers exceeds bus seating capacity, except when necessary in emergency situations which require that individuals be transported immediately to ensure their safety. (Education Code 39834)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

School bus operations shall be limited when atmospheric conditions reduce visibility on the roadway to 200 feet or less during regular home-to-school transportation service. Bus drivers for school activity trips may discontinue bus operation whenever they determine that it is unsafe to continue operation because of reduced visibility. (Vehicle Code 34501.6)

Unauthorized Entry

The Superintendent or designee may place a notice at bus entrances that warns against unauthorized entry. The driver or another school official may order any person to disembark if that person enters a bus without prior authorization. (Education Code 39842; 13 CCR 1256.5)

(cf. 3515.2 - Disruptions)

Transportation Safety Plan for Boarding and Exiting Buses

The State Administrator/Superintendent or designee shall develop a transportation safety plan containing procedures for school personnel to follow to ensure the safe transport of students. The plan shall include all of the following: (Education Code 39831.3)

1. Procedures for determining if students require an escort to cross a private road or highway at a bus stop pursuant to Vehicle Code 22112
2. Procedures for all students to follow as they board and exit the bus at their bus stops
3. Procedures for boarding and exiting a school bus at a school or other trip destination

A copy of the plan shall be kept at each school site and made available upon request to the California Highway Patrol. (Education Code 39831.3)

Parental Notifications

The State Administrator/Superintendent or designee shall provide written safety information to the parents/guardians of all students who have not previously been transported in a school bus or student activity bus. This information shall be provided upon registration and shall contain: (Education Code 39831.5)

1. A list of school bus stops near each student's home
2. General rules of conduct at school bus loading zones
3. Red light crossing instructions
4. A description of the school bus danger zone
5. Instructions for safety while walking to and from school bus stops

(cf. 5145.6 - Parental Notifications)

Student Instruction

Students who are transported in a school bus or student activity bus shall receive instruction in school bus emergency procedures and passenger safety as follows: (Education Code 39831.5; 5 CCR 14102)

1. Each year, all students who receive home-to-school transportation in a school bus shall be provided appropriate instruction in safe riding practices and emergency evacuation drills.
 - a. Proper passenger conduct
 - b. Bus evacuation procedures
 - c. Location of emergency equipment

As part of this instruction, students shall evacuate the school bus through emergency exit doors. Instruction also may include responsibilities of passengers seated next to an emergency exit.

2. Before departing on a school activity trip, all students riding on a school bus or student activity bus shall receive safety instruction which includes, but is not limited to, the location of emergency exits and the location and use of emergency equipment. This instruction also may include responsibilities of passengers seated next to an emergency exit.

Legal Reference:

EDUCATION CODE

39830-39842 Transportation, school buses

51202 Instruction in personal and public health and safety

PENAL CODE

241.3 Assault against school bus driver

243.3 Battery against school bus driver

VEHICLE CODE

415 Definition of motor vehicle

545-546 Definition of school bus and student activity bus

22112 Loading and unloading passengers

23123 Use of wireless telephone prohibited while driving motor vehicle

23123.5 Text communications prohibited while driving motor vehicle

23125 Use of wireless telephone prohibited while driving school bus

27316-27316.5 Passenger restraint systems

34500 California Highway Patrol responsibility to regulate safe operation of school buses

34501.5 California Highway Patrol responsibility to adopt rules re: safe operation of school buses

34501.6 School buses; reduced visibility

34508 California Highway Patrol responsibility to adopt rules re: equipment and operations of school buses

CODE OF REGULATIONS, TITLE 5

14100-14105 School buses and student activity buses

CODE OF REGULATIONS, TITLE 13

1200-1293 Motor carrier safety

2480 Airborne toxic control measure; limitation on bus idling

CODE OF REGULATIONS, TITLE 19

574-575.3 Inspection and maintenance of fire extinguishers

CODE OF FEDERAL REGULATIONS, TITLE 49

571.1-571.500 Motor vehicle standards, including school buses

Management Resources:

WEB SITES

California Association of School Business Officials: <http://www.casbo.org>

California Association of School Transportation Officials: <http://www.castoways.org>

California Department of Education, Office of School Transportation:

<http://www.cde.ca.gov/ls/tn>

California Highway Patrol: <http://www.chp.ca.gov>

National Coalition for School Bus Safety: <http://www.ncsbs.org>

National Transportation Safety Board: <http://www.nts.gov>

U.S. Department of Transportation, National Highway Traffic Safety Administration:

<http://www.nhtsa.dot.gov>

(3/08 11/08) 11/12

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

Adopted: April 10, 2013

King City, California

BP 4030 Personnel

Nondiscrimination In Employment

The Governing Board desires to provide a positive work environment where employees and job applicants are free from harassment and are assured of equal access and opportunities in accordance with law. The Board prohibits any district employee from harassing or discriminating against any other district employee or job applicant on the basis of the person's actual or perceived race, religion, color, national origin, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, veteran status, gender, gender identity, gender expression, sex, or sexual orientation.

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

(cf. 4032 - Reasonable Accommodation)

(cf. 4033 - Lactation Accommodation)

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)

(cf. 4154/4254/4354 - Health and Welfare Benefits)

(cf. 5145.7 - Sexual Harassment)

Prohibited discrimination consists of the taking of any adverse employment action against a person, including termination or denial of promotion, job assignment, or training, or in discriminating against the person in compensation, terms, conditions, or other privileges of employment based on any of the prohibited categories of discrimination listed above.

The prohibition against discrimination based on the religious creed of an employee or job applicant includes any discrimination based on the person's religious dress or grooming practices or any conflict between the person's religious belief, observance, or practice and an employment requirement. The prohibition against discrimination based on the sex of an employee or job applicant shall include any discrimination based on the person's pregnancy, childbirth, breastfeeding, or any related medical conditions. (Government Code 12926, 12940)

Harassment consists of any unwelcome verbal, physical, or visual conduct, *and any electronic communication (cyberbullying)* that is based on any of the prohibited categories of discrimination listed above and that is so severe and pervasive that it adversely affects an individual's employment opportunities, ~~or~~ has the purpose or effect of unreasonably interfering with the individual's work performance, or creates an intimidating, hostile, or offensive work environment.

The Board also prohibits retaliation against any district employee or job applicant who complains, testifies, assists, or in any way participates in the district's complaint procedures instituted pursuant to this policy.

Any district employee who engages in prohibited discrimination, harassment, or retaliation or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

(cf. 4117.4 - Dismissal)

(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

The following position is designated as Coordinator for Nondiscrimination in Employment:

State Administrator / Superintendent
800 Broadway
King City, CA 93930
831-385-0606

Any employee or job applicant who believes that he/she has been or is being discriminated against or harassed in violation of district policy should, as appropriate, immediately contact his/her supervisor, the Coordinator, or the Superintendent who shall advise the employee or applicant about the district's procedures for filing, investigating, and resolving any such complaint.

Complaints regarding employment discrimination or harassment shall immediately be investigated in accordance with AR 4031 - Complaints Concerning Discrimination in Employment.

(cf. 4031 - Complaints Concerning Discrimination in Employment)

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment shall report the incident to the Coordinator or State Administrator/Superintendent as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately.

Training and Notifications

The State Administrator/Superintendent or designee shall provide training to employees about how to recognize harassment and discrimination, how to respond appropriately, and components of the district's policies and regulations regarding discrimination.

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

The State Administrator/Superintendent or designee shall regularly publicize, within the district and in the community, the district's nondiscrimination policy and the availability of complaint procedures. Such publication shall be included in each announcement, bulletin, or application form that is used in employee recruitment. (34 CFR 100.6, 106.9)

The district's policy shall be posted in all district schools and offices including staff lounges and student government meeting rooms. (5 CCR 4960)

Legal Reference:
EDUCATION CODE

200-262.4 Prohibition of discrimination

CIVIL CODE

51.7 Freedom from violence or intimidation

GOVERNMENT CODE

11135 Unlawful discrimination

12900-12996 Fair Employment and Housing Act

PENAL CODE

422.56 Definitions, hate crimes

CODE OF REGULATIONS, TITLE 2

7287.6 Terms, conditions and privileges of employment

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 29

621-634 Age Discrimination in Employment Act

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

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

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

2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008

2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

6101-6107 Age discrimination in federally assisted programs

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 34

100.6 Compliance information

104.7 Designation of responsible employee for Section 504

104.8 Notice

106.8 Designation of responsible employee and adoption of grievance procedures

106.9 Dissemination of policy

110.1-110.39 Nondiscrimination on the basis of age

COURT DECISIONS

Thompson v. North American Stainless LP, (2011) 131 S.Ct. 863

Shephard v. Loyola Marymount, (2002) 102 Cal.App.4th 837

Management Resources:

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS

Questions and Answers: Religious Discrimination in the Workplace, 2008

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

Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, June 1999

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Notice of Non-Discrimination, August 2010

WEB SITES

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

U.S. Department of Education, Office for Civil Rights:

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

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

(11/03 3/10) 3/12

Policy

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: April 10, 2013

King City, California

AR 4161.2, 4261.2, 4361.2 Personnel

PERSONAL LEAVES

For the purpose of any personal leave offered pursuant to state law, a registered domestic partner shall have the same rights, protections, and benefits as a spouse and protections provided to a spouse's child shall also apply to a child of a registered domestic partner. (Family Code 297.5)

Whenever possible, employees shall request personal leaves in advance and prepare suitable lesson plans or instructions for a substitute employee.

(cf. 4121 - Temporary/Substitute Personnel)

Bereavement

Employees are entitled to three days of paid leave of absence, or five days if travel of more than 200 miles round trip is required on account of the death of any member of the employee's immediate family. This leave shall not be deducted from sick leave. (Education Code 44985, 45194)

1. The Governing Board shall require the use of Bereavement Leave before Personal Necessity Leave days are used for purposes used in this paragraph
2. Members of the immediate family include: (Education Code 44985, 45194)
 - A. The mother, father, grandmother, grandfather, or grandchild of the employee or of the employee's spouse
 - B. The employee's spouse, son, son-in-law, daughter, daughter-in-law, brother, or sister
 - C. Any relative living in the employee's immediate household

At the employee's request, bereavement leave may be extended under personal necessity leave provisions as provided below. (Education Code 44981, 45207)

(cf. 4161/4261/4361 - Leaves)

Personal Necessity

Employees may use up to seven days of their accrued sick leave during each contract year for reasons of personal necessity. (Education Code 44981, 45207)

(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)
(cf. 4261.1 - Personal Illness/Injury Leave)

Acceptable reasons for the use of personal necessity leave include (certificated and classified employees):

1. Death of a member of the employee's immediate family when the number of days of absence exceeds the limits set by bereavement leave provisions (Education Code 44981, 45207)
2. An accident involving the employee's person or property or the person or property of a member of the employee's immediate family (Education Code 44981, 45207)
3. A serious illness of a member of the certificated employee's immediate family, as identified in Bereavement Leave (Education Code 44981)
4. Appearance in any court or before any administrative tribunal as a litigant, party, or witness under subpoena or other order (Education Code 45207)

Leave for personal necessity may be allowed for other reasons at the discretion of the Superintendent or designee. However, no such leave shall be granted for purposes of personal convenience, for the extension of a holiday or vacation, or for matters which can be taken care of outside of working hours. The Superintendent or designee shall have final discretion as to whether a request reflects personal necessity.

The employee shall request advance permission for personal necessity leave, except in urgent situations such as the death of a member of the employee's immediate family or an accident involving the employee's person or property or the person or property of a member of his/her immediate family. (Education Code 44981, 45207)

After any absence due to personal necessity, the employee shall verify the absence by submitting a completed and signed district absence form to his/her immediate supervisor.

Personal Leave for a Child's School Activities

Any employee who is a parent/guardian, or grandparent having custody of one or more children who are enrolled in grades K-12, or who attend a licensed day care facility, may use up to 40 hours of personal leave, vacation, or compensatory time off each school year in order to participate in school or day care activities. Such leave shall not exceed eight hours in any month of the year, and the employee shall give reasonable advance notice of the absence. (Labor Code 230.8)

(cf. 1240 - Volunteer Assistance)

In lieu of using vacation, personal leave, or compensatory time off, eligible employees giving reasonable advance notice may take up to 40 hours without pay each school year for this purpose, not to exceed eight hours in any month.

If both parents/guardians of a child are employed at the same work site, this leave shall be allowed for the first parent/guardian who applies. Simultaneous absence by the second parent may be granted by the Superintendent or designee. (Labor Code 230.8)

Upon request by the State Administrator/Superintendent or designee, the employee shall provide documentation from the school or licensed day care facility that he/she participated in school or licensed day care facility activities on a specific date and at a particular time. (Labor Code 230.8)

Legal and Civic Duties

Employees shall be granted leave with pay to appear in court as jurors and may be granted leave to appear in court as witnesses other than litigants. (Education Code 44037)

Employees shall turn over to the district any jury or witness fees received. (Education Code 44036)

Notices, summons and subpoenas for court appearances shall be submitted to the district office when requesting leave.

Employees shall be granted up to 20 days of paid leave per year for service performed within the state on any boards, commissions, committees or groups authorized by Education Code 44987.3, provided that the service is in the state of California, the organization informs the district in writing of the service and the organization reimburses the district, upon the district's request, for compensation paid to the employee's substitute and to actual related administrative costs. (Education Code 44987.3)

Leaves for Crime Victims

An employee may be absent from work in order to attend judicial proceedings related to a crime when he/she is a victim, or an immediate family member, registered domestic partner, or child of a registered domestic partner of a victim, of any of the following crimes: (Labor Code 230.2)

1. A violent felony as defined in Penal Code 667.5(c)
2. A serious felony as defined in Penal Code 1192.7(c)
3. A felony provision of law proscribing theft or embezzlement

For these purposes, the employee may use vacation, personal leave, personal illness/injury leave, unpaid leave, or compensatory time off that is otherwise available to the employee. (Labor Code 230.2)

Prior to taking time off, an employee shall give his/her supervisor a copy of the notice of each scheduled proceeding that is provided by the responsible agency, unless advance notice is not feasible. When advance notice is not feasible or an unscheduled absence occurs, the employee shall, within a reasonable time after the absence, provide documentation evidencing the judicial proceeding from the court or government agency setting the hearing, the district attorney or prosecuting attorney's office, or the victim/witness office that is advocating on behalf of the victim. (Labor Code 230.2)

The district shall keep confidential any records pertaining to the employee's absence from work by reason of this leave. (Labor Code 230.2)

Leaves for Victims of Domestic Violence or Sexual Assault

An employee who is a victim of domestic violence or sexual assault as defined by law may use vacation, personal leave, or compensatory time off that is otherwise available to him/her under the terms of his/her employment to attend to the following activities: (Labor Code 230, 230.1)

1. Obtain or attempt to obtain any relief, including, but not limited to, a temporary restraining order, restraining order, or other injunctive relief to help ensure the health, safety, or welfare of the employee or his/her child
2. Seek medical attention for injuries caused by domestic violence or sexual assault
3. Obtain services from a domestic violence shelter, program, or rape crisis center as a result of domestic violence or sexual assault

4. Obtain psychological counseling related to an experience of domestic violence or sexual assault
5. Participate in safety planning and take other actions to increase safety from future domestic violence or sexual assault, including temporary or permanent relocation

Prior to taking time off, an employee shall give reasonable notice to his/her supervisor, unless advance notice is not feasible. When an unscheduled absence occurs, the employee shall provide, within a reasonable period of time, certification of the absence in the form of any of the following documents: (Labor Code 230, 230.1)

1. A police report indicating that the employee was a victim of domestic violence or sexual assault
2. A court order protecting or separating the employee from the perpetrator of an act of domestic violence or sexual assault, or other evidence from the court or prosecuting attorney that the employee has appeared in court
3. Documentation from a medical professional, domestic violence advocate or advocate for victims of sexual assault, health care provider, or counselor that the employee was undergoing treatment for physical or mental injuries or abuse resulting from an act of domestic violence or sexual assault

The district shall maintain the confidentiality of such an employee to the extent authorized by law. (Labor Code 230, 230.1)

Service on Education Boards and Committees

Upon request, a certificated employee shall be granted up to 20 school days of paid leave per school year for service performed within the state on any education board, commission, committee, or group authorized by Education Code 44987.3 provided that all of the following conditions are met: (Education Code 44987.3)

1. The service is performed within the state.
2. The board, commission, organization, or group informs the district in writing of the service.
3. The board, commission, organization, or group agrees, prior to the service, to reimburse the district, upon the district's request, for compensation paid to the employee's substitute and for actual related administrative costs.

Religious Leave

The State Administrator/Superintendent or designee may grant employees up to three days of leave per year for religious purposes, provided that the leave is requested in advance and that it does not cause additional district expenditures, the neglect of assigned duties, or any other unreasonable hardship on the district. .

The State Administrator/Superintendent or designee shall deduct the cost of a substitute, when required, from the wages of the employee who takes religious leave.

No employee shall be discriminated against for using this leave or any additional days of unpaid leave granted for religious observances at the discretion of the Superintendent or designee.

Spouse on Leave from Military Deployment

An employee who works an average of 20 hours or more per week and whose spouse is a member of the United States Armed Forces, National Guard, or reserves may take up to 10 days of unpaid leave during a period that his/her spouse is on leave from deployment during a military conflict, as defined in Military and Veterans Code 395.10. (Military and Veterans Code 395.10)

Within two business days of receiving official notice that his/her spouse will be on leave from deployment, the employee shall provide the Superintendent or designee with notice of his/her intention to take the leave. The employee shall submit written documentation certifying that his/her spouse will be on leave from deployment during the time that the leave is requested. (Military and Veterans Code 395.10)

Leave for Emergency Duty

An employee may take time off to perform emergency duty as a volunteer firefighter, a reserve peace officer, or emergency rescue personnel. (Labor Code 230.3)

An employee who is a volunteer firefighter shall be permitted to take temporary leaves of absence, not to exceed an aggregate total of 14 days per calendar year, for the purpose of engaging in fire or law enforcement training. (Labor Code 230.4)

Civil Air Patrol Leave

An employee may take up to 10 days of unpaid leave per calendar year, beyond any leave otherwise available to him/her, to respond to an emergency operational mission of the California Civil Air Patrol, provided that the employee has been employed by the district for at least a 90-day period immediately preceding the leave. Such leaves shall not exceed three days for a single mission, unless an extension is granted by the governmental entity authorizing the mission and is

approved by the Superintendent or designee. (Labor Code 1501, 1503)

The employee shall give the district as much advance notice as possible of the intended dates of the leave. The Superintendent or designee may require certification from the proper Civil Air Patrol authority to verify the eligibility of the employee for the leave and may deny the leave if the employee fails to provide the required certification. (Labor Code 1503)

Legal Reference:

EDUCATION CODE

- 44036-44037 Leaves of absence for judicial and official appearances
- 44963 Power to grant leaves of absence (certificated)
- 44981 Leave of absence for personal necessity (certificated)
- 44985 Leave of absence due to death in immediate family (certificated)
- 44987 Service as officer of employee organization (certificated)
- 44987.3 Leave of absence to serve on certain boards, commissions, etc.
- 45190 Leaves of absence and vacations (classified)
- 45194 Bereavement leave of absence (classified)
- 45198 Effect of provisions authorizing leaves of absence
- 45207 Personal necessity (classified)
- 45210 Service as officer of employee organization (classified)
- 45240-45320 Merit system, classified employees

FAMILY CODE

- 297-297.5 Registered domestic partner rights, protections, and benefits

GOVERNMENT CODE

- 3543.1 Release time for representatives of employee organizations
- 12945.1-12945.2 California Family Rights Act

LABOR CODE

- 230-230.2 Leave for victims of domestic violence, sexual assault, or specified felonies
- 230.3 Leave for emergency personnel
- 230.4 Leave for volunteer firefighters
- 230.8 Leave to visit child's school
- 233 Illness of child, parent, spouse, domestic partner or domestic partner's child
- 234 Absence control policy
- 1500-1507 Civil Air Patrol leave

MILITARY AND VETERANS CODE

- 395.10 Leave when spouse on leave from military deployment

PENAL CODE

- 667.5 Violent felony, defined
- 1192.7 Serious felony, defined

CALIFORNIA CONSTITUTION

- Article 1, Section 8 Religious discrimination

UNITED STATES CODE, TITLE 29

AR 4161.2 (h)
4261.2
4361.2

2601-2654 Family and Medical Leave Act
UNITED STATES CODE, TITLE 42
2000d-2000d-7 Title VII, Civil Rights Act of 1964
COURT DECISIONS

Rankin v. Commission on Professional Competence, (1988) 24 Cal.3d 167

PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS

Berkeley Council of Classified Employees v. Berkeley Unified School District, (2008) PERB
Decision No. 1954

Management Resources:

WEB SITES

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

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

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

Public Employment Relations Board: <http://www.perb.ca.gov>

(11/07 3/10) 11/12

Regulation

KING CITY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: April 10, 2013

King City, California

AR 4217.3 Personnel

Layoff/Rehire

Classified employees shall be subject to layoff for lack of work or lack of funds. (Education Code 45114, 45308)

A classified employee shall not be laid off if a short-term employee who is employed for more than 45 days is retained to render a service that the classified employee is qualified to render. (Education Code 45117)

(cf. 4121 - Temporary/Substitute Personnel)

Order of Layoff ^{within} a Classification/Determination of Seniority

Within each class, the order of layoff shall be determined by length of service. (Education Code 45114, 45308)

Length of service shall be determined by the date of hire. However, length of service shall not include hours compensated solely on an overtime basis, as provided in Education Code 45128, and shall not include hours for any service performed prior to entering into probationary or permanent status, except for service in a restricted position pursuant to Education Code 45105. The employee who has been employed the shortest time by the district shall be laid off first.

For an employee in a "restricted position" under Education Code 45105 or 45259, the original date of employment in the restricted position shall be used to determine his/her length of service, provided he/she has completed six months of satisfactory service and has successfully passed the qualifying examination required for service in the class.

(cf. 4200 - Classified Personnel)

Length of service credit shall be granted for military leave of absence, including voluntary and involuntary active duty during a period of national emergency or war, as a member of the Military Reserve or the National Guard. (Education Code 45297, 45308)

(cf. 4161.5/4261.5/4361.5 - Military Leave)

Length of service credit may be granted for time spent on unpaid illness or maternity leave, unpaid family care leave, or unpaid industrial accident leave. Length of service credit shall not be granted for other types of unpaid leaves. (Education Code 45308)

(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

(cf. 4261.1 - Personal Illness/Injury Leave)

(cf. 4261.11 - Industrial Accident/Illness Leave)

Notice of Layoff

Note: Education Code 45117 requires that classified employees be given prior written notice when they are subject to layoff due to lack of work or lack of funds. AB 1908 (Ch. 860, Statutes of 2012) amended Education Code 45117 to extend the timeline for such notice to 60 days, as provided below.

Whenever a classified employee is to be laid off for lack of work or lack of funds, written notice shall be given to the employee, informing him/her of the layoff, the date the layoff goes into effect, any displacement rights, and reemployment rights. The notice shall be given: (Education Code 45117)

1. At least 60 days prior to the effective date of the layoff, if the layoff is for lack of work resulting from a bona fide reduction or elimination of service being performed.
2. No later than April 29, if the layoff is for lack of funds due to the expiration of a specially funded program at the end of any school year. However, if the termination date of the specially funded program is other than June 30, the employee shall be given notice at least 60 days from the effective date of the layoff.

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

The district is not required to provide the 60-day notice in the event of an actual and existing financial inability to pay the salaries of classified employees or if the layoff is due to a lack of work resulting from conditions not foreseeable or preventable by the district. (Education Code 45117)

The district also is not required to provide the 60-day notice to any person hired as a short-term employee for a period not exceeding 60 days whose service may not be extended or renewed. (Education Code 45117)

Reemployment

Classified employees laid off because of lack of work or lack of funds shall be eligible for reemployment for a period of 39 months and shall be reemployed in preference to new applicants. Reemployment shall be in order of seniority. Persons so laid off also have the right to apply and establish their qualification for vacant promotional positions within the district during the 39-month period. When an employee is reemployed in a class that is different from the one in which he/she had permanent status, the employee shall be required to serve the probationary period for the new position. (Education Code 45114, 45298, 45308)

When a vacancy occurs, the district shall give the employee with the most seniority an opportunity to accept or reject the position, by notifying him/her of the vacancy at his/her last known address by the fastest means available. The employee shall advise the district of his/her

decision no later than 10 calendar days following notification. If the employee accepts, he/she shall report to work no later than two calendar weeks from the vacancy notification date or on a later date specified by the district.

In order to be reemployed, an employee must be capable of performing the essential duties of the job. When an otherwise eligible employee is unable to perform the essential duties of the job, he/she shall be kept on the reemployment list until another opportunity becomes available or the period of reemployment eligibility expires, whichever occurs first.

(cf. 4032 - Reasonable Accommodation)

Upon rejecting two offers of reemployment, the employee's name shall be removed from the reemployment list and he/she will forfeit all reemployment rights to which he/she would otherwise be entitled.

When an employee is notified of a vacancy and fails to respond or report to work within time limits specified by district procedures, his/her name shall be removed from the reemployment list and all reemployment rights to which he/she would otherwise be entitled shall be forfeited.

Reinstatement of Benefits

When a laid-off employee is reemployed, all accumulated sick leave credit shall be restored.

A laid-off permanent employee shall be reemployed with all rights and benefits accorded to him/her at the time of layoff. A laid-off probationary employee shall be reemployed as a probationary employee, and the time served toward the completion of the required probationary period shall be counted. He/she shall also be reemployed with all rights and benefits accorded to him/her at the time of layoff.

If an employee is employed in a new position and fails to complete the probationary period in the new position, he/she shall be returned to the reemployment list for the remainder of the 39-month period. The remaining time period shall be calculated as the time remaining in the 39-month period as of the date of reemployment. (Education Code 45114, 45298)

Voluntary Demotion or Reduction of Hours

Classified employees who take voluntary demotion or voluntary reduction in assigned time in lieu of layoff, or in order to remain in their present position rather than be reclassified or reassigned, shall be granted the same rights as employees who are laid off. In addition, such employees shall retain eligibility to be considered for reemployment in their previously held class or position with increased assigned time, for an additional period of time up to 24 months as determined by the Governing Board on a class-by-class basis, provided that the same test of fitness under which they qualified for appointment to that class shall still apply. (Education Code 45114, 45298)

Employees who take voluntary demotion or voluntary reduction in assigned time in lieu of layoff shall have the option of returning to a position in their former class or to positions with increased assigned time as vacancies become available and without limitation of time.

If there is a valid reemployment list, they shall be ranked on that list in accordance with their proper seniority. (Education Code 45114, 45298)

Legal Reference:

EDUCATION CODE

45101 Definitions

45103 Classified service in districts not incorporating the merit system

45105 Positions under various acts not requiring certification qualifications; classification

45113 Rules and regulations for classified service in districts not incorporating the merit system

45114 Layoff and reemployment procedures; definitions

45115 Layoff: Reinstatement from service retirement

45117 Notice of layoff

45286 Limited term employees

45297 Right to take equivalent examination while employee in military service

45298 Reemployment and promotional examination preference of persons laid off; voluntary demotions or reductions in time

45308 Order of layoff and reemployment; length of service

45309 Reinstatement of permanent noncertified employees after resignation

UNITED STATES CODE, TITLE 38

4301-4307 Veterans' Reemployment Rights

COURT DECISIONS

California School Employees Association v. The Governing Board of East Side Union High School District (2011) 193 Cal.App.4th 540

Tucker v. Grossmont Union High School District (2008) 168 Cal.App.4th 640

San Mateo City School District v. Public Employment Relations Board (1983) 33 Cal.3d 850, 866

Management Resources:

WEB SITES

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

(6/94 11/03) 11/11

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

Adopted: April 10, 2013

King City, California

Students

Drug Testing

The Governing Board is committed to providing a safe, drug-free school environment to maximize the health and safety of district students and to protect them from dangers associated with illegal drug use and drug abuse. To support the district's drug abuse prevention efforts, the Board desires to establish a drug testing program in the district's high schools that will discourage illegal drug use among students and timely identify and refer drug users to appropriate counseling and rehabilitative services.

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.63 - Steroids)

Any drug testing program to be implemented in the district shall be developed in consultation with drug treatment and prevention professionals, the laboratory contracted to conduct the tests, and district legal counsel. In addition, the State Administrator/Superintendent or designee may invite input from students, staff, parents/guardians, community members, and representatives of local health care agencies, community service agencies, and businesses.

(cf. 1020 - Youth Services)

Drug testing procedures shall ensure appropriate student privacy while maintaining the viability of the process. If urinalysis testing is used, the supervisor collecting the specimen shall be the same gender as the student and the specimen shall be collected in a private facility behind a closed stall.

Parents/guardians shall be notified after any positive test results are confirmed. Test results shall be kept separate from the student's other educational records and shall be disclosed only to school staff designated by the Superintendent or designee as responsible for program implementation. The district shall not release test results to law enforcement authorities except in compliance with a court order.

(cf. 5125 - Student Records)

The State Administrator/Superintendent or designee shall provide a copy of the district's policy and procedures on drug testing to students and parents/guardians at the beginning of each school year.

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall provide training to principals, coaches, and other district staff involved in implementing the district's drug testing program.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Voluntary Drug Testing Program for All Students

The State Administrator/Superintendent or designee may establish and maintain a voluntary drug testing program. Participation in this program shall require the written consent of the student's parents/guardians.

The State Administrator/Superintendent or designee shall provide information about the district's voluntary drug testing program to all high school students and their parents/guardians at the beginning of each school year. All informational materials provided for this purpose shall contain clear statements about how the program will be implemented, including, but not limited to, how students may be withdrawn from participation in the program.

Students who test positive shall be encouraged to participate in an assistance program and may be required to take subsequent drug tests. No disciplinary or punitive action shall be taken against any student who tests positive in the voluntary drug testing program.

(cf. 5141.6 - School Health Services)

Random Drug Testing for Athletics/Extracurricular Activities

The State Administrator/Superintendent or designee may establish a nonvoluntary, random drug testing program for students participating in athletics and/or extracurricular activities.

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

No fee shall be charged for student participation in the district's drug testing program.

(cf. 3260 - Fees and Charges)

The State Administrator/Superintendent or designee shall develop:

1. Informational materials to be provided to participating students and their parents/guardians about the drug testing program

The informational materials shall require parents/guardians to notify the school when their child is taking any medication by presenting either a copy of the prescription or a physician's written verification of this fact.

2. A drug testing consent form to be signed by the student and his/her parent/guardian prior to allowing the student to participate in any athletic or extracurricular activity

The consent form shall specify the substances to be tested for and shall clearly indicate that the consent can be withdrawn and that the only consequence for such withdrawal will be that the student will no longer be able to participate in the athletic or extracurricular activity.

3. Procedures addressing how students will be selected, how often tests will be conducted, how samples will be collected and transported, and how results will be confirmed

Any student participating in extracurricular activities who fails a required drug test shall be required to participate in an assistance program and shall again be tested one month after the positive test result. If the student fails the second or any subsequent drug test, or refuses to participate in the assistance program within 10 days of his/her being notified of the positive test result or to be tested again, he/she shall be disqualified from all extracurricular activities that require drug testing for participation until such time as they are tested and obtain a negative test result..

Any student participating in athletics who fails a required drug test shall be disqualified from participating in the athletic activity in accordance with district policy and shall be referred to an assistance program.

At the beginning of each school year, the State Administrator/Superintendent or designee shall conduct an orientation session for students participating in athletics and extracurricular activities and their parents/guardians, to explain the district's policy and outline the procedures for drug testing and the consequences if a positive result is obtained.

Legal Reference:

EDUCATION CODE

35160.5 District policy rules and regulations; requirements; matters subject to regulation

44049 Known or suspected alcohol or controlled substance abuse by student

51262 Use of anabolic steroids; legislative finding and declaration

CALIFORNIA CONSTITUTION

Article 9, Section 5 Common school system

CODE OF REGULATIONS, TITLE 5

350 Fees not permitted

COURT DECISIONS

Board of Education of Independent School District No. 92 of Pottawatomie County v. Earls, (2002) 122 S.Ct. 2559

Vernonia School District v. Acton, (1995) 115 S.Ct. 2385

Hartzell v. Connell, (1984) 35 Cal. 3d 899

Management Resources:

OFFICE OF NATIONAL DRUG CONTROL POLICY PUBLICATIONS

What You Need To Know About Drug Testing in Schools, August 2002

WEB SITES

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

National Institute on Drug Abuse: <http://www.nida.nih.gov>

Office of National Drug Control Policy: <http://www.whitehousedrugpolicy.gov>

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

(10/95 7/03) 7/12

Policy SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: April 10, 2013

Students

Head Lice

The Governing Board recognizes that head lice infestations among students require treatment but do not pose a risk of transmitting disease. The State Administrator/Superintendent or designee shall encourage early detection and treatment in a manner that minimizes disruption to the educational program and reduces student absences.

School employees shall report all suspected cases of head lice to the school nurse or designee as soon as possible.

If a student is found with active, adult head lice, he/she shall not be allowed to stay in school until the end of the school day. The parent/guardian of any such student shall be given information about the treatment of head lice and encouraged to begin treatment of the student immediately and to check all members of the family. The parent/guardian also shall be informed that the student shall be checked upon return to school the next day and allowed to remain in school if no active head lice are detected.

Upon the student's return to school, the school nurse or designee shall check the student for active head lice. If it is determined that the student remains infected with head lice, the school nurse or designee shall contact the student's parent/guardian to discuss treatment. As needed, he/she may provide additional resources and/or referral to the local health department, health care providers, or other agencies.

(cf. 5141.3 - Health Examinations)
(cf. 5141.6 - School Health Services)

If a student is found consistently infested with head lice, he/she may be referred to a multidisciplinary team, which may consist of the school nurse, representatives from the local health department and social services, and other appropriate individuals, to determine the best approach for identifying and resolving problems contributing to the student's head lice infestations.

(cf. 1020 - Youth Services)
(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Chronic Absence and Truancy)

When it is determined that one or more students in a class or school are infested with head lice, the principal or designee may, at his/her discretion, notify parents/guardians of students in that class or school and provide them with information about the detection and treatment of head lice.

Staff shall maintain the privacy of students identified as having head lice.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)

Legal Reference:

EDUCATION CODE

48320-48325 School attendance review boards

49451 Physical examinations: parent's refusal to consent

Management Resources:

CALIFORNIA DEPARTMENT OF PUBLIC HEALTH PUBLICATIONS

Guidelines on Head Lice Prevention and Control for School Districts and Child Care Facilities,
rev. March 2012

A Parent's Guide to Head Lice, 2008

CALIFORNIA SCHOOL NURSES ORGANIZATION

Pediculosis Management, Position Statement, rev. 2011

WEB SITES

American Academy of Pediatrics: <http://www.aap.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, Parasitic Disease Information, Head Lice:
<http://www.cdc.gov/parasites/lice/head>

(7/99 7/06) 7/12

Policy SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: April 10, 2013

King City, CA

Instruction

Certificate Of Proficiency/High School Equivalency

The Governing Board desires that every student have the opportunity to earn a high school diploma through successful completion of class work and examination. However, when a student is unable to do so, the Board encourages completion of an alternative program that allows him/her to obtain an equivalent certificate.

(cf. 5147 - Dropout Prevention)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6162.52 - High School Exit Examination)
(cf. 6200 - Adult Education)

Eligible persons may obtain a certificate of proficiency or a high school equivalency certificate in accordance with law, Board policy and administrative regulation.

The Superintendent or designee shall make information available to interested persons regarding the eligibility and examination requirements of each program.

(cf. 6164.2 - Guidance/Counseling Services)

Legal Reference:

EDUCATION CODE

48400-48403 Persons subject to compulsory continuation education

48410 Persons exempt from continuation classes

48412 Certificate of proficiency; examination fees

48413 Enrollment in continuation classes

48414 Reenrollment in district

51420-51427 High school equivalency certificate

CODE OF REGULATIONS, TITLE 5

11520-11523 Proficiency examination and certificate

11530-11532 High school equivalency certificate (GED)

Management Resources:

CDE PUBLICATIONS

Adult Education Handbook for California, 1997

WEB SITES

CDE, GED Office: <http://www.cde.ca.gov/ged>

CDE, High School Proficiency: <http://www.cde.ca.gov/statetests/chspe>

(9/87 6/91) 3/03

Policy SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: April 10, 2013

Instruction

Certificate Of Proficiency/High School Equivalency

Certificate of Proficiency

The principal of each school maintaining grades 11 and 12 shall distribute to each student in those grades an announcement explaining the California High School Proficiency Examination (CHSPE). When announcements from the California Department of Education (CDE) or its contractor are received, this information shall be distributed early enough to enable interested students to register for the test to be given in the fall of that year. (5 CCR 11523)

(cf. 5145.6 - Parental Notifications)

Any student may take the CHSPE if he/she meets one of the following conditions: (Education Code 48412)

1. Is age 16 or older
2. Has been enrolled in the 10th grade for one school year or longer
3. Will complete one school year of enrollment in 10th grade at the end of the semester during which the CHSPE will be administered

If a student receives the proficiency certificate, the district shall indicate the student's accomplishment and the date of the proficiency certificate award on the student's official transcript. (5 CCR 11521)

(cf. 5125 - Student Records)

Any student who has received the certificate of proficiency may be exempted from compulsory school attendance upon his/her request with verified parent/guardian consent. (Education Code 48410)

The consent form shall be provided by the State Administrator/Superintendent or designee and shall contain at least the following information: (5 CCR 11522)

1. A general explanation of the student's rights of exemption from compulsory attendance and of re-enrollment in the public schools
2. The date of issuance of the certificate of proficiency
3. The signature of the parent/guardian and the date

4. The signature of the school administrator who has personally confirmed the authenticity of the parent/guardian's signature and the date

(cf. 5112.1 - Exemptions from Attendance)

If a student age 16 or 17 terminates his/her enrollment after receiving the high school proficiency certificate, he/she may re-enroll in the district with no adverse consequences. If he/she subsequently terminates enrollment again, he/she may be denied re-enrollment until the beginning of the following semester. (Education Code 48414)

(cf. 6184 - Continuation Education)

High School Equivalency Certificate/GED

Any person is eligible to take the General Educational Development test leading to a high school equivalency certificate if he/she is a resident of California or a member of the armed forces assigned to duty in California and meets any one of the following criteria: (Education Code 51420; 5 CCR 11532)

1. Is 18 years of age or older, or within 60 days of his/her 18th birthday, regardless of enrollment status
2. Is not currently enrolled in school and is within 60 days of when he/she would have graduated from high school had he/she remained in school and followed the usual course of study
3. Is 17 years of age, has been out of school for at least 60 consecutive days, and provides a letter of request for the test from the military, a postsecondary educational institution, or a prospective employer
4. Is 17 years of age, has accumulated fewer than 100 units of high school credit, is confined to a state or county hospital or to an institution maintained by a state or county correctional facility, and meets other criteria listed in 5 CCR 11532
5. Is 17 years of age, has accumulated fewer than 100 units of high school credit prior to enrollment in a dropout recovery high school's academic program, and has successfully completed the dropout recovery high school's instructional program which is aligned to state standards, offers the opportunity for a high school diploma, and provides services for at least one year

Dropout recovery high school is a high school in which 50 percent or more of its students have been designated as dropouts pursuant to exit/withdrawal codes developed by the CDE. (Education Code 52052)

(3/03 11/07) 7/12

Regulation SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: April 10, 2013

King City, CA

BP 6178 Instruction

Career Technical Education

The Governing Board desires to provide a comprehensive career technical education (CTE) program in grades 9-12 which integrates core academic instruction with technical and occupational instruction in order to increase student achievement, graduation rates, and readiness for postsecondary education and employment. The district's CTE program shall be designed to help students develop the academic, career, and technical skills needed to succeed in a knowledge- and skills-based economy. The program shall include a rigorous academic component and provide students with a strong experience and understanding of all aspects of an industry.

(cf. 6143 - Courses of Study)

(cf. 6200 - Adult Education)

The district's CTE program shall focus on preparing students to enter current or emerging high-skill, high-wage, and/or high-demand occupations. CTE opportunities may be offered through linked learning programs, partnership academies, apprenticeship programs or orientation to apprenticeships, regional occupational centers or programs, tech prep programs, charter schools, small learning communities, or other programs that expose students to career options while preparing them for future careers in a given industry or interest area.

(cf. 0420.4 - Charter School Authorization)

(cf. 6178.2 - Regional Occupational Center/Program)

The Board shall review and approve all district plans and applications for the use of state and/or federal funds supporting CTE.

The Board shall adopt standards for CTE which meet or exceed the state's model content standards and describe the essential knowledge and skills that students enrolled in these courses are expected to master. The course curriculum shall be aligned with district-adopted standards and the state's curriculum framework.

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

At least every three years, the Board shall compare the district's curriculum, course content, and course sequence of CTE with the model state curriculum standards. (Education Code 52376)

The State Administrator/ Superintendent or designee shall systematically review the district's CTE classes to determine the degree to which each class may offer an alternative means for completing and receiving credit for specific portions of the course of study

prescribed by the district for high school graduation. The Board shall ensure that these classes are equivalent in content and rigor to the courses prescribed for graduation. (Education Code 52376)

- (cf. 6146.1 - High School Graduation Requirements)
- (cf. 6146.11 - Alternative Credits Toward Graduation)
- (cf. 6146.2 - Certificate of Proficiency/High School Equivalency)

The State Administrator/Superintendent or designee shall develop partnerships with local businesses and industries to ensure that classroom instruction has real-world relevance and reflects labor market needs and priorities. He/she also shall work to develop connections with employers to provide students with work-based learning opportunities. He/she also shall work to develop connections with businesses, postsecondary institutions, community organizations, and/or other employers to provide students with actual or simulated work-based learning opportunities.

- (cf. 1700 - Relations Between Private Industry and the Schools)
- (cf. 5113.2 - Work Permits)
- (cf. 6178.1 - Work-Based Learning)

The State Administrator/Superintendent or designee shall collaborate with postsecondary institutions to ensure that the district's program is articulated with postsecondary programs in order to provide a sequential course of study.

The State Administrator/Superintendent or designee shall ensure that teachers of CTE courses possess the qualifications and credentials necessary to teach their assigned courses. He/she also shall provide teachers and administrators with professional development designed to enhance their knowledge of standards-aligned CTE and shall provide opportunities for CTE teachers to collaborate with teachers of academic courses in the development and implementation of integrated curriculum models.

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

The State Administrator/Superintendent or designee shall provide counselors and other guidance personnel with professional development that includes, but is not limited to, information about current workforce needs and trends, requirements of the district's CTE program, work-based learning opportunities, and postsecondary education and employment options following high school.

- (cf. 5145.6 - Parental Notifications)
- (cf. 6164.2 - Guidance/Counseling Services)

The Superintendent or designee shall regularly assess district needs for facilities, technologies, and equipment to increase students' access to the district's CTE program.

(cf. 0440 - District Technology Plan)

(cf. 3440 - Inventories)

(cf. 3512 - Equipment)

(cf. 7110 - Facilities Master Plan)

Nondiscrimination

The district's program shall provide equal access to and shall not unlawfully discriminate against students who are members of special populations. Special populations include, but are not limited to, students with disabilities; students from economically disadvantaged families, including foster youth; students preparing for nontraditional fields; single parents and single pregnant females; displaced homemakers; and students with limited English proficiency. Nontraditional fields include occupations or fields of work, including careers in computer science, technology, and other emerging high-skill occupations, for which individuals from one gender constitute less than 25 percent of the individuals employed in each such occupation or field of work. (20 USC 2302, 2354, 2373)

(20 USC 2302, 2354, 2373)

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

(cf. 1312.3 - Uniform Complaint Procedures)

Prior to the beginning of each school year, the Superintendent or designee shall advise students, parents/guardians, employees, and the general public that all CTE opportunities are offered without regard to race, color, national origin, sex, or disability. (34 CFR 104.8, 106.9)

The above notification shall be disseminated in languages other than English as needed and shall state that the district will take steps to ensure that the lack of English language skills will not be a barrier to admission and participation in the district's CTE program. (20 USC 2354)

Advisory Committee

The Board shall appoint a CTE advisory committee to develop recommendations on the district's CTE program and to serve as a liaison between the district and potential employers. The committee shall consist of one or more representatives of the general public knowledgeable

about the disadvantaged; students; teachers; business; industry; school administration; and the field office of the California Department of Employment Development. (Education Code 8070)

(cf. 1220 - Citizen Advisory Committees)

The district also shall involve parents/guardians; students; academic and CTE teachers; administrators; career guidance and academic counselors; representatives of tech prep consortia

if applicable, business and industry, labor organizations, and special populations; and other interested individuals in the development, implementation, and evaluation of CTE programs. (20 USC 2354)

This committee may be expanded to include parents/guardians, representatives of labor organizations, representatives of special populations, and other interested individuals in order to involve them in the development, implementation, and evaluation of CTE programs funded through the federal Carl D. Perkins Career and Technical Education Act.

Program Evaluation

The Board shall monitor the achievement of students participating in the district's CTE program in order to determine the need for program improvements. The Superintendent or designee shall annually report to the Board and the California Department of Education on program enrollment and completion rates, including enrollment and completion of programs in nontraditional fields as defined in 20 USC 2302; student academic assessment results; attainment of career and technical skill proficiencies; attainment of a high school diploma or equivalent; graduation rates; and subsequent placement in postsecondary education or advanced training, military service, or employment. Data shall be disaggregated, in accordance with 20 USC 2323, by race, ethnicity, gender, disability status, migrant status, English proficiency, and economic disadvantage status and for each special population as defined in 20 USC 2302 and listed in the section "Nondiscrimination" above.

(cf. 0500 - Accountability)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - Standardized Testing and Reporting Program)

(cf. 6162.52 - High School Exit Examination)

(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference:

EDUCATION CODE

8006-8156 Career technical education

17078.70-17078.72 Career technical education facilities

33430-33432 Health science and medical technology grants

41505-41508 Pupil Retention Block Grant

41540-41544 Targeted instructional improvement block grant

44260-44260.1 Designated subjects career technical education credential

44260.9 Designated subjects career technical education credential

48430 Legislative intent; continuation education schools and classes

48980 Parental notifications

51220-51229 Courses of study, grades 7-12

51760-51769.5 Work experience education

52300-52499.66 Career technical education

52519-52520 Adult education, occupational training
53080-53084 School-to-career initiatives
53086 California Career Resource Network
54690-54697 California Partnership Academies
56363 Related services for students with disabilities; specially designed career technical education

66205.5-66205.9 Approval of career technical education courses for admission to California colleges

88500-88551 Community college economic and workforce development program

GOVERNMENT CODE

54950-54963 Brown Act

LABOR CODE

3070-3099.5 Apprenticeships

CODE OF REGULATIONS, TITLE 5

1635 Credit for work experience education

3051.14 Specially designed career technical education for students with disabilities

10070-10075 Work experience education

10080-10092 Community classrooms

10100-10111 Cooperative vocational education

11500-11508 Regional occupational centers and programs

11535-11538 Career technical education contracts with private postsecondary schools

11610-11611 Regional adult and vocational education councils

CODE OF REGULATIONS, TITLE 8

200-240 Apprenticeships

UNITED STATES CODE, TITLE 20

2301-2414 Carl D. Perkins Career and Technical Education Act of 2006

6301-6578 Improving the Academic Achievement of the Disadvantaged

CODE OF FEDERAL REGULATIONS, TITLE 34

80.32 Equipment acquired with federal funds

100.B Appendix B Guidelines for eliminating discrimination in career technical education programs

104.1-104.39 Section 504 of the Rehabilitation Act of 1973

106.1-106.61 Discrimination on the basis of sex, effectuating Title IX

Management Resources:

CSBA PUBLICATIONS

Orientation to Apprenticeship Overview, Construction Management Task Force Fact Sheet, November 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

2008-2012 State Plan for Career Technical Education

Career Technical Education Framework for California Public Schools, Grades Seven Through Twelve, January 2007

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

Management of Vocational Education Equipment, April 2000
CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS, DIVISION OF
APPRENTICESHIP STANDARDS PUBLICATIONS

Orientation to Apprenticeships: A Guide for Educators, January 2001

WEB SITES

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

Association for Career and Technical Education: <http://www.acteonline.org>

California Association of Regional Occupational Centers and Programs:

<http://www.carocp.org>

California Career Resource Network: <http://www.californiacareers.info>

California Department of Education, Career Technical Education:

<http://www.cde.ca.gov/ci/ct>

California Department of Employment Development: <http://www.edd.ca.gov>

California Department of Industrial Relations: <http://www.dir.ca.gov>

California Workforce Investment Board: <http://www.calwia.org>

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

U.S. Department of Education, Office of Vocational and Adult Education:

<http://www.ed.gov/about/offices/list/ovae/pi/cte/index.html>

U.S. Department of Labor, Bureau of Labor Statistics: <http://www.bls.gov>

(6/91 3/00) 3/08

Policy

KING CITY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: April 10, 2013

King City, California

AR 6178 Instruction

Career Technical Education

The district shall offer at least one CTE program of study which shall: (20 USC 2342, 2354, 2355)

1. Improve the academic and career technical skills of participating students by integrating coherent and rigorous academic content and relevant CTE programs

(cf. 6011 - Academic Standards)

(cf. 6143 - Courses of Study)

2. Link CTE at the secondary and postsecondary levels through at least one of the strategies specified in 20 USC 2342

(cf. 6172.1 - Concurrent Enrollment in College Classes)

3. Provide students with strong experience in and understanding of all aspects of an industry, which may include work-based learning experiences

(cf. 5113.2 - Work Permits)

(cf. 6178.1 - Work-Based Learning)

4. Develop, improve, or expand the use of technology in CTE

(cf. 0440 - District Technology Plan)

5. Provide professional development to teachers, administrators, and career guidance and academic counselors who are involved with integrated CTE programs

(cf. 4131 - Staff Development)

(cf. 4331 - Staff Development)

(cf. 6164.2 - Guidance/Counseling Services)

6. Develop and implement program evaluations, including an assessment of how the needs of special populations, as defined in 20 USC 2302 and Board policy, are being met

(cf. 0500 - Accountability)

(cf. 6190 - Evaluation of the Instructional Program)

7. Initiate, improve, expand, and modernize quality CTE programs, including relevant technology

8. Provide services and activities that are of sufficient size, scope, and quality to be effective
9. Provide activities to prepare special populations for high-skill, high-wage, or high-demand occupations that will lead to self-sufficiency

Perkins Basic Grants for Career Technical Education

The State Administrator/Superintendent or designee shall submit to the California Department of Education a district plan for the career technical education (CTE) program funded by the federal Carl D. Perkins Career and Technical Education Act. The plan shall: (20 USC 2354)

1. Describe how program funds will be used to provide the CTE program components required by 20 USC 2355(b)
2. Describe how activities will be carried out in order to meet levels of performance established pursuant to 20 USC 2323

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)

(cf. 6162.52 - High School Exit Examination)

3. Describe how the district will:
 - a. Offer the appropriate courses of at least one CTE program of study described in 20 USC 2342

(cf. 6143 - Courses of Study)

- b. Improve the academic and technical skills of participating students by strengthening the academic and career technical components of such programs through the integration of coherent and rigorous academic content and relevant CTE programs to ensure learning in the core academic and career technical subjects
- c. Provide students with strong experience in and understanding of all aspects of an industry
- d. Ensure that participating students are taught to the same coherent and rigorous content aligned with challenging academic standards as are taught to all other students

(cf. 6011 - Academic Standards)

- e. Encourage participating students to enroll in rigorous and challenging courses in core academic subjects

(cf. 6142.91 - Reading/Language Arts Instruction)

(cf. 6142.92 - Mathematics Instruction)

(cf. 6142.93 - Science Instruction)

4. Describe how CTE, academic, guidance, and administrative personnel will be provided comprehensive professional development, including initial teacher preparation, that promotes the integration of coherent and rigorous content aligned with academic standards with relevant CTE, including curriculum development

(cf. 4131 - Staff Development)

(cf. 4331 - Staff Development)

5. Describe how parents/guardians, students, academic and CTE teachers, administrators, career guidance and academic counselors, representatives of tech prep consortia if applicable, representatives of business and industry, labor organizations, representatives of special populations, and other interested individuals will be involved in the development, implementation, and evaluation of CTE programs, and how such individuals and entities will be effectively informed about, and assisted in understanding, the requirements of the federal program

(cf. 1220 - Citizen Advisory Committees)

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

6. Provide assurances that the district's CTE program is of such size, scope, and quality to bring about improvement in the quality of CTE
7. Describe the process that will be used to evaluate and continuously improve the district's performance

(cf. 0500 - Accountability)

(cf. 6190 - Evaluation of the Instructional Program)

8. Describe how the district will:

- a. Review CTE programs and identify and adopt strategies to overcome barriers that result in lowering rates of access to or lowering success in the program for special populations, as defined in 20 USC 2302 and Board policy
- b. Provide programs that are designed to enable special populations to meet established performance level targets
- c. Provide activities to prepare special populations, including single parents and displaced homemakers, for high-skill, high-wage, or high-demand occupations that will lead to self-sufficiency

9. Describe how the district will ensure that individuals will not be discriminated against on the basis of their status as members of special populations

(cf. 0410 - Nondiscrimination in District Programs and Activities)
 (cf. 1312.3 - Uniform Complaint Procedures)

10. Describe how funds will be used to promote preparation for nontraditional fields

Nontraditional fields means occupations or fields of work, including careers in computer science, technology, and other emerging high-skill occupations, for which individuals from one gender constitute less than 25 percent of the individuals employed in each such occupation or field of work. (20 USC 2302)

11. Describe how career guidance and academic counseling will be provided to CTE students, including linkages to future education and training opportunities

(cf. 6164.2 - Guidance/Counseling Services)

12. Describe efforts to improve:

- a. The recruitment and retention of CTE teachers and career guidance and academic counselors, including individuals in groups underrepresented in the teaching profession
- b. The transition to teaching from business and industry

(cf. 4112.2 - Certification)

Tech Prep Programs

The district shall, jointly in a consortium with an institution of postsecondary education and other partners as appropriate, offer a technical preparation program in accordance with 20 USC 2371-2376. The program shall: (20 USC 2373)

1. Be carried out under an articulation agreement with the postsecondary institution and any other consortium partners
2. Consist of a program of study that:
 - a. Combines at least two years of tech prep at the secondary level which is linked to at least two years of either postsecondary education in a sequential, nonduplicative course of study or an apprenticeship program
 - b. Integrates academic and career technical instruction and utilizes work-based and work site learning experiences as appropriate and available

(cf. 5113.2 - Work Permits)

(cf. 6178.1 - Work Experience Education)

- c. Provides technical preparation in a career field, including high-skill, high-wage, or high-demand occupations
 - d. Builds student competence in technical skills and in core academic subjects, as appropriate, through applied, contextual, and integrated instruction in a coherent sequence of courses
 - e. Leads to technical skill proficiency, an industry-recognized credential, a certificate, or a degree in a specific career field
 - f. Leads to placement in high-skill or high-wage employment or to further education
 - g. Utilizes CTE programs of study, to the extent practicable
 - h. Meets state academic standards
 - i. Investigates opportunities for tech prep students to enroll concurrently in secondary education and postsecondary education courses
3. Uses educational technology and distance learning, as appropriate, to involve consortium partners more fully in the development and operation of programs
 4. Includes in-service professional development for teachers, administrators, and counselors that addresses the goals identified in 20 USC 2373
 5. Provides equal access to the full range of tech prep programs to individuals who are members of special populations, as defined in 20 USC 2302 and Board policy, including the development of tech prep program services appropriate to the needs of special populations
 6. Provides for preparatory services that assist participating students
 7. Coordinates with activities conducted under Title I of the No Child Left Behind Act

(cf. 6171 - Title I Programs)

Participation of Private Schools

Upon written request from representatives of nonprofit private schools within the geographical area served by the district, the Superintendent or designee shall: (20 USC 2397)

1. Consult with the private school representatives in a timely and meaningful manner and, if the district so chooses, provide for the participation of private school secondary students in the district's CTE programs and activities funded under the federal Carl D. Perkins Career and Technical Education Act
2. To the extent practicable, permit participation of CTE teachers, administrators and other personnel from private schools in the district's in-service and preservice CTE professional development programs funded through the Perkins Act

Partnership Academies

The district shall operate one or more partnership academies as a school-within-a-school focused on a broad career theme. The program shall be available to students in grades 10-12 who are identified as at-risk of dropping out of school or who satisfy other criteria specified in Education Code 54690 and 54691. The district's program shall provide: (Education Code 54692)

1. Instruction in at least three academic subjects each regular school term that prepares students for a regular high school diploma and contributes to an understanding of the occupational field of the academy
2. A "laboratory class" related to the academy's occupational field
3. Classes that are block scheduled in a cluster whenever possible to provide flexibility to academy teachers and which may vary in number during grade 12
4. A mentor from the business community for students during grade 11
5. An internship or paid job related to the academy's occupational field or work experience to improve employment skills, during the summer following grade 11 except when a student must attend summer school for purposes of completing graduation requirements
6. Additional motivational activities with private sector involvement to encourage academic and occupational preparation

Attendance in the classes described in items #1-2 above shall be limited to students in the academy. (Education Code 54692)

The Superintendent or designee shall establish an advisory committee consisting of individuals involved in academy operations, including district and school administrators, lead teachers, and representatives of the private sector. (Education Code 54692)

Pre-Apprenticeship and Apprenticeship Programs

The district shall offer an orientation program for high school and/or adult education students that acquaints students with a broad range of career options, provides information regarding available apprenticeship programs, and provides classroom instructional job training which guides students to a registered apprenticeable occupation. The district's program shall:

1. Introduce students to what they need to know in order to apply, test, and interview for acceptance into an apprenticeship program
2. Demonstrate the need for proficiency in reading and comprehension, mathematics, science, and technology
3. Emphasize the necessity to have the ability to communicate in reading, writing, speaking, listening, and numeration skills
4. Identify the knowledge, skills, and attitudes needed to enter and successfully complete an apprenticeship program
5. Provide an orientation to a specific craft or trade or to an industry

(cf. 6200 - Adult Education)

The Superintendent or designee may enter into an agreement with a local business, labor or management apprenticeship committee, and/or joint labor-management apprenticeship committee that has been approved to sponsor an apprenticeship program in order to develop and deliver related and supplemental instruction to students participating in a registered apprenticeship program. (Labor Code 3074, 3075, 3078)

Student Organizations

The district may support student organizations which engage in activities that are integral to the CTE program. The district may provide funding for supplies, materials, activities, and advisor expenses of such student organizations but shall not use state or federal funding to pay students' membership dues, food or lodging expenses, out-of-state travel, or the cost of a social activity or assemblage.

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.5 - Student Organizations and Equal Access)

Student Organizations

The district may provide support, including supplies, materials, activities, and advisor expenses, to student organizations which engage in activities that are integral to the CTE program and

provide for the development of student leadership skills. However, no state or federal funds shall be used to pay students' membership dues, food or lodging expenses, out-of-state travel, or the cost of a social activity or assemblage.

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.5 - Student Organizations and Equal Access)

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

Adopted: April 10, 2013

King City, California