

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

Wednesday, May 15, 2013

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

BOARD OF EDUCATION

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

STUDENT BOARD MEMBER

Adam Mann, Greenfield HS

STATE ADMINISTRATOR

Daniel Moirao, Ed.D.

OPEN SESSION: 6:00 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 Secretaria de el Superintendente antes de que la Mesa Directiva de Educación de por terminada la junta.*

CLOSED SESSION: 6:05 PM

- A. Public Employment
- B. Employee Discipline/Dismissal Release
- C. Negotiations with Employee Organizations
- D. Threatened/Potential Litigation
- E. Student Matters
  - Recommendation to Expel Student #36:12/13

OPEN SESSION: 7:00 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.*

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F. REPORT FROM STATE ADMINISTRATOR

G. STUDENT BOARD MEMBER REPORT

H. BOARD MEMBER COMMENTS

I. EMPLOYEE ORGANIZATIONS

J. CONSENT AGENDA

1. Approval of Minutes: April 10, 2013 and April 24, 2013 (Pages 1-8)
2. Approval of Personnel Report Dated May 15, 2013 (*Daniel Moirao, Ed.D., State Administrator*)
3. Approval of Designation for California Interscholastic Federation (CIF) League Representative for the 2013-14 School Year (*Daniel Moirao, Ed.D., State Administrator*) (Pages 9-11)
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8. Approval of the Contract with Christy White Associates Accountancy Corporation (*Linda Grundhoffer, CBO*) (Pages 43-96)

K. CONSENT ITEMS REMOVED FOR COMMENT/QUESTIONS

L. INFORMATION ITEMS

1. Review of Williams Third Quarterly Report (*John Sims, Director of MOTF*) (Pages 97-105)
2. Cash Flow Report from July 1, 2012 through April 30, 2013 (*Linda Grundhoffer, CBO*) (Pages 106-108)
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4. School Enrollment, Attendance, and Referral Statistics (Pages 135-141)
5. California Healthy Kids Survey Form (*Candy McCarthy*) (Pages 142)

6. Board Policies (First Reading) (*Daniel Moirao, Ed.D., State Administrator*) (Pages 143-203)
  - BP 6161.1 – Selection and Evaluation of Instructional Materials
  - AR 661.1 – Selection and Evaluation of Instructional Materials
  - BP 6161.11 – Supplementary Instructional Materials
  - AR 6173.1 – Education for Foster Youth
  - BP 6174 – Education for English Language Learners
  - AR 6174 – Education for English Language Learners
  - E 6174 – Education for English Language Learners
  - AR 6183 – Home and Hospital Instruction
  - BB 9322 – Agenda/Meeting Materials
  - BB 9323.2 – Actions By the Board
  - E 9323.2 – Actions By the Board

M. ACTION ITEMS

1. Approval from the Young Farmers for the Donation of \$5,100 for the Greenfield High School ASB FFA Club (*Linda Grundhoffer, CBO*) (Pages 204-205)
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N. FUTURE AGENDA ITEMS/MEETING DATES

- May 22, 2013 – Board Study Session – TBD
- June 11, 2013 – Regular Board Meeting at King City
- June 25, 2013 – Special Board Meeting

O. SIGNING OF PAPERS

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

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT  
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Q. ADJOURNMENT (TO CLOSED SESSION) (if required)

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

Wednesday, April 10, 2013

Minutes

BOARD OF EDUCATION

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

STUDENT BOARD MEMBERS

Sarah Rae Shepard, King City HS

STATE ADMINISTRATOR

Daniel Moirao, Ed.D.

OPEN SESSION:

Call to Order

Mike Foster called the meeting to order at 5:30 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 #24:12/13
  - Recommendation to Expel Student #25:12/13
  - Recommendation to Expel Student #26:12/13

OPEN SESSION:

Call to Order

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

Flag Salute

Mike Foster led in the flag salute.

Report of Closed session Action

Mike Foster said the Personnel Report was accepted. Mr. Foster also reported the board approved the recommendation from the expulsion panel to suspend the expulsion for Student #24:12/13 and to expel Student #25:12/13 for the remainder of this school year and the first semester of the first semester of the 2013-14 school year.

Approval of Agenda

Dr. Moirao distributed a revision to Action Item #5, Resolution #23:12/13 Classified Layoff.

Dr. Moirao approved the agenda with the Resolution #23:12/13 replacement.

Public Comment

There were not any comments from the public.

Report from State Administrator

The district has received preliminary reports on our graduation rates for the schools, county and state. Initial reports show everyone is up and improving in the graduation rate and decreasing in dropouts, but we are still far from our mark. Our district dropout rate is as follows: Greenfield High school 3.1%; King City High School 1.9%; and Portola-Butler 16.9%. Our graduation rate is 79.6% district wide, for the Hispanic or Latino students it is 78.7% and for the white not of Hispanic origin it is 93.6%. These figures are up from last year, but we need to be in the 90% plus range.

Dr. Moirao reminded the Board of the WASC visits at King City High School on Monday, April 22 and Greenfield High School on April 22 and 23.

Dr. Moirao said the Board may have heard the news about the drug sniffing dogs that were on the Portola-Butler campus. One student was found to have drugs. This sweep also took place at Greenfield High School and several students were identified. The district wants to make sure students are aware the district does not tolerate drugs on campus.

Dr. Moirao extended his deepest sympathy to Board member Debra McAlahney-Dodson, whose father passed away last week.

Raul Rodriguez inquired about the drop out and graduations rate for the district. What happens to a student who leaves the area? Dr. Moirao said if students leaves us and does not go to another school in the state it is considered a drop.

Raul Rodriguez inquired if we have the number of students who come in as freshman and then how many of those students graduated from our district. He felt this would be valuable data.

Mike Foster said it is important, when students are freshman, to make sure they are on track to graduate and continue to review the data on the students. It is important to keep the students on track early. Currently the students who are not on track to graduate have been enrolled in the district credit recovery program.

Student Board Member Report

Sarah Shepard said the current sports are track, baseball, softball, and swimming. There will be a track meet at home tomorrow. The swim team had their meet yesterday. Baseball has an away game on Friday. Softball will have a home game tomorrow.

A couple of weeks ago scholarship interviews were conducted, there will be more interviews tomorrow night.

There will be an Academic Luncheon on May 3 for all students who have a 3.5 GPA.

STAR testing at KCHS will be next week.

The Prom will be held on April 27 at the Monterey Marriott.

Board Member Comments

Bob White said he attended the Arsenic and Lace Play at Greenfield High School. The students did a great job.

Mr. White said, as a Rotary member, there were 6 students who applied for the Rotary Scholarship, all 6 candidates interviewed we will be hard to decide who will be the recipient of the scholarship. The Scholarship Banquet at KCHS is scheduled for April 26 at 6:30 P.M.

Raul Rodriguez said last year Silviana Sanchez, from GHS, had record of 43 students accepted at a UC college. Mr. Rodriguez said he would like to know how many students this year will be attending a UC or CSU college by the end of the school year.

Mike Foster said he is working with CSBA on Beta classes for the Masters in Governance training which is anticipated to be available in July. The two day training would be reduced to a one day 5 hour session. Only 3 Board members have one session each to complete.

Mike Foster reminded Board members to visit classes and email the information to Shirley to be recorded.

Mr. Foster said these are financially difficult times for the district. Teachers need to keep students first; the Board is here to support the staff.

#### Employee Organizations

There were not any comments from the employee organizations.

#### CONSENT AGENDA

1. Approval of Minutes: March 13, 2013 and March 27, 2013
2. Approval of Personnel Report Dated April 10, 2013
3. Approval of Contract with Facility Inspection Services
4. Approval of MOU with MCOE for Transportation of Special Education Students from Greenfield to the Soledad Transition Program
5. Approval of Contract with Axiom
6. Approval of Resolution #19:12/13 Education Protection Account
7. Approval of the Surplus of Property (Vehicles)
8. Approval of the King City Young Farmers Donation of \$7,600 to KCHS ASB FFA Club
9. Approval of the Quarterly Williams Report
10. Approval of Truancy Abatement Program Memorandum of Understanding with the District Attorney's Office

Dr. Moirao approved the consent agenda.

#### Consent Items Removed for Comment Questions

There were not any items pulled for comments or questions.

#### PUBLIC HEARING

##### 2013-14 Use of Categorical Flexibility Fund

Mike Foster opened the public hearing at 6:43 P.M. Dr. Moirao said 3 or 4 years ago the state changed what was put into categorical funds.

Mike Foster asked, do we know how long this will continue. Linda Grundhoffer said it is year by year. With the governor's new funding model, this fund will be eliminated. Funds in this category are used for such items as school safety and deferred maintenance.

The public hearing closed at 6:44 P.M.

#### INFORMATION ITEMS

##### Cash Flow Report from July 1, 2012 through March 31, 2013

Linda Grundhoffer said we will be receiving \$2.1 million from Proposition 30, therefore we will not have to borrow from the reserve. Next year it will be done differently. We will not have to borrow from the loan at this time.

Revenue and Expenditure Report from July 1, 2012 through March 31, 2013

Linda Grundhoffer said at this moment the ending balance looks pretty much the same as it has. We are getting ready for the P2 report, so adjustments may need to be done.

School Enrollment, Attendance, and Referral Statistics

Dr. Moirao said this is the new format which the Board requested which now has more specific details.

Board Policies – First Readings

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)  
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BP 5144.1 Suspension and Expulsion Due Process (revised)  
AR 5144.1 Suspension and Expulsion Due Process (revised)  
BP 5145.6 Parental Notification (revised)

Raul Rodriguez said on page 141 it discusses if a student is removed from a classroom and the student is suspended, he felt the parent should be contacted as soon as possible. He inquired if the parent comes to the school office or if the discussion is handled over the telephone. Dr. Moirao said it is required the parent comes to the school site.

Raul Rodriguez said it appears on page 147 there is a typo on number 1 of that page.

Raul Rodriguez said on page 138, #17 it talks about suspensions will occur if it is a result of hazing. He said there is not mention of a suspension if it occurs at an athletic event. Dr. Moirao said he would check into it.

Dr. Moirao said Debra McAlahney-Dodson had some concerns, at the March board meeting, on BP and AR 5136 which addressed gangs. There have been 2 gang presentations to staff, and staff should be comfortable in taking the appropriate action if necessary.

Mike Foster said he appreciated the notations of new or revised placed next to the policy number.

Raul Rodriguez said on page 146, which addresses suspensions and expulsions, #1 reference other means of correction are not feasible or have repeatedly failed to bring about the proper conduct. Dr. Moirao responded he has sent several expulsion recommendations back to the sites because it appeared corrective measures had not taken place. We should be focusing on any intervention.

**ACTION ITEMS**

Approval of 2013-2014 Academic School Calendar

Dr. Moirao said there are 2 calendars which have been tentatively approved by the organizations. One is for teachers with shows the number of school days.

Dr. Moirao said the reason for the early start is to make sure the semester testing is done before winter break.

Mike Foster inquired if any collaboration had taken place with the elementary district to try to coordinate calendars. Dr. Moirao said they tried to do that for this school year but were not successful. They will be having a conversation with the elementary district trying again for the 2014-15 school year.

Dr. Moirao approved the school calendars.

Approval of Resolution #20:12/13 – Categorical Flexibility Funds

Linda Grundhoffer said as long as we continue to receive the funds we need to show where the funds were used and where they will be proposed to be used for the next school year. Some of the areas these funds are being used are for ROP, school safety and some of the testing. The rest is used for general operational purposes.

Dr. Moirao approved Resolution #20:12/13.

Approval of Resolution #21:12/13 Proclaiming and Honoring California Day of the Teacher May 8, 2013

Dr. Moirao said these resolutions are appropriate for our employees but unfortunately it comes at a very stressful time for both the certificated and classified staff.

Dr. Moirao said last year pins were issued for years of service at a board meeting. He said the Board had expresses an interest in presenting the pins to the appropriate staff at each site.

Dr. Moirao approved Resolution #21:12/13.

Approval of Resolution #22:12/13 Proclaiming and Honoring Classified School Employee Week May 19-25, 2013

Dr. Moirao said the district wants to acknowledge the classified school employees for the dedication. He added again this recognition comes at a stressful time for staff.

Dr. Moirao approved Resolution #22:12/13

Approval of Resolution #23:12/13 Classified Employee Layoffs and #24:12/13 Classified Confidential Management

Dr. Moirao said earlier in the meeting he said there was a revision to Resolution #23:12/13. Both of these resolutions are being presented for financial reasons. The district is working with CSEA.

Raul Rodriguez said this was similar to the certificated resolution.

Dr. Moirao approved Resolutions #23:12/13 and #24:12/13.

Board Policies (second 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)

BP 5141.33 Head Lice (new)  
BP 6146.2 Certificate of Proficiency (new)  
AR 6146.2 Certificate of Proficiency/High School Equivalency Exam (new)  
BP 6178 Career Technical Education (revised)  
AR 6178 Career Technical Education (revised)

Dr. Moirao pointed out Debra McAlahney-Dodson questioned BP 5141.33 addressing head lice and was concerned about student privacy. Dr. Moirao said he reviewed the policy and no changes have been made because other policies approved by the Board addressed this issue.

Dr. Moirao approved the second reading of the board policies.

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

Dr. Moirao said the Board Study Session on April 24 will be addressing Common Core.

Signing of Papers

Dr. Moirao signed appropriate papers.

Adjournment

Mike Foster adjourned the meeting at 7:03 P.M.

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Daniel R. Moirao, Ed.D.  
State Administrator

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Date



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

Wednesday, April 24, 2013

Minutes

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Debra McAlahney-Dodson – Member - Present  
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STATE ADMINISTRATOR

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OPEN SESSION:

Call to Order

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Public Comment

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  - Recommendation to Expel Student #32:12/13
  - Recommendation to Expel Student #33:12/13
  - Recommendation to Expel Student #34:12/13
  - Recommendation to Expel Student #35:12/13

OPEN SESSION: 7:00 PM

Call to Order

Mike Foster called the meeting to order at 7:16 P.M.

Flag Salute

Mike Foster led in the flag salute.

Report of Closed Session Actions

Mike Foster reported the Board supported the recommendations of the stipulated agreement to expel the following students through the remainder of the 2012-2013 school year and the first semester of the 2013-2014 school year: Student #22:12/13, Student #26:12/13, Student #30:12/13, Student #31:12/13, Student #32:12/13, Student #33:12/13, Student #34:12/13, and Student #35:12/12.

Mike Foster also reported the Board supported the recommendations from the expulsion panel to suspend the expulsion on the following students - #27:12/13, #28:12/13, and #29:12/13.

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.

CONSENT AGENDA

Approval of Consulting Contract with Candy McCarthy

Dr. Moirao approved the consulting contract with Candy McCarthy.

Approval of Contract with FCMAT

Dr. Moirao approved the contract with FCMAT

INFORMATION

Board Study Session – Common Core Part 2

Megan Munoz gave a presentation to the State Administrator and Board members on the Common Core Standards.

Adjournment

Mike Foster adjourned the meeting at 8:22 P.M.

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

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Date

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

GOVERNING BOARD

**SUBJECT:** Approval of the Designation for California Interscholastic Federation (CIF) League Representatives for the 2013-14 School Year

**MEETING:** May 15, 2013

**AGENDA SECTION:**

ACTION

INFORMATION

ACTION/CONSENT

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Board Goals:

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

Summary:

Each year individuals from the district are designated CIF Representatives. The Assistant Principals from the comprehensive sites are being designated at the representatives.

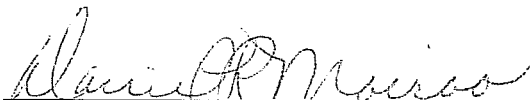
Recommendation:

The recommendation is to approve the appointed district employees as the CIF Representatives.

Fiscal Impact:


None

Submitted By:

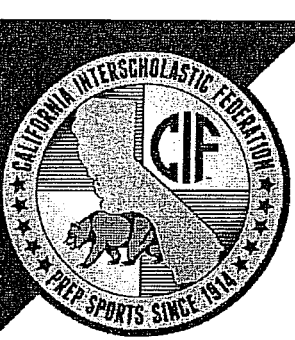


Daniel R. Moirao, Ed.D.  
State Administrator

Approved:



Daniel R. Moirao, Ed.D.  
State Administrator



ROGER L. BLAKE, EXECUTIVE DIRECTOR

# CALIFORNIA INTERSCHOLASTIC FEDERATION

CIF STATE OFFICE • 4658 DUCKHORN DRIVE • SACRAMENTO, CA 95834 • PH: 916-239-4477 • FX: 916-239-4478 • WWW.CIFSTATE.ORG

TO: SUPERINTENDENT OF PUBLIC SCHOOLS  
PRINCIPAL OF PRIVATE SCHOOLS

FROM: ROGER L. BLAKE

RE: ENCLOSED FORM TO RECORD DISTRICT AND/OR SCHOOL REPRESENTATIVES TO LEAGUES

DATE: APRIL 15, 2013

Enclosed is a form upon which to record your district and/or school representatives to leagues for **next year, 2013-2014**. It is a form sent every year to you in order to obtain the names of league representatives to every league in the state and to make sure that the league representatives are designated by school district or school governing boards. **It is a legal requirement that league representatives be so designated.**

The education code gives the authority for high school athletics to high school governing boards. The code also requires that the boards, after joining CIF, designate their representatives to CIF leagues. This is a necessity! (Ed. Code 33353 (a) (1))

We are asking that, after action by the governing board, you **send the names of league representatives to your CIF Section office**. Obviously, the presumption behind this code section is that the representatives of boards are the only people who will be voting on issues, at the league and section level, that impact athletics.

If a governing board does not take appropriate action to designate representatives or this information is not given to Section offices within the required time frame, CIF is required to suspend voting privileges (CIF Constitution, Article 2, Section 25, p.17) for the affected schools.

At the State Federated Council level we will be asking that Sections verify that their representatives are designated in compliance with this Ed. Code section.

I hope this gives you a bit of background. Thank you for all you do to help support high school athletics. It is a valuable program in all high schools and we appreciate the support you give to the program and to CIF.

**Please return the enclosed form no later than July 2, 2013 directly to your CIF Section Office. Addresses of each section are listed on the back of the form.** Please contact us if we can give you further information.

**2013-2014 Designation of CIF Representatives to League**

Please complete the form below for each school under your jurisdiction and **RETURN TO THE CIF SECTION OFFICE (ADDRESSES ON REVERSE SIDE) no later than July 2, 2013.**

South Monterey County Joint Union  
High School District \_\_\_\_\_ School District/Governing Board at its 5/15/2013 meeting,  
(Name of school district/governing board) (Date)

appointed the following individual(s) to serve for the 2013-2014 school year as the school's league representative:

**PHOTOCOPY THIS FORM TO LIST ADDITIONAL SCHOOL REPRESENTATIVES**

NAME OF SCHOOL King City High School  
NAME OF REPRESENTATIVE David Croy POSITION Assist. Principal  
ADDRESS 720 Broadway CITY King City ZIP 93930  
PHONE 831.385-5461 FAX 831-385-0901 E-MAIL dcroy@kingcity.k12.ca.us  
\*\*\*\*\*

NAME OF SCHOOL Greenfield High School  
NAME OF REPRESENTATIVE Julio Sierra POSITION Asst. Principal  
ADDRESS 225 S. El Camino Real CITY Greenfield ZIP 93927  
PHONE 831.674-2751 FAX 831.674-2646 E-MAIL jsierra@kingcity.k12.ca.us  
\*\*\*\*\*

NAME OF SCHOOL \_\_\_\_\_  
NAME OF REPRESENTATIVE \_\_\_\_\_ POSITION \_\_\_\_\_  
ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ ZIP \_\_\_\_\_  
PHONE \_\_\_\_\_ FAX \_\_\_\_\_ E-MAIL \_\_\_\_\_  
\*\*\*\*\*

NAME OF SCHOOL \_\_\_\_\_  
NAME OF REPRESENTATIVE \_\_\_\_\_ POSITION \_\_\_\_\_  
ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ ZIP \_\_\_\_\_  
PHONE \_\_\_\_\_ FAX \_\_\_\_\_ E-MAIL \_\_\_\_\_

If the designated representative is not available for a given league meeting, an alternate designee of the district governing board may be sent in his/her place. **NOTE:** League representatives from public schools and private schools must be designated representatives of the school's governing boards in order to be eligible to serve on the section and state governance bodies.

Superintendent's or Principal's Name Daniel Moirao Signature \_\_\_\_\_

Address 800 Broadway City King City Zip 93930

Phone 831.385-0606 Fax 831-385-0695

**PLEASE MAIL OR FAX THIS FORM DIRECTLY TO THE CIF SECTION OFFICE.  
SEE REVERSE SIDE FOR CIF SECTION OFFICE ADDRESSES.**

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

**SUBJECT:** Resolution # 25:12/13 Board Election

**MEETING:** May 15, 2013

**AGENDA SECTION:**

**ACTION**

**INFORMATION**

**ACTION/CONSENT**

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**GOVERNING BOARD**

Board Goals:

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

Summary:

Three of the South Monterey County Joint Union High School District members of the Board of Education terms end at the end of the calendar year 2013. Those board members are Ms. Paulette, Bumbalough, Ms. Debra McAlhaney-Dodson, and Mr. Raul Rodriguez. It is the responsibility of the SMCJUHSD State Administrator to advise the County Board of Elections the need to call for an election. This year's election will occur on November 5, 2013.


Recommendation:

It is recommended that the State Administrator approve Resolution #25:12/13 for calling for an election on November 5, 2013 election.


Fiscal Impact:

This is the candidate's responsibility.

Submitted By:

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

Approved:

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

**Before the Board of Trustees of the  
SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT  
Resolution # 25:12/13**

**RESOLUTION ORDERING ELECTION, REQUESTING COUNTY ELECTIONS TO  
CONDUCT THE ELECTION, REQUESTING CONSOLIDATION OF THE ELECTION,  
AND SPECIFICATIONS OF THE ELECTION ORDER**

**WHEREAS**, pursuant to Education Code Section 5322, whenever a school district election is ordered, the governing board of the district or the board or officer authorized to make such designations shall, concurrently with or after the order of election, but not less than 123 days prior to the date set for the election in the case of an election for governing board members, or at least 88 days prior to the date of the election in the case of an election on a measure, including a bond measure, by resolution delivered to the county superintendent of schools and the officer conducting the election specify the date of the election and the purpose of the election;

**WHEREAS**, pursuant to Elections Code Section 10002, the governing body of any city or district may by resolution request the Board of Supervisors of the county to permit the county elections official to render specified services to the city or district relating to the conduct of an election;

**WHEREAS**, the resolution of the governing body of the city or district shall specify the services requested; and

**WHEREAS**, pursuant to Elections Code Section 10400, whenever two or more elections, including bond elections, of any legislative or congressional district, public district, city, county, or other political subdivision are called to be held on the same day, in the same territory, or in territory that is in part the same, they may be consolidated upon the order of the governing body or bodies or officer or officers calling the elections; and

**WHEREAS**, pursuant to Elections Code Section 10403, whenever an election called by a district, city or other political subdivision for the submission of any question, proposition, or office to be filled is to be consolidated with a statewide election, and the question, proposition, or office to be filled is to appear upon the same ballot as that provided for the statewide election, the district, city or other political subdivision shall, at least 88 days prior to the date of the election, file with the board of supervisors, and a copy with the elections official, a resolution of its governing board requesting the consolidation, and setting forth the exact form of any question, proposition, or office to be voted upon at the election, as it is to appear on the ballot. Upon such request, the Board of Supervisors may order the consolidation; and

**WHEREAS**, the resolution requesting the consolidation shall be adopted and filed at the same time as the adoption of the ordinance, resolution, or order calling the election; and

**WHEREAS**, pursuant to Education Code Section 5342 and Elections Code Section 10400, such election for school districts may be either completely or partially consolidated;

WHEREAS, various district, county and statewide and other political subdivision elections have been or may be called to be held on November 8, 2011;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED THAT the Governing Board/Board of Trustees of the South Monterey County Joint Union High School District hereby orders an election to be called and consolidate with any and all elections also called to be held on November 5, 2013 insofar as said elections are to be held in the same territory or in territory that is in part the same as the territory of the School District request to be the Board of Supervisors of the County of Monterey to order such consolidation under Elections Code Section 10400; and

BE IT FURTHER RESOLVED AND ORDERED that said School Board hereby requests the Board of Supervisors to permit the Monterey County Elections Department to provide any and all services necessary for conducting the election; and

BE IT FURTHER RESOLVED AND ORDERED that pursuant to Education Code Section 5322, the authority for the specifications of the election order, the governing body of the King City Joint Union High School District hereby orders an election to be held with the following specifications;

The election shall be held on Tuesday, November 5, 2013;

BE IT FURTHER RESOLVED AND ORDERED that the Monterey County Elections Department conduct the election for the following OFFICE/S on the November 5, 2013;

<u>District</u>	<u>Name</u>	<u>Term Expires</u>
South Monterey County Joint Union High School District	Paulette Bumbalough	12/2013
South Monterey County Joint Union High School District	Debra McAlahney-Dodson	12/2013
South Monterey County Joint Union High School District	Raul Rodriguez	12/2013

**No election will be held if there are an insufficient number of nominees.**

The qualifications of a nominee of an elective officer of the school district are as follows (i.e. a registered voter in the district, trustee area, etc.)

Registered voter in the district

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The Candidate's Statement of Qualifications shall be limited to 400 words and will be paid for by the candidate.



**BE IT FURTHER RESOLVED AND ORDERED** that the Monterey County Elections Department is required to:

**BE IT FURTHER RESOLVED AND ORDERED** that the Monterey County Elections Department is ordered that in the event of a tie vote, the candidate will be selected by (Ed. Code 5016(b)):

By lot

**PASSED AND ADOPTED** by the South Monterey County Joint Union School District, County of Monterey, State of California, this 15<sup>th</sup> day of May, 2013 by the following vote:

---

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

Attested: \_\_\_\_\_

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

**SUBJECT:** Approval of Joint Powers Agreement with Mission Trails ROP

**MEETING:** May 15, 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:

As a member of the Mission Trails Regional Occupational Program consortium, we must annually sign our joint powers agreement. This agreement outlines the consortium's obligation to us and our obligation to them.

Recommendation:

It is recommended that the State Administrator approve and sign the Joint Power's Agreement with the Mission Trails Regional Occupational Program consortium.

Fiscal Impact:

Our participation generates revenue to run ROP courses for students.

Submitted By:



Daniel R. Moirao, Ed.D.  
State Administrator

Approved:



Daniel R. Moirao, Ed.D.  
State Administrator

**AMENDED AND RESTATED  
JOINT EXERCISE OF POWERS AGREEMENT  
FOR THE MISSION TRAILS REGIONAL OCCUPATIONAL PROGRAM**

This is an amended and restated joint exercise of powers agreement ("Agreement") by and between the CARMEL UNIFIED SCHOOL DISTRICT, GONZALES UNIFIED SCHOOL DISTRICT, MONTEREY PENINSULA UNIFIED SCHOOL DISTRICT, NORTH MONTEREY COUNTY UNIFIED SCHOOL DISTRICT, SOLEDAD UNIFIED SCHOOL DISTRICT, SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT (each, a "party" or "participating districts") and SALINAS UNION HIGH SCHOOL DISTRICT ("party" or "lead LEA") and collectively, the "parties" or "participating districts"). The effective date of this Agreement is July 1, 2013.

**RECITALS**

WHEREAS, the Parties previously entered in a Joint Exercise of Powers Agreement by which they created and established the Mission Trails Regional Occupational Program to develop, administer, and operate a regional occupational program ("ROP") throughout Monterey County; and

WHEREAS, the Parties now find it desirable to amend and restate that agreement to provide further clarity and conformity with administration of this Agreement.

NOW, THEREFORE, the Parties agree as follows:

**TERMS AND CONDITIONS**

1. ESTABLISHMENT. The parties to this Agreement have determined and declared that it is in the best public interest that these parties cooperate in the establishment of a Regional Occupational Program pursuant to Section 52300 through 52331 of the Education Code.

Section 52301 provides: "The county superintendent of schools of each county, with the consent of the State Board of Education, may establish and maintain, or with one or more counties may establish and maintain, at least one regional occupational center, or regional occupational program, in the county to provide education and training in vocational courses. The governing boards of any school district maintaining high schools in the county may, with the consent of the State Board of Education and of the county superintendent of schools, cooperate in the establishment and maintenance of a regional occupational center, or regional occupational program, except that if such a school district also maintains five hundred (500) or more schools its governing board may establish and maintain one or more regional occupational center, or regional occupational program, without such restrictions. A regional occupational center or regional occupational program may be established by two or more school districts maintaining high schools through the use of the staff and facilities of a community college or community colleges serving the same geographic area as the school districts maintaining the high schools, with the consent of the State Board of Education and the county superintendent of schools. The establishment and maintenance of a regional occupational center, or occupational program, by two or more school districts may be undertaken pursuant to Article 1 (commencing with Section 6500 of Chapter 5 of Division 7 of Title 1 of the Government Code). If a school district or school districts establish and maintain such a regional occupational center, or regional occupational program, pursuant to this chapter, the county superintendent of schools may, with the consent of the State Board of Education, establish and maintain a separate regional occupational center or centers, or regional occupational program or programs."

It is the purpose of the parties to this Agreement to provide education in occupational areas

and to enable a broader curriculum in said area while avoiding unnecessary duplication of courses and expensive training equipment.

2. TERM: The term of this Agreement shall be on a fiscal year basis to be automatically renewed from year to year subject to the provisions herein contained.
3. LOCATION: Each participating district will choose the site or sites for all regional occupational programs it will conduct.
4. CAPITAL INVESTMENT: It is hereby mutually agreed that each participating district has or will make initial capital investments as necessary and desirable for all regional occupational programs that they plan to operate.
5. ADMINISTRATION:

- a. It is agreed that there shall be an administrative body to be known as the ROP Board ("Board"), which will be the policymaking body and governing board of the JPA. The Board shall consist of two representatives from each of the participating districts, one of whom shall be a governing board member selected by and serving on the governing board of such district, and one of whom shall be an officer or employee of the participating district appointed by the superintendent of that participating district. The Board shall select its own officers, except that the superintendent of the Salinas Union High School District or designee shall serve as Chairperson of the Board. All of the powers of the JPA, except as may be expressly delegated to others pursuant to the provisions of applicable law, this Agreement or by direction of the Board, shall be exercised by and through the Board. Members of the Board shall not receive compensation for serving on the Board.

The Board may adopt bylaws for the conduct of meetings, the selection of a chair and vice chair, and any other matters necessary to perform its duties pursuant to this Agreement. The Board shall establish the time, place, and date of its regular meetings. A majority of the Board shall constitute a quorum for the transaction of business, except that less than a quorum may adjourn meetings from time to time.

The Board shall appoint a chief executive officer of the JPA, to be known as the Director. Said Director shall be accountable to the Board for the operation of the programs that are a part of the regional occupational program. Serving at the will of the Board and subject to its policies, rules, regulations and instructions, the Director shall have the powers described in this Agreement and those delegated and assigned by the Board, including without limitation:

(i) To enforce all orders, rules and regulations adopted by the Board relating to the regulation, operation or control of educational programs, funds, facilities, and properties of the JPA.

(ii) To act as the Secretary of the Board. The Board may, at any time, appoint someone other than the Director as the Secretary of the Board in accordance with applicable law.

- b. Unless the Board directs otherwise, the JPA will be housed at offices made available for that purpose by the Salinas Union High School District. It is agreed that the participating districts shall share the administrative costs of the JPA. This would include the Director's salary, the secretary's salary, and that portion of office, travel and equipment expenses as well as fees for consultation including attorney and

auditing expenses furnished by Salinas Union High School District and directly related to the overall administration of the JPA.

It is agreed that the Salinas Union High School District will pay 50% of these administrative costs, and the remaining 50% will be prorated to the other participating districts based on the actual ROP ADA reported on the annual ADA summary, submitted the previous year of the Agreement. These administrative costs are to be determined prior to the time that the annual budget is submitted to the Board for final adoption, but with the provision that the affected salary adjustments as made by the Salinas Union High School District for its officers and employees providing services to the JPA will be a part of the accepted budget.

Payment of the JPA's budgeted administrative costs is authorized to be made by transfers of funds to be processed through the Monterey County Office of Education.

c. The JPA shall have an administrative council that shall carry out the daily operations of the ROP programs. Such council shall consist of the participating district superintendent or his or her representative and the ROP Coordinator of each of the participating districts. The Director shall meet with the council members individually and as a group to carry out the daily operations of the ROP.

d. Meetings. The Board shall hold at least six (6) regular meetings each year. The dates times and locations of regular meetings shall be set annually by resolution of the Board. The Board may also hold special meetings. All meetings of the Board shall be called, held and conducted in accordance with the terms and provisions of Title 5, Division 2, Part 1, Chapter 9 (Sections 54950 et seq.), of the California Government Code, or as said chapter may be modified by subsequent legislation

Except as otherwise provided or permitted by law, all meetings of the Board shall be open and public. The Board shall keep minutes of its meetings and transmit to the Board minutes of the meetings.

The director shall convene meetings of participating districts business officials prior to each regular Board meeting. The superintendent of each participating district shall designate the business official to represent the participating district. The purpose of the business officials meeting will be to review and set business-related agenda items for the next regular Board meeting. Such agenda items would include allocation reports, ADA reports, proposed contracts and agreement and any other fiscally relevant items. Meetings of the business officials shall be open and public unless otherwise provided. The director will provide a report of the each business officials meeting to the Board at its next regular meeting.

The director shall convene at least six (6) meetings of the administrative council (as described in section 5c). The purpose of the administrative council, whose members will be known as District Coordinators, will be to provide for the daily operations of the ROP.

e. Treasurer. There shall be a Treasurer of the JPA. Initially, the Treasurer of the JPA shall be the Monterey County Treasurer. The Board may, at any time, appoint someone other than the Monterey County Treasurer as the Treasurer of the JPA in accordance with applicable law.

f. Controller. There shall be a Controller of the JPA. Initially, the Controller of the JPA shall be the Manager of Fiscal Services of the Salinas Union High School

District. The JPA may, at any time, appoint someone other than the Manager of Fiscal Services of the Salinas Union High School District as the Controller of the JPA in accordance with applicable law. The Controller shall draw warrants to pay demands against the JPA when such demands have been approved by the Board or by any other person authorized to so approve such by this Agreement or by resolution of the Board. The Controller shall perform such duties as are set forth in this Agreement and such other duties as are specified by the Board. There shall be strict accountability of all funds and reporting of all receipts and disbursements. The Controller shall establish and maintain such procedures, funds and accounts as may be required by sound accounting practices. The books and records of the JPA in the hands of the Controller shall be open to inspection at all reasonable times by representatives of the parties to this Agreement.

g. Unless the Board directs otherwise, the JPA's annual fiscal year shall be from July 1 through the following June 30.

6. **ADMISSION AND RETENTION:** Any pupil eligible to attend a high school of any district party hereto is eligible to attend the regional occupational programs, subject to the following:
- a. General admission requirements as established by the administrative body in concurrence with the participating districts.
  - b. Preference for entrance into regional occupational program classes will be given to students from the operating districts.
  - c. Entrance into regional occupational programs for students from other than the operating district shall be on a space available basis.

Retention of pupils in the regional occupational program shall be governed by the policies established by the administrative body with the concurrence of the participating districts.

Mission Trails Regional Occupational Programs, the parties hereto or contracting agents, will not discriminate on the basis of race, color, national origin, sex, handicap or age, in employment, enrollment or attendance, in any of its educational programs and activities. Provisions will be made to accommodate students of limited English proficiency or physical handicap in all vocational programs.

7. **CONTRACTING WITH OUTSIDE AGENCIES:** It is hereby agreed and stipulated by each of the participating parties hereto that any of the participating districts may contract with a community college, non-profit organization or private agency for facilities and/or instruction if the needs of the students would best be served in this manner, and if it is in the best interest of the ROP. Contracts affecting more than a single district shall be approved by the Board before being approved by a participating district.
8. **PRORATION OF COST:**
- a. Participating districts shall establish and submit a budget for each program that is a part of the regional occupational program. This budget will be submitted to the Director by June 1. The format for the budget will be uniform for all districts.
  - b. The district of attendance shall report and collect the ADA.
  - c. In the event that a student attends an ROP program in a participating district ("District of Attendance") that is not the student's district of residence ("District of

Residence"), the District of Attendance shall pay the District of Residence \$700 per-ADA for each such enrolled student. This money is for transportation, counseling and administration of the students.

d. Each participating district shall maintain strict accountability of all funds and shall provide the JPA with two reports one in February and a final report as of June 30, and shall provide for the reporting all receipts, ADA and disbursements.

9. GENERAL FUND ACCOUNT:

a. Establishment. A general fund reserve account shall be established by the Board in the Monterey County Treasury. The fund shall be titled "Mission Trails General Fund Reserve Account". It shall serve as a depository for the excess JPA funds carried by individual districts at the end of the fiscal year and payable to the JPA.

b. Revenues. Excess funds deposited in the JPA's General Reserve Account in accordance with (a.) above shall be transferred back in equal amounts (plus any interest which may be earned on such amounts) by the Board to those districts making deposits to the Reserve Account. Such transfer shall be made within 180 days of the commencement of the fiscal year.

10. AUDIT:

a. JPA Audit - The JPA is responsible for compliance with the requirements of Education Code Section 41023 (effective January 1, 1989). Education Code Section 41023 requires that all JPA's consisting solely of school districts are subject to the same audit reporting requirements applicable to local educational agencies (primarily Education Code Sections 14505 and 41020). The JPA shall fulfill these requirements through the individual audits performed by each participating district as described below.

b. District Audit - Each participating district will be responsible at its expense, for compliance with requirements of Education Code Section 41020 for annual financial audits and reports covering regional occupational programs conducted by the district, in accordance with the standards set forth in the publication Standards and Procedures for Audits of California Local Educational Agencies. The audit report may be included in the regular annual financial audit of the district; however, the regional occupational program operations must be listed as a separate account, including, but not limited to, enumeration of all income and expenditures, ADA accounting, tax levies and any exceptions, comments or recommendations in the summary of the report. The positive statement (accountant's report) concerning the regional occupational program may be part of the auditor's general positive statement. The regional occupational program account should have a separate listing in the table of contents for easy reference and audit review.

11. ADA, REVENUE AND ALLOCATIONS

a. Initial Allocation of ROP Funds

The Director and Controller will issue an initial report showing anticipated state revenue ("ADA revenue") and anticipated allocation thereof for the upcoming fiscal year to participating districts by April 15 of the preceding fiscal year. Initial revenue limit projections will be based on each district's individual ADA cap. Initial allocations enable participating districts to 21 and budget for their ROP classes. Each

participating district is responsible for monitoring its ROP ADA at P1, P2 and P3 relative to its ADA revenue cap to ensure that its funding is not reallocated due to ADA performance under-cap.

b. Temporary Reallocation of ADA Revenue

At the end of each fiscal year, the Board will reallocate any unused ADA revenue for the ending fiscal year. The Board may, in its discretion, select one of the following options to temporarily reallocate unused ADA revenue amongst participating districts:

**b1. Base Revenue Limit per-ADA Calculation When Total Annual JPA ADA Exceeds JPA Cap and All Districts Have Annual ADA That Meets or Exceeds Cap:** When the JPA's ADA at P-3 exceeds the established cap on the JPA's ADA and each district in the JPA exceeds the individual cap on ADA for that fiscal year, the base revenue limit amount will be calculated by adding the total state funded revenue limit amount and the total local excess revenue divided by the JPA's total ADA revenue for the fiscal year.

Each district will be allocated excess funds based on its individual ADA multiplied by the per-ADA base revenue limit. The per-ADA base revenue limit amount will be determined by adding the total state approved base revenue limit and local excess revenue and dividing by the JPA's ADA revenue cap. (See example in Appendix 1, Table b1)



**b2. Base Revenue Limit per-ADA Calculation When Total Annual JPA ADA Exceeds JPA Cap but not All Districts Have Annual ADA That Meets or Exceeds Cap:** When the JPA's ADA at P-3 exceeds the established cap on the JPA's ADA and one or more participating districts have not achieved their individual caps on ADA for that fiscal year, and one or more participating districts have exceeded their individual caps on ADA for that fiscal year, the base revenue limit amount will be calculated by adding the total state funded revenue limit amount and the total local excess revenue divided by the JPA's total ADA cap.

In this scenario, the Board will temporarily reallocate unused revenue from districts that have not achieved the cap on their ADA as follows. The JPA will total the ADA revenue for all districts that have not achieved their individual ADA caps. With respect to districts that have exceeded their individual ADA caps, the JPA will total the aggregate excess ADA of all such districts, and determine what percentage of the aggregate excess ADA each such district has generated. The JPA will then reallocate to each district that has exceeded its individual ADA cap a pro rata share of the unused ADA revenue based on the percentage of excess ADA generated by each such district. The JPA will also determine a temporary revised ADA cap for each participating district by subtracting the unused ADA from districts below and adding it to those districts above their individual caps. The revised caps will be multiplied by the per-ADA based revenue limit amount. (See example in Appendix 1, Table b2)

**b3. Base Revenue Limit per-ADA Calculation When Total Annual JPA ADA is below JPA Cap and some or all districts have Unused ADA:** In any year when the JPA's total ADA at P-3 is below the JPA's ADA cap, the base revenue limit per-ADA will be calculated by adding total State funding to local excess revenue and dividing the sum by the JPA's total annual P-3 ADA. Since in this scenario there will be no need for temporary reallocation, each district will be funded based on their P-3 ADA, following certification of the P-3 (Annual Report of Attendance). (See example in Appendix 1, Table b3)

The reallocation of revenue is authorized to be made by a transfer made through the Monterey County Office of Education.

c. Excess Funding

In the event the state determines it has unused ADA at the state level and excess funds are granted to the JPA, such funds will be allocated to districts that have exceeded their individual ADA caps on a pro rata basis. If the excess funds are based on an ADA factor that is different than the excess ADA reported by the JPA, those districts with excess ADA will receive the excess funding based on a percentage of the excess ADA times the total excess funding.

d. Permanent ADA Reallocation

When a participating district does not reach its ADA CAP in two consecutive years ("Reallocation District"), the Board is authorized to reallocate in the third year a portion of the Reallocation District's ADA CAP to the other participating districts that are over their CAP's in the second year.

The amount to be reallocated will be calculated as follows: the JPA shall calculate the difference between the Reallocation District's CAP ADA and actual ADA for each of the two consecutive years for which the Reallocation District did not reach its CAP ADA. The JPA shall then calculate 50% of the smallest of the two differences, and

round that number down to the nearest whole number.

The reallocation to the participating districts that are over their CAPs will be made on the basis of a ratio of the total of the ADA over the CAP for all the districts over their CAP's in the prior year.

It is agreed that once a participating district is within ten (10) ADA of its CAP, there will not be a permanent reallocation of the unused ADA.

Two consecutive years is defined as being under the CAP for two years in a row. The cycle would then start over and repeat as long as a district is under its CAP.

The reallocation will be performed as soon as possible after the annual ADA is compiled from the participating districts.

- e. Reduction in Funding Allocation  
The Board may apply a percentage decrease to all districts' in the form of allocation or ADA CAP in response to a State ROP funding decrease.
- f. CalWORKS and ADA Funded Grants and Entitlements:  
Monies received for such grants and entitlements are restricted to only those districts who qualify for the grants and entitlement. These would include grants and entitlements which draw ADA from the same pool of ADA as MTROP. Since these grants have an impact on the ADA/Cap calculation, the calculation for such grants and entitlements will be calculated and distributed before the ROP base allocation is calculated. Once the ADA for these grants have been determined and paid by the grants/entitlement, the grant/entitlement ADA will be deducted from the ROP ADA base for each of those districts who received funding under this category. This will eliminate the "double dipping" of districts so that ADA can only be counted once as either a grant/entitlement recipient or as a base allocation recipient.
- g. State Deferrals & Local Excess Revenue  
When the initial budget for the ROP is projected for the budget year, state deferred apportionment amounts and local excess revenue amounts will be included with the budget information provided to participating districts. The amount of the deferral and local excess revenue will be shown in separate columns so as to ensure that these amounts are not included in initial allocations to districts. The actual transfer of the deferred amounts will not take place until the full apportionment for the prior year is received by all participating districts.
- h. Year-end Closing  
Participating districts will be required to submit P3 annual report of attendance by July 15 of the following fiscal year. Year-end closing information will be provided to participating districts as soon as the P-3 (Annual Report of Attendance) is received by the JPA, but no later than August 1 of the following fiscal year. Adjustments resulting from the July recertification for the prior year will be calculated and a fund transfer will be done to post corresponding adjustments to participating districts. The P3 annual report of attendance and allocations will be distributed and reviewed by the Board at the first meeting of the following fiscal year.
- i. Adjustments to ADA Reporting  
Any changes in annual (P3) ADA reported by a district after August 1 of the following fiscal year will be submitted to the JPA Board for review separately from the P3 report. Upon JPA approval of the ADA changes, an adjustment will be made to the

member participating districts' allocations in the following year. Increase or decrease to the district's allocation will be based on the prior year per-ADA revenue limit allocation.

12. TRANSPORTATION: Each participating district is to provide transportation at its expense for students transported to another participating district's program.
13. LIABILITY: It is hereby agreed and stipulated by each of the participating parties hereto, as authorized by Section 895.6, Government Code, that each participating party shall assume total liability for injury to its participating students due to any negligent or wrongful acts or omissions occurring in the performance of this Agreement, without right of indemnification or contribution from each of the other participating parties. In this connection it is further stipulated, recognized and agreed that the County Superintendent of Schools is not a party to this Agreement, but is a consenting agency required by Section 52301, Education Code.
14. MEDIATION: It is mutually agreed hereby that whenever an unresolved dispute arises as to any matter concerning the operation or program of the regional occupational program, it shall be submitted to the administrative council and participating district business officials for discussion and a recommended decision to the Board. The Board shall adopt a final decision regarding the dispute.
15. WITHDRAWAL: It is hereby agreed that withdrawal by any participating district shall be on an orderly basis.
  - a. Preliminary Notice of Withdrawal

Any participating District considering withdrawal from this Agreement must provide a Preliminary Written Notice to all Participating Districts, the Board, and Director no later than May 31 effective June 30 of the following fiscal year. The Preliminary Withdrawal Notice shall be in the form of a resolution adopted by the withdrawing Participating District's governing board. The Preliminary Withdrawal Notice must describe with particularity the withdrawing party's reasons for its intent to withdraw. The Director shall submit the withdrawing party's reasons for withdrawal to the mediation process outlined in Section 14 of this Agreement.
  - b. Actual Notice of Withdrawal

After exhausting the dispute resolution process provided in this Agreement, a Participating District may withdraw from this Agreement by giving written notice to all Participating Districts, the MTROP Board and Director no later than December 31 of the fiscal year preceding withdrawal. The withdrawing Participating District must notify all of the Participating Districts' governing boards, the MTROP Board, and the Director, no later than December 31 of its intent to withdraw effective June 30 of the current fiscal year. The written withdrawal notice shall be in the form of a resolution adopted by the withdrawing Participating District's governing board. In order to constitute adequate and sufficient actual notice of withdrawal under this Agreement, the resolution shall affirmatively state that the withdrawing district shall withdraw effective June 30 of the current fiscal year. A resolution stating that the withdrawing district "may" withdraw shall not satisfy this section.
  - c. Land, improvements and equipment purchased for the occupational programs shall be the property of and remain with the withdrawing district.
16. ADMISSION: A public school district not currently served by MTROP may apply for admission to the JPA. The application to become a participating district would need to be submitted in the form of a letter and specify the number of students in grades 9-12, ROP

courses to be offered and include a copy of a resolution to apply for admission to the JPA by the applying district's Board of Trustees along with a copy of the district's Career Technical Education Plan. The applying district also would need to provide a written plan on how it would adhere to ROCP guidelines as set forth by the California Department of Education. The completed application for admission to the JPA would be considered along with its expected fiscal impact on the JPA and voted upon by the MTROP Board. The Board may set specific terms or requirements for admission to the JPA. A 2/3 approval vote would be required for approval.

17. ASSIGNMENT: Neither the JPA nor any participating district shall assign or subcontract any of its obligations, rights, or duties under this Agreement without prior written consent of the other parties. Any assignment or subcontract made without such prior written consent shall be void.
18. NOTICES: Notices and other communications under this Agreement to the participating districts shall be sufficient if delivered to the clerk of the governing board of each participating district.
19. VENUE: Any action or proceeding seeking any relief under or with respect to this Agreement shall be brought solely in the Superior Court of the State of California for the County of Monterey.
20. COUNTERPARTS: This Agreement may be signed in one or more counterparts, each of which when signed, irrespective of the date signed and delivered, will be deemed to constitute one instrument. Facsimile signature pages transmitted to other parties to this Agreement shall be deemed equivalent to original signatures on counterparts.
21. ENTIRE AGREEMENT: This Agreement, including all attached Exhibits, if any, contains the entire understanding between the parties concerning the matters described in this Agreement. This Agreement supersedes all prior understandings, negotiations, agreements, representations, correspondence and documents relating to the matters contained in this Agreement.
22. SEVERABILITY: The provisions of this Agreement are severable. The invalidity or unenforceability of any one provision in this Agreement shall not affect the other provisions.
23. INTERPRETATION: The participating districts acknowledge that this Agreement in its final form is the result of the combined efforts of the participating districts and that, should any provision of this Agreement be found to be ambiguous in any way, such ambiguity shall not be resolved by construing this Agreement in favor of or against any participating district, but rather by construing the terms in accordance with their generally accepted meaning.
24. WAIVER: The waiver of any breach of any term, covenant, or condition shall not be deemed to be a waiver any subsequent breach of the same, or any other term, covenant, or condition herein contained.
25. WARRANTY OF AUTHORITY. Each of the persons signing this Agreement represents and warrants that such person has been duly authorized to sign this Agreement on behalf of the party indicated, and each of the parties by signing this Agreement warrants and represents that such party is legally authorized and entitled to enter into this Agreement.
25. AMENDMENTS: This Agreement may be amended by mutual agreement of all districts party hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of July 1, 2013.

CARMEL UNIFIED SCHOOL DISTRICT  
of Monterey County

SALINAS UNION HIGH SCHOOL  
DISTRICT of Monterey County

By \_\_\_\_\_  
Superintendent

By \_\_\_\_\_  
Superintendent

GONZALES UNIFIED SCHOOL  
DISTRICT of Monterey County

SOLEDAD UNIFIED SCHOOL DISTRICT  
of Monterey County

By \_\_\_\_\_  
Superintendent

By \_\_\_\_\_  
Superintendent

MONTEREY PENINSULA UNIFIED  
SCHOOL DISTRICT of Monterey County

SOUTH MONTEREY COUNTY JOINT UNION HIGH  
SCHOOL DISTRICT of Monterey County

By \_\_\_\_\_  
Superintendent

By \_\_\_\_\_  
State Administrator

NORTH MONTEREY COUNTY UNIFIED  
SCHOOL DISTRICT of Monterey County

MONTEREY COUNTY SUPERINTENDENT  
OF SCHOOLS, as consenting agency only

By \_\_\_\_\_  
Superintendent

By \_\_\_\_\_  
Superintendent

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

**SUBJECT:** CODESP JPA Agreement

**MEETING:** May 15, 2013

**AGENDA SECTION:**

- ACTION
- INFORMATION
- ACTION/CONSENT

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Board Goals:

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

Summary:

The district expects that all candidates for positions within the district will at least have the basic skills required in the job description. This agreement with CODESP allows the district to access a myriad of test materials and tests developed for such purposes.

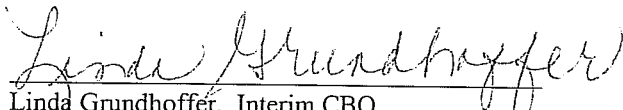
Recommendation:

Approve the JPA agreement with CODESP


Fiscal Impact:

\$925 – unrestricted general funds

Submitted By:

  
Linda Grundhoffer, Interim CBO

Approved:

  
Daniel R. Moirao, State Administrator



**JOINT POWERS AGREEMENT**  
**MID-YEAR**

This agreement is entered into pursuant to the provisions of Title I, Division 7, Chapter 5, Article I (Section 6500, et seq.) Of the California Government Code relating to the joint exercise of powers, between the public educational agencies signatory hereto, for the purpose of operating an agency to be known and designated as "Cooperative Organization for the Development of Employee Selection Procedures."

**WITNESSETH:**

WHEREAS, all California public agencies must be able to demonstrate that their employment selection procedures do not discriminate on the basis of race, religious creed, color, national origin, ancestry, physical handicap, medical condition, marital status, sex, and age for individuals over 40 years of age; and

WHEREAS, school districts, because of limited staff, cannot reasonably add extensive test validation functions to employment selection procedures, without special assistance; and

WHEREAS, the parties signatory hereto have determined and hereby declare that it is in the public interest that they join together in an organization for cooperatively developing selection procedures which will comply with state and federal requirements;

NOW, THEREFORE, for and in consideration of the mutual promises and agreements contained herein, the parties do hereby agree as follows:

1. **CREATION OF THE JOINT POWERS AGENCY**

A joint powers agency separate and apart from the parties signatory hereto is hereby created and shall be designated as the Cooperative Organization for the Development of Employee Selection procedures (hereinafter "CODESP" or "Agency").

2. **PURPOSE**

CODESP is established for the purpose of administering this Agreement and of engaging in activities including but not limited to the following:

- a. Providing a system of cooperative measuring devices relevant to common skills, knowledges and abilities related to common jobs.
- b. Establishing priorities to be given to development of written tests, interview standards and other selection devices.

- c. Developing and training representatives of member public agencies in the use of such selection devices.
- d. Developing guidelines whereby individual public agencies can isolate elements of particular jobs and determine which selection devices can appropriately be used.

3. POWERS

CODESP shall have the authority to exercise any power common to public agencies which are signatory to this agreement, including but not limited to the following:

- a. To make and enter contracts.
- b. To employ agents and employees.
- c. To acquire, construct, manage, maintain or operate any building, works or improvements.
- d. To acquire, hold or dispose of property.
- e. To incur debts, liabilities or obligations.
- f. To sue and be sued in the name of CODESP.

4. TERM

This Agreement shall become effective when duly executed and shall continue in effect until terminated as provided herein. In the event of a reorganization of one or more of the public agencies participating in this Agreement, the successor in interest or successors in interest to the obligations of any such reorganized agency shall be substituted as a party or parties to this Agreement. Public agencies which become mid-year members between December 30 and June 30 of the fiscal year shall commit to membership for the succeeding full year.

5. MEMBERSHIP

In addition to the public agencies which are parties to this Agreement, other public agencies may become parties hereto pursuant to the Policies and Procedures of CODESP.

6. MEMBERSHIP FEES

Each party to this Agreement shall deposit a half year membership fee with CODESP upon receipt of an invoice for the same and during the next fiscal year shall deposit an annual membership fee with CODESP upon receipt of an invoice for the same.

7. TREASURER/AUDITOR

A director of CODESP shall be designated as the Treasurer/Auditor of CODESP. The Treasurer/Auditor shall be the depository and have custody of all the money of CODESP, from whatever source. The Treasurer/Auditor shall:

- a. Receive and receipt for all money of CODESP and deposit it in the County School Service Fund to the credit of CODESP.
- b. Be responsible for the safekeeping and disbursement of all money of CODESP so held by the Treasurer/Auditor.
- c. Pay, when due, out of money of CODESP so held by the Treasurer/Auditor, all sums payable by CODESP only upon warrants authorized by the



Treasurer/Auditor and drawn by the Treasurer of Orange County, or the Treasurer's authorized representative.

d. Verify and report in writing on the first day of July, October, January, and April of each year to CODESP and to the parties to this Agreement the amount of money held for CODESP, the amount of receipts since the last report, and the amount paid out since the last report.

8. ACCOUNTS AND RECORDS

a. Accountability

CODESP shall be strictly accountable for all funds. CODESP shall cause to be kept proper accounts and records in which complete and detailed entries shall be made of all transactions including all receipts and disbursements. Such accounts and records shall be kept in accordance with applicable law and generally accepted accounting principles. Said accounts and records shall be subject to inspection at any reasonable time by the representative of each of the parties to this Agreement. CODESP shall cause to be prepared annual financial statements which shall be provided to the representatives of each of the parties to this Agreement.

b. Audit

The Treasurer/Auditor shall contract with a certified public accountant or public accountant to make an annual audit of the accounts and records of CODESP. The minimum requirements of the audit shall be those prescribed by the State Controller for special districts under Section 26909 of the Government Code and shall conform to generally accepted auditing standards. Reports of such audits shall be filed as public records with each of the parties to this Agreement and also with the auditor of the county in which each of the parties is located. Such reports shall be filed within twelve (12) months of the end of the fiscal year or years under examination. Any costs of the audit, including contracts with, or employment of, certified public accountants shall be borne by CODESP and shall be a charge against any unencumbered funds of CODESP available for the purpose.

9. WITHDRAWAL

Any party may withdraw from this Agreement and from CODESP by giving written notice of its intention to do so to the Board of Directors. Unless otherwise specified therein, withdrawal shall be effective upon the receipt of said notice.

10. TERMINATION OF AGREEMENT

This Agreement may be terminated, except for purposes of winding up the affairs of CODESP, effective at the end of any fiscal year by the affirmative action of a majority of the public agencies then parties to the Agreement.

11. DISPOSITION OF PROPERTY AND FUNDS

In the event of the dissolution of CODESP, the complete rescission, or other final termination of this Agreement by all public agencies then parties hereto, any property interest remaining in CODESP following a discharge of all obligations shall be returned in proportion to the contributions made by the then parties to the Agreement. The inclusion of additional parties to this Agreement or the withdrawal of some but not all the parties to this Agreement shall not be deemed a dissolution of CODESP nor a termination of this Agreement.

12. SEVERABILITY

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

13. AMENDMENTS

This Agreement may be amended by a simple majority vote of all parties to the Agreement. Any such amendment shall be effective upon the date of execution thereof, unless otherwise provided in the amendment.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed by their authorized officers there unto duly authorized as set forth herein below:

Signed on the 29 day of April, 2013, by

*Daniel R. Moises*

Administrator

*South Monterey County Joint Union High School Dist*  
Agency

On the \_\_\_ day of \_\_\_\_\_, 201\_\_, by

\_\_\_\_\_  
Marianne Tonjes - Executive Director - CODESP

*School and college districts which become Mid-Year members between December 30 and June 30 of the fiscal year shall commit to membership for the succeeding full year.*



## CODESP SELECTION PROCEDURE SECURITY AGREEMENT

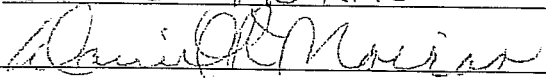
The parties to this agreement are the Cooperative Organization for the Development of Employee Selection Procedures (CODESP) and the SOUTH MO. CO. JOINT UNION H.S. DISTRICT hereinafter known as the Agency. In order to protect the mutual interests of all CODESP agencies, each Agency is required to execute this agreement and fulfill its terms.

- a. Test materials obtained through CODESP will be used for the official purposes of the Agency in testing candidates for placement at public agencies only. Under no circumstances will materials so obtained, including tutorials, be posted on the Agency's website or other websites. Under no circumstances will test materials be stored in any other agency's or private computer systems for sale or disbursement to any other agency or person that is not authorized to have access to such materials, nor will the Agency knowingly permit others to do so.
- b. Test materials obtained through CODESP shall be reviewed by examiners, subject matter experts, researchers, consultants or others working on the development of examinations. Such persons are not authorized to make notes about, copy or retain any of the actual materials. Any reviews of materials are to be conducted under the direct supervision and responsibility of the Agency representative of CODESP, who shall be the primary signer of this agreement. The final selection and use of test materials is the responsibility of the Agency.
- c. No official, staff members, consultant or other agent of the Agency may loan, give, sell, nor otherwise make available any testing material obtained through CODESP to any other agency or person that is not authorized to have access to such material, nor will they knowingly permit others to do so. Under no circumstances will CODESP materials be available for study, copying, photographing, reproduction or re-publication, in whole or in part.
- d. Test materials obtained through CODESP will be used and stored at the Agency in a manner that will prevent unauthorized persons from having access to them. Tests will be administered in proctored environments by an Agency employee to ensure that no test materials are removed from the test site. All test proctors must be employees of the Agency and must sign the CODESP Selection Procedure Security Agreement.
- e. If candidates are allowed consultation regarding their test results, they may only be provided information on the items they got wrong. They may be told the subject matter of the question and which incorrect answers were selected, but may not be told what the correct answer is. Candidates may not visually review their answer sheets or copy down or reproduce answers. The review of the test must take place one-on-one with an authorized individual whose signature is on the CODESP Selection Procedure Security Agreement and must be conducted under security safeguards consistent with this agreement.
- f. If it is necessary that materials obtained through CODESP be presented in proceedings conducted by a court or other body vested with legal authority, the Agency will request that the material be covered by a protective order that will safeguard its confidentiality, and CODESP will be promptly notified of the proceedings.

- g. The Agency shall defend, indemnify, and hold CODESP, its board members, officers, employees, and agents harmless from and against any and all liability, loss, expense (including reasonable attorneys' fees), or claims for injury or damages arising out of the use of materials or services provided by CODESP.
- h. The Agency understands and acknowledges that it is solely responsible for its employment decisions, including but not limited to hiring, classification and re-classification, and all uses of CODESP materials, including but not limited to cutoff scores. The Agency also is solely responsible for ensuring its employment practices comply with all applicable laws, regulations and professional guidelines. It is the exclusive responsibility of the Agency to ensure that the knowledge, skills and abilities measured by CODESP test materials are valid job requirements.
- i. The signer(s) of this agreement accept(s) personally and on behalf of the Agency the responsibility for carrying out its terms. The signer further agrees that all necessary administrative steps will be taken to assure that staff members, consultants or others who may have access to material provided through CODESP will be informed of this agreement and required to comply with it. Any Agency violating test security will be denied any further test materials.
- j. It is understood and agreed that the primary signer of this agreement will be the person officially responsible for ordering and administering test materials. The Agency may designate one or more alternates. If this option is exercised, the alternate(s) will be regarded as sharing the responsibility with the primary signer for carrying out the terms of this agreement. CODESP has the right to terminate this agreement and to withhold or recall CODESP materials if terms and conditions of this agreement are believed to have been violated.
- k. Upon termination of CODESP membership/subscribership, the Agency will destroy all CODESP test materials except those used to document existing test records and cease from administering tests that contain CODESP test materials. The Agency must also delete CODESP test materials from electronic storage devices, data bases, test management systems, and/or item banks that may be accessible by unauthorized individuals, agencies or vendors.
- l. If the signer(s) of this agreement find(s) it impossible to assure fulfillment of this agreement or leave(s) the Agency, the signer(s) will notify CODESP to make arrangements for continuation or termination of the agreement.

Print Name: DANIEL MOIRAO

Title: STATE ADMINISTRATOR

Signature: 

Date: April 29, 2013

## CODESP SERVICE AGREEMENT

Please read, acknowledge and agree to the following service agreement terms.

### Payment for Services:

Payment is due each July 1, unless you are paying for midyear services. A Purchase Order can be submitted to begin services, but a check must be received within 45 days after the PO is received. Online testing services may require additional payment. Notify us if you are interested in this optional service.

### Access to the Secure Areas of the Website:

To access the secure areas of the website, login names and passwords are required. Initially the HR Administrator, or designee, is allowed access. This individual will have the authority to add additional individuals who can access the secure area by clicking on Add/Edit Profiles after login in their agency's CATS (CODESP Automated Test System) system. Only employees of agency's HR departments who are involved in test administration should be provided with login names and passwords. Access will allow them to view your agency's test materials. The agency's HR Administrator/CATS Agency Contact, or designee, is responsible for keeping their agency's CATS Website Users and Test Proctors status up-to-date in the CATS system.

All individuals who have access to the secure areas of the site must sign or agree online after login to the terms of the CODESP Security Agreement. Allowing individuals who have not been registered as a Website User in CATS access to test materials is a violation of the Security Agreement. All test materials must be kept in a locked and secure area or in a password protected computer file.

### Test Materials

Test materials are requested by completing a CATS Request Form, which is available after login in the left frame of the website. Customers must provide a job description and any other information that would help CODESP staff select job-related materials to send your agency. We request 10 days notice to complete your request, but there are times when we can complete the process much quicker. If you have Subject Matter Experts who are available to review test materials, please notify us.


Multiple choice test questions can be accessed from the home page after the request has been filled. A notice will appear under My Request Status on your CATS home page that the request has been filled and the test materials are ready for review. Other test materials, such as Interviews, are posted under Test Materials or can also be ordered through the CATS Request Form.

Tutorials are available under Training on a variety of topics related to our Products and Services.

**The final selection of test materials is the agency's responsibility.**

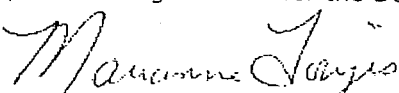
On the 29 day of April, 2013 by

South Monterey County Jt Union HS District

By  Title STATE ADMINISTRATOR

On the 29 day of April, 2013 by

Cooperative Organization for the Development of Employee Selection Procedures

By 

CODESP Executive Director, Marianne Tonjes



## 2012 – 2013 CODESP FEE STRUCTURE

*Invoices will be sent to customers through our Freshbook's system. If you need a copy email [codesp@codesp.com](mailto:codesp@codesp.com)*

**Full year:** July 1, 2012 – June 30, 2013

**Mid-year:** January 1, 2013 – June 30, 2013 with an obligation for full year membership / subscribership for the following year (applies to all agencies)

### MEMBERS – Public Educational Agencies:

- No additional fees for online testing
- No additional fees for scanning services

### **School District**

- Less than 1,000 ADA
  - County office is a CODESP member - No fee
    - Online services or scanning services - \$925/year plus mailing costs for scanning
  - County office is Not a member - \$925 with no mid-year option
- 1,000 – 60,000 ADA
  - Full year – \$1,850
  - Mid-year – \$925
- 60,000 and over ADA
  - Full year – \$1,850 plus an additional fee of \$100 per 10,000 ADA over 60,000
  - Mid-year – Half of calculated annual fee

### **College District**

- 35,000 students or less
  - Full year – \$1,850
  - Mid-year – \$925
- More than 35,000 students
  - Full year – \$1,850 plus an additional fee of \$100 per 10,000 students over 35,000
  - Mid-year – Half of calculated annual fee

### SUBSCRIBERS – Public agency or afterschool program providing service to public schools:

#### **Public Agency Subscribers**

- Access to secure areas of the website
- Online testing services option requires an extra fee (see chart below)
- Police and fire sworn employees not factored into number of employees due to no police or fire test products will be provided. We are also limited in our engineering/technical position test

materials and require extra time and a customer provided Subject Matter Expert for new test development.

- Scoring services – \$200/year plus mailing costs
  - Additional fees apply for agencies over 1,500 employees
- Less than 100 employees
  - \$925 base rate (no mid-year fee structure available)
- 100 – 1,500 employees
  - Full year – \$1,850 base rate
  - Mid-year – \$925 base rate
- More than 1,500 employees
  - Full year – Base rate (\$1,850) plus an additional \$100 per 10,000 employees over 1,500
  - Mid-year – Half of calculated annual fee
  - Scoring services – \$300 in addition to the \$200/year plus mailing costs
- State agencies: Each department or agency of the state must become a separate subscriber with the fee structure based on the number of employees described above

### Online Testing Fees for Subscribers

The following extra fees for online testing access will be added to the base rate:

Number of Employees	Fee
under 100	\$200
101 – 500	\$500
501 – 1,000	\$1,000
1,001 – 1,500	\$1,500
1,501 – 2,000	\$2,000
2,001 – 2,500	\$2,500
2,501 – 3,000	\$3,000
3,001 – 3,500	\$3,500
3,501 – 4,000	\$4,000

### Afterschool Subscribers

Rules:

- All districts served by the Afterschool provider must be CODESP members if CODESP test materials are used in the hiring process
- No Access to secure areas of the website available to afterschool agencies
- No online testing or scanning services available to afterschool agencies

Fees:

- 25 – 50 sites or 5 – 10 school districts supported (over these amounts, call for pricing)
  - Full year – \$1,850
  - Mid-year – \$925
- School districts supported have less than 1,000 ADA or less than 25 sites.
  - Full year - \$925
  - Mid-year – No discount available



**CODESP Registration for Public Education Agencies Instructions**  
**(Including Schools, Charters, ROPs and College Districts)**

To learn more about CODESP's products and services click on **About** from the blue toolbar and then on **Products and Services** at the bottom of the page. A fee schedule is posted under **Join CODESP**. Prior to registering online for CODESP services contact us by phone at 714-374-8644 or by email at [codesp@codesp.com](mailto:codesp@codesp.com) so that we can assist you in the registration process and determine if your district was a prior member.

**Invoices will be sent to you upon registration.** Call or email us if you require one prior to registration.

**Prior CODESP members:** If your district was a previous CODESP website registered member, do not re-register. We can reactivate your district instead. Please call us for more details. You may have been a member prior to your employment so it is always best to call us and check. For previous members the **Membership and Security Agreements** will need to be re-signed and re-submitted. They can be found under **Join CODESP / Public Education – Districts**. We will send you a custom invoice upon request to rejoin.

**New CODESP members:** The registration process includes (1) **Registration** on [www.codesp.com](http://www.codesp.com) - click **Register** under Register for Services. During registration you will be asked to acknowledge a Service Agreement and the Security and Membership Agreements; (2) **Payment** by check or purchase order (Invoices will be sent to you once you initiate membership) and; (3) Submission of a **Security Agreement** signed by your agency's Human Resource Administrator; (4) Submission of the **Membership Agreement** signed by your agency's Human Resource Administrator. Agreements can be downloaded from the **Join CODESP** area of the website.

**Afterschool Providers:** Employees of the district who provide afterschool care are covered under the regular membership. If these employees are employed by the afterschool agency, not the district, the agency must become a separate customer. See additional information under **Join CODESP / Afterschool Providers**.

If your district has an **ADA of less than 1,000** and your **County Office of Education is a member**, there is **no fee** to join. If your district has an ADA of less than 1,000 and your County Office of Education is **NOT** a member, the fee is reduced. Contact us before registering.

**Mid-Year membership is available beginning January 1 of each year through June 30** and the fee reflects a half-year membership. Mid-Year membership requires that the agency commit to a **full-year membership the following year**. Contact us and we will send you the appropriate Invoice.

**Access after Registration and Payment**

To access the secure areas of the website, login names and passwords are required and will be sent by email to the person identified as the **CODESP Agency Contact**. This individual will have the authority to **Add/Edit** the agency's **Website Users** after logging in. Website Users cannot Add/Edit profiles. Select only HR staff members involved in the test development process. Test materials are ordered by submitting a CATS Request Form found in the left margin of the website after login. **Tutorials** to assist you are available on the website from the toolbar. **Webinars Archives** are under **Links**.

The **Membership and Security Agreements** can be sent to us by email or fax.  
**HELP US GO GREEN, RATHER THAN FAX PLEASE SCAN AND EMAIL DOCUMENTS TO**  
**CODESP@CODESP.COM**

Phone: 714-374-8644 Fax: 714-374-8225 Ask for Eliana or Marianne



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

**SUBJECT:** Approval of Consultant Agreement with Duane Wolgamott

**MEETING:** April 24, 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
- X   \_\_\_\_\_ Develop/Sustain Fiscal Crisis Long-Term Solution
- \_\_\_\_\_ Ensure Board and Administrator Participation in CSBA's Masters in Governance and Other Trainings
- \_\_\_\_\_ Ensure that Facilities are Safe for Staff and Students
- \_\_\_\_\_ Ensure compliance with Education/Other Codes/Updating Board Policies and Administrative Regulations

Summary:

Duane Wolgamott will be serving in the Business Office as we transition from our current interim Chief Business Official position to a permanent Business Manager.


Recommendation:

It is recommended that the State Administrator approve the contract with Duane Wolgamott to assist in the transition from the Interim Chief Business Official position to a permanent Business Manager


Fiscal Impact:

The time period of this contract covers from April 25, 2013 to May 29, 2013 and will not exceed \$7,000.00. These funds had been previously budgeted for a full time Chief Business Manager.

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  
800 BROADWAY  
KING CITY, CA 93930**

**AGREEMENT TO FURNISH CONSULTANT SERVICES**

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

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

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

**I. TERM:**

The effective date of the agreement is April 25 and it terminates May 29, 2013 unless sooner terminate as provided herein.

**II. PAYMENT LIMIT**

- Consultant shall be compensated at the rate of 492.05 per diem to be paid to the Aromas-San Juan Unified School District
- Not to exceed a total of fourteen days of service.
- Total payment(s) to Consultant, under this contract shall not exceed \$7000.00

**III. DISTRICT OBLIGATION:**

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

**IV. CONSULTANT'S OBLIGATION**

The consultant shall provide service(s) as described in the Consultant Service Description.

**V. CONSULTANT SERVICE DESCRIPTION**

Transition to assume the full responsibility as the Business Manager with all the associated responsibilities.

**VI. CONFIDENTIALITY**

In the course of performing consulting services, the parties realize that the Consultant may come in contact with or become familiar with information which may be considered confidential. Consultant agrees to keep all such information confidential and not to discuss or divulge it to anyone other than South Monterey County Joint Union High School District.

**VII. ASSIGNMENT**

This agreement is for personal services to be performed by Consultant and may not be assigned to, sub-let to or performed by any person or persons who are not parties hereto except by employees of Consultant whose names and qualifications have been approved by District.

**VIII. TERMINATION OF AGREEMENT**

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

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

**IX. DISTRICT'S RIGHT OF RETENTION**

District shall become the owner of and entitled to exclusive possession of all records, documents, files, graphs, photographic or other reproductions of any kind produced in the scope of services performed and no other uses thereof will be permitted except by permission of the District.

**X. EXTENSION OF TERM**

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

**XI. SIGNATURES**

These signatures attest the parties' agreement hereto:

\_\_\_\_\_  
CONSULTANT / TITLE

\_\_\_\_\_  
CONTRACT OFFICER OF THE  
South Monterey County Joint Union High School District

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Social Security Number of Consultant \*

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

Preferred contact information:

\_\_\_\_\_  
CONSULTANT / TITLE (Please Print)

c/o Aromas-San Juan Unified School District 2300 San Juan Highway, San Juan Bautista, 95045

Mailing Address (number, street name, city, state and zip code: Please Print)

831 623-4907

Phone number

\_\_\_\_\_  
Cell Phone

Account code: \_\_\_\_\_

CBO signature \_\_\_\_\_ Date: \_\_\_\_\_

Routing:

1. Immediate supervisor
2. CBO, for coding and presentation to Board
3. After Board (State Administrator) approval, CBO for processing

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

**SUBJECT:** Christy White Associates

**MEETING:** May 15, 2013

**AGENDA SECTION:**

ACTION

INFORMATION

ACTION/CONSENT

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Board Goals:

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

Summary:

The State Controller's Office has granted the district's request to hire its own auditor beginning with the 2012-13 audit period through the 2014-15 audit period. After several requests for proposal were pursued, Christy White Associates responded and was approved by the Controller's Office.

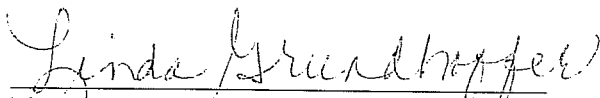
Recommendation:

Approve the three year audit contract with Christy White Associates.


Fiscal Impact:

General Fund - \$34,175 for 2012-13; \$35,800 for 2013-14; \$37,400 for 2014-15

Submitted By:

  
Linda Grundhoffer, Interim CBO

Approved:

  
Daniel R. Moirao, State Administrator

Proposal for Auditing Services  
South Monterey County Joint Union High School District  
King City, California

For the Fiscal Year Ending June 30, 2013  
With (2) Two Additional Optional Years

*Submitted on April 10, 2013 by:*

Christy White, CPA, President



1050 Marina Village Parkway, Suite 201  
Alameda, California 94501  
E-Mail: [cwhite@cwacpa.com](mailto:cwhite@cwacpa.com)

Telephone: 619-270-8222 Fax: 619-260-9085

## TABLE OF CONTENTS

Transmittal Letter.....	1
Executive Summary.....	3
Profile of CWA.....	4

### TECHNICAL PROPOSAL OUTLINE

1) Independence.....	8
2) License to Practice in California.....	9
3) Qualifications and Experience of CWA.....	10
4) Partner, Supervisory and Staff Qualifications and Experience.....	12
5) Specific Audit Approach.....	14
6) Identification of Anticipated Potential Audit Problems.....	22
CWA's References.....	23
Fee Information.....	27

### APPENDIX

- ADDITIONAL INFORMATION
  - \* Resumes of Key Audit Personnel
  - \* Quality Control Report Opinion
  - \* Insurance Requirements

## TRANSMITTAL LETTER

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April 10, 2013

Linda Grundhoffer, Interim CBO  
South Monterey County Joint Union High School District  
800 Broadway  
King City, CA 93930

Dear Ms. Grundhoffer:

Christy White Associates (CWA) is pleased to respond to your request for proposal for South Monterey County Joint Union High School District's (the "District's") Annual Financial and Compliance audits for fiscal years ending June 30, 2013 plus two additional optional years ending June 30, 2014 and June 30, 2015. In this proposal, we believe that you will find that our firm is not only highly qualified to perform the audit for South Monterey County Joint Union High School District, but is prepared to do what it takes to provide the extra level of service required to maintain a long-term business relationship.

CWA has specialized in Local Educational Agency (LEA) audits for over 12 years. Founding partner Christy White has 26 years of school audit and consulting experience and is joined by 4 experienced partners and a staff of 30.

CWA audits over 80 school districts annually plus over 25 charter schools, over 30 Proposition 39 bond audits and 6 community college districts. The vast majority of our local educational agencies (LEA) clients require a Single Audit under OMB Circular A-133. We also audit several large nonprofit organizations, JPAs and other local governmental entities under Single Audit requirements. Due to our specialization in LEA audits, our staff work year-round on education audits. We have experience auditing and consulting with school districts, for example:

**Sample of CWA's LEA Clients**

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San Diego Unified School District (2<sup>nd</sup> largest in California)  
Contra Costa County Office of Education  
San Antonio School District  
Alameda Unified School District  
Mount Diablo Unified School District  
South San Francisco Unified School District  
Pittsburg Unified School District  
Knightsen School District  
Garden Grove Unified School District  
Pleasanton Unified School District  
John Swett Unified School District

Christy White, CPA

John Dominguez, CPA, CFE

Heather Daud

Michael Ash, CPA

Erin Sacco Pineda, CPA

**SAN DIEGO**

2727 Camino Del Rio South  
Suite 219  
San Diego, CA 92108

**RANCHO CUCAMONGA**

6583 Haven Avenue  
Suite 250  
Rancho Cucamonga, CA 91730

**ALAMEDA**

1050 Marina Village Parkway  
Suite 201  
Alameda, CA 94501

tel. 619.270.8222

fax 619.260.9085

www.cwacpa.com

Licensed Public Accountant  
State Board of Accountancy

PROPOSAL FOR INDEPENDENT AUDIT FOR  
SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

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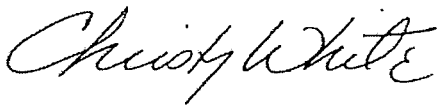
**AB1200 Experience:** CWA has experience with districts that have received State loans and are under State administration. Christy White was a key member on the FCMAT team that evaluated fiscal and facilities management for both Compton and Oakland. In addition, we are the auditors for Inglewood Unified School District in lieu of the State Controller's Office at the behest of the California Department of Education and the District.

My partners and I have a great deal of interest and commitment to providing excellent auditing services to the District. You can expect that I would personally be overseeing the audits of your district, assisted by Audit Partner Michael Ash, CPA. You will find that the level of partner and management time afforded by CWA is unmatched by other audit firms. Accompanying me on the audit will be Sarah Fiehler, Supervising Accountant; Kristen Chacon, Senior Accountant; and experienced senior and staff auditors.

CWA is committed to meeting all requirements and timelines for the successful completion of the engagement. We accept all of the terms and conditions of the District's Contract and insurance requirements. Upon concluding the contract terms, CWA will hold a pre-audit meeting and set forth specific work plans and due dates for each major audit area. Regular progress meetings will be held and any issues will be resolved timely and before the release of the final reports.

CWA's proposal and other appropriate items are valid, firm and irrevocable for ninety days from the date scheduled for submission of proposals. After reading through our proposal, if you have any questions, please feel free to contact me at (619) 270-8222. I would be happy to meet with you and/or the Board of Trustees.

Sincerely,



Christy White, CPA  
President

## EXECUTIVE SUMMARY

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## EXECUTIVE SUMMARY

Christy White Associates (CWA) is a California CPA firm with offices located in San Diego, Alameda and Rancho Cucamonga in California. Christy White, CPA our founding partner will both lead the proposed auditing services that include an audit of the annual financial statements of South Monterey County Joint Union High School District, a Single Audit under OMB Circular A-133, and Compliance with State Audit Requirements for the fiscal year ending June 30, 2013 plus two additional optional years ending June 30, 2014 and June 30, 2015.

When considering whether to hire our firm, you will find that CWA can be differentiated from our competitors in several areas, such as:

- **LOCAL, EXPERIENCED AND INVOLVED PARTNERS:** Christy White, CPA, has 26 years of school district audit and consulting experience garnered from 19 years in public accounting and 7 years with School Services of California, Inc. Michael Ash, CPA has 14 years of audit experience. You can expect that Ms. White and Mr. Ash will be accessible to South Monterey County Joint Union High School District when the audit is underway and lend their expertise freely on accounting and internal control issues.
- **ACCOUNTING ADVICE AND AUDIT SERVICES WITHOUT ADDITIONAL CHARGES:** The proposed fee is fixed for the scope described and will not be increased. CWA is happy to provide accounting advice and encourages clients to call with questions. For example, many clients were assisted with GASB 34/35, 45 and the new GASB 54 implementation, while keeping within independence standards, by: (1) fielding questions; (2) reviewing and auditing conversion entries and supporting schedules; and, (3) providing guidance and samples for the Management Discussion and Analysis audit report section.
- **TIMELY AUDITS:** CWA is committed to meeting all audit deadlines. All of our LEA audits have been performed according to agreed upon audit schedules with the final reports to the State of California filed on time.
- **COMMITMENT TO QUALITY:** CWA has received an "unqualified" audit opinion by our peer reviewers regarding our firm's Quality Control Standards. All audits submitted to the State have been approved. Current client references are also provided later in this document.
- **SMOOTH AUDITOR TRANSITION:** CWA specializes in LEA audits and its partners also manage the engagement so the transition to a new audit firm will be smooth. CWA guarantees that: (1) trained and supervised staff will be on site; (2) clients will be given a detailed audit plan at an entrance conference held each spring; (3) CWA will be considerate of your staff and their workload; and, (4) all audit findings will be discussed before the report is finalized.
- **FINDING SOLUTIONS:** CWA is not content to simply identify problem areas that may exist in your organization, but seeks ways to help provide solutions. Any CPA firm can discover a problem, but with our combined backgrounds and experiences, we can supply our clients with a wide range of possible solutions.

The following proposal provides more specific information on the scope of the audit services, our experience, qualifications, client references and audit approach. We hope that you select our audit firm. CWA is committed to providing you with excellent service.

## PROFILE OF CWA

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## PROFILE OF CWA

Christy White Associates (CWA), a professional corporation, is a California CPA firm with offices located in San Diego, Rancho Cucamonga and Alameda. CWA is licensed with the State Board of Accountancy as a professional accountancy firm and is a certified small business and woman-majority owned firm. Christy White, CPA, is the founding partner and along with Audit Partner Michael Ash, CPA will lead the proposed auditing services.

### FIRM INFORMATION

<u>San Diego Office</u>	<u>Rancho Cucamonga Office</u>	<u>Alameda Office</u>
2727 Camino Del Rio South Suite 219 San Diego, CA 92108	8686 Haven Avenue Suite 250 Rancho Cucamonga, CA 91730	1150 Marina Village Parkway Suite 201 Alameda, CA 94501
<b>Telephone:</b> (619) 270-8222	<b>Telephone:</b> (619) 270-8222	<b>Telephone:</b> (619) 270-8222
<b>Fax:</b> (619) 260-9085	<b>Fax:</b> (619) 260-9085	<b>Fax:</b> (619) 260-9085

### FIRM INDEPENDENCE

One of the benefits of an audit is having an "independent" opinion of your internal controls and compliance. Our quality control program ensures that we adhere to the strictest standards of auditor independence, including those required by the Standards for Audit of Governmental Organization, Programs, Activities and Functions, published by the United States General Accounting Office. We ensure that all firm partners and any staff working on the engagement do not have any financial or other interests in your organization other than a strictly professional one. Our continued success as your business partner depends upon our independence.

### FIRM LICENSE, AFFILIATIONS AND ASSOCIATIONS

CWA is a member of the Private Companies Practice Section (PCPS) and Government Quality Control Center (GQCC) of the American Institute of CPAs, which requires an independent peer review every three years. Christy White Associates is licensed with the California State Board of Accountancy. We are members of the American Institute of CPAs (AICPA) and the California Society of CPAs.

In addition, we are association members with the California Association of School Business Officials, the Government Financial Officers' Association and the Certified Fraud Examiner's Association. We have two Certified Fraud Examiners on staff should the need arise for a fraud or forensic audit.

## PROFILE OF CWA (CONTINUED)

### ASSURANCES ON ABILITY TO PERFORM

Neither CWA nor our predecessor firm NNW, have defaulted on a contract or experienced fiscal issues, including bankruptcy and receivership. NNW was legally dissolved in 2010 due to partial change in ownership. Christy White, President of CWA was the founding partner of both CWA and NNW. CWA was recognized as the "AICPA successor firm" to NNW. CWA has established a track record of the highest quality control results and performance for over 12 years.

CWA envisions no problems in performing the Statement of Work and meeting all deadlines. Approximately 90% of our revenues are derived from school district audits. We have 5 dedicated and trained partners and 30 staff.

### STATEMENT REGARDING THE STATUS OF ANY DISCIPLINARY ACTION AND ACCEPTANCE OF AUDIT REPORTS BY THE SCO

CWA has a standing record of performing quality audits. Our clients and the State Controller's Office have accepted all of our audit reports. Additionally, we have not and are not involved in litigation, or any investigation by a state, federal or professional agency.

*CWA meets all specific requirements imposed by federal, state, and local laws, rules and regulations.*

### COPY OF QUALITY CONTROL REPORT OPINION

As members of the AICPA Private Practices Group we participate in the peer review process. The peer review process is conducted every three years. Attached is a copy of our current quality control report opinion issued March 2011. We are proud to report that the opinion is "Pass", which is the best opinion.

### EQUAL OPPORTUNITY EMPLOYER

CWA is an equal opportunity employer. We do not discriminate based on race, ethnicity, age or religion. We are in compliance with all applicable federal and state laws and regulations relating to equal opportunity employment.

### INDEMNITY

CWA has errors and omissions insurance and will indemnify and hold harmless the District from and against all losses and claims in the execution of our work or the consequences of any negligence or carelessness on our part. We are also fully insured with workers' compensation.

## PROFILE OF CWA (CONTINUED)

### FIRM HISTORY

CWA is incorporated in California, is licensed with the State Board of Accountancy as a professional accountancy firm and is a certified woman-majority owned firm and a small business enterprise. CWA specializes in local government audits and we are listed in the California State Controller's Office CPA Directory. Annually, we audit over 80 school districts, 3 municipalities, 6 counties and special districts, 30 Proposition 39 bonds, and over 25 charter schools. Our audit clients range in size from very large governmental agencies (including, the San Diego County Treasurer-Tax Collector, San Diego Unified and Garden Grove Unified) to mid-size and small entities, such as Kern River Cemetery District and City of Madera. We serve clients throughout California from our three office locations due to our specialization in governmental auditing, including Single Audits.

Christy White Associates (CWA) was established in 2010, having previously operated for 10 years as the San Diego Office of the former firm of Nigro Nigro & White, PC. CWA has a blend of audit and consulting experience, and with Christy White's abundance of consulting know-how from past audit experience, makes CWA's experience hard to match. CWA has 30 auditors, 7 CPAs and administrative support. CWA anticipates adding more auditors as our practice continues to grow. We are proud to offer our services to all public agencies.

The management and staff of Christy White Associates (CWA) all have a solid foundation in governmental finance including years of experience in governmental agency audits, hands-on business management, and consulting assignments with governmental agencies across California. In particular, it is the technical strength of our managers and their direct personal involvement in all aspects of the engagement that sets CWA apart from other CPA firms.

***Mission:** Christy White Associates' promise to our clients is a worthwhile business relationship with responsive, trustworthy advisors and timely delivery of quality assurance, accounting, and consulting services.*

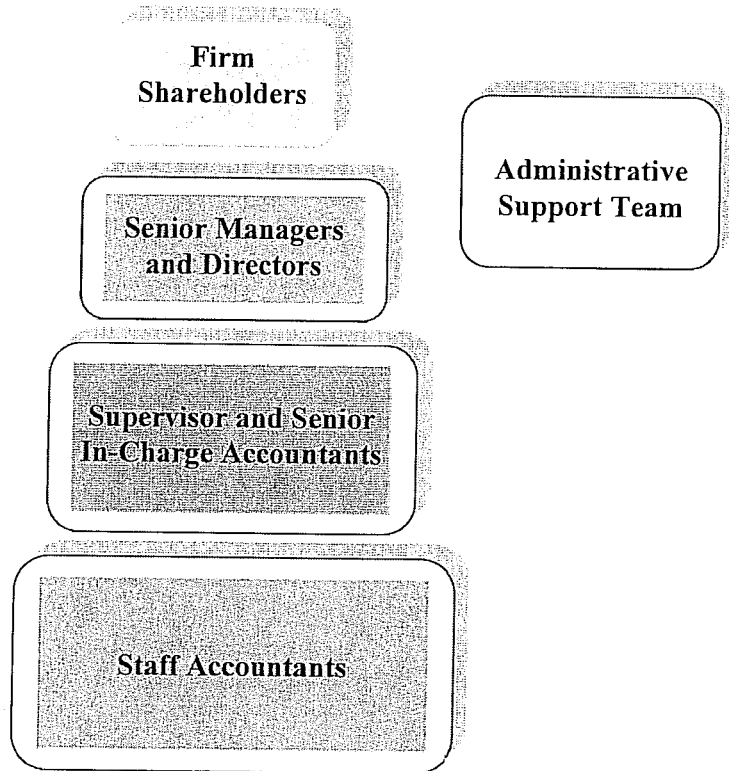
***Values:** To carry out our Mission of providing high quality customer care with professional integrity, Christy White Associates follows these guiding principles:*

- *Provide clients with timely response and cost-conscious service*
- *Preserve integrity via highly skilled, well-trained staff and a commitment to the ethical practices and standards of our profession*
- *Deliver unparalleled quality by focusing on the client need*



## PROFILE OF CWA (CONTINUED)

### FIRM ORGANIZATION



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## TECHNICAL PROPOSAL OUTLINE

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- 1) INDEPENDENCE
- 2) LICENSE TO PRACTICE IN CALIFORNIA
- 3) QUALIFICATIONS AND EXPERIENCE OF CWA
- 4) PARTNER, SUPERVISORY AND STAFF QUALIFICATIONS AND EXPERIENCE
- 5) SPECIFIC AUDIT APPROACH
- 6) IDENTIFICATION OF POTENTIAL AUDIT PROBLEMS

## 1) INDEPENDENCE

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## 1) INDEPENDENCE

CWA is independent of the South Monterey County Joint Union High School District (including board members, administrators and staff. One of the benefits of an audit is having an "independent" opinion of your financial statements and compliance matters. CWA's quality control program ensures that our firm adheres to the strictest standards of auditor independence, including those required by the Standards for Audit of Governmental Organization, Programs, Activities and Functions, published by the United States General Accounting Office. We ensure that all firm partners and any staff working on the engagement do not have any financial or other interests in your organization other than a strictly professional one. Our continued success as your business partner depends upon our independence.

## **2) LICENSE TO PRACTICE IN CALIFORNIA**

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## 2) LICENSE TO PRACTICE IN CALIFORNIA

CWA is licensed in the State of California as a Professional Accountancy Corporation. CWA is a member of the Private Companies Practice Section (PCPS) of the American Institute of CPAs, which requires an independent peer review every three years. Christy White Associates is licensed with the California State Board of Accountancy. We are members of the American Institute of CPAs (AICPA) and the California Society of CPAs. Key staff assigned to South Monterey County Joint Union High School District's audit are all licensed CPAs or CPA candidates. In addition we are association members with the California Society of Municipal Finance Officers and the Association of Certified Fraud Examiners.

### **3) QUALIFICATIONS AND EXPERIENCE OF CWA**

### 3) QUALIFICATIONS AND EXPERIENCE OF CWA

#### CWA'S LEA AUDIT EXPERIENCE

CWA specializes in governmental auditing devoting over 90% of our practice to school district auditing and consulting, which equates to over \$3 million in annual revenues from school district audits. Firm President and founder of CWA, Christy White has over 26 years of school district audit experience garnered from public accounting practice and as a Senior Director at School Services of California for 7 years. Partners Michael Ash, John Dominguez and Heather Daud each have over 10 years of governmental audit experience, both as auditors and working in school districts. In addition, Partner Michael Ash worked with a national CPA firm prior to CWA and internal audit for an international company. Our staff receives a minimum of 80 hours of continuing education annually specifically geared towards school district auditing.

CWA completed last audit season having audited approximately 80 mid-to-large school districts on time. Here is a sampling of our 2012 LEA audit clients. Many of these LEAs have been our client for over six years:

---

Alameda Unified	Nubia Leadership Academy
Alhambra Unified	Oak Park Unified
Anaheim City Elementary	Oceanside Unified
Buena Park Elementary	Pittsburg Unified
Centinela Valley Union High	Pleasanton Unified
Compton Unified	Redondo Beach Unified
Contra Costa County Office of Education	San Bernardino Community College District
Culver City Unified	San Diego Unified
El Segundo Unified	San Marcos Unified
Encinitas Union Elementary	San Pasqual Union Elementary
Escondido Union High	Santa Monica-Malibu Unified
Garden Grove Unified	South Pasadena Unified
Grossmont-Cuyamaca Community College District	South San Francisco Unified
John Swett Unified	Sweetwater Union High
Knightsen Elementary	Waterford Unified
Lennox Elementary	William S. Hart Union High
Magnolia Elementary	Willits Unified
Mendocino County Office of Education	Wiseburn Elementary



### 3) QUALIFICATIONS AND EXPERIENCE OF CWA (CONTINUED)

#### INTERNAL CONTROL REVIEWS

CWA has long taken a risk-based audit approach in our audits of LEAs for audit effectiveness and efficiency. For each engagement performed we conduct a thorough review of internal control systems, assess control risk and suggest to our clients areas where improvements might be made. CWA is well versed in the new recently released Risk-based Assessment Standards and will incorporate these requirements into our audit programs.

Areas of internal control typically evaluated for our school district clients include:

- Cash receipting (e.g., transportation fees, facilities use fees, child care program fees, adult school fees, developer fees, donations, federal and state remittances)
- Purchasing, warehousing and accounts payable
- Personnel requisitions/terminations and payroll processing
- Cafeteria: meal tracking, reimbursements, sales, purchasing, inventory, etc.
- Associated Student Body Accounts: cash receipt and disbursements, student stores, etc.
- Construction accounting: bid procedures, change orders, project accounting, SAB-50 forms
- Long term investments and debt financing

#### ABILITY TO COMPLETE WORK ON TIME AND STAFF CONTINUITY

CWA audits governmental entities year round. Our staff receives a minimum of 80 hours of continuing education annually in governmental accounting and auditing. We have the capacity to meet all of the District's deadlines, and would encourage you to ask our references about their experience. We are a local firm which benefits the District as we have a stake in the same community. Our close proximity means we are readily available to accept meeting requests and will incur no travel costs!

CWA believes that staff continuity year to year is important to maximize our understanding of your operations and minimize the impact of the audit on your staff's workload. Unless the client specifically requests a staffing change, we will ensure that each year the audit will be staffed with returning auditors, to the extent possible. CWA has experienced a low turnover rate which we believe is due in part to our competitive compensation package and the opportunities for advancement afforded by a growing CPA firm.

CWA does not subcontract. All of our staff are either CPAs or CPA candidates. We also have two Certified Fraud Examiners on staff, should the need arise.

**4) PARTNER, SUPERVISORY AND STAFF  
QUALIFICATIONS AND EXPERIENCE**

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#### 4) PARTNER, SUPERVISORY AND STAFF QUALIFICATIONS AND EXPERIENCE

##### SCHOOL DISTRICT AUDIT EXPERIENCE OF PERSONNEL

The firm partners and staff of Christy White Associates bring an extensive background of audit and consulting experience to CWA clients. We have audited local educational agencies throughout California and are familiar with the unique issues relative to school finance, in particular: budgetary constraints, construction accounting, new state program issues, attendance accounting, state funding models and cash flow management. We are familiar with the various organizational structures of local educational agencies, from small and large K-12 districts, community school districts and county offices of education. We are also highly experienced in auditing computerized systems and other uses of technology. The brief biography of the firm owners below is followed by detailed resumes and staff bios.

**President Christy White, CPA** has served hundreds of local educational agencies, over the past 26 years, nineteen years in public accounting auditing over 250 educational agencies and seven years with School Services of California, Inc., a leading public education financial consulting and policy group. She has provided audit and financial consulting services in areas of organizational analysis, budgeting, negotiations and multi-year planning, in addition to developing and conducting six workshop series throughout the State. Ms. White is known as a leading expert in attendance accounting, school district organization, and fiscal analysis. As the founding partner of CWA, Christy provides her clients with creative and practical solutions to problems.

**Audit Partner Michael Ash, CPA** has 14 years of experience auditing governmental agencies, nonprofits and publically traded companies. This experience was garnered from five years as an auditor with Arthur Anderson, several years auditing with local firms, including now CWA, and several years as an internal auditor to an international real estate property management company. In addition to his extensive knowledge of audit, business and financial issues; Michael is the Quality Control Partner in our firm.

**Audit Supervisor Sarah Fiehler** has a bachelor's degree in Business Administration and a minor in Dance from California State University San Marcos. She has over 3 years of professional experience specializing in school district and Not-for-Profit Auditing. She has taken a leading role in the Federal Clearinghouse submissions to the Federal Government for clients who receive an A-133 Audit. A selection of school district audits she has been assigned to include: Alameda Unified School District, Glenn County Office of Education, Santa Monica-Malibu Unified School District, Napa Valley Community College and Pleasanton Unified School District.

## 4) PARTNER, SUPERVISORY AND STAFF QUALIFICATIONS AND EXPERIENCE (CONTINUED)

### SCHOOL DISTRICT AUDIT EXPERIENCE OF PERSONNEL (CONTINUED)

Senior Auditor Kristen Chacon has a Bachelor's degree in Business Administration from Azusa Pacific University, and three years of professional experience including, auditing, banking, and management. She has worked on clients in a variety of industries, including County Offices of Education, multiple School Districts, Charter Schools and non-profit organizations. Examples of past audits she has contributed to include: Pleasanton Unified School District, San Diego Cooperative Charter School, Mendocino County Office of Education, Fighting Back Santa Maria Valley, and the Napa Valley College Foundation.

### PROJECT MANAGERS

Partners Christy White, CPA and Michael Ash, CPA will actively manage the audits assisted by Supervising Auditor Sarah Fiehler and Senior Auditor Kristen Chacon. No subcontractors will be used. Resumes of key staff follow.

### STAFF TRAINING PROGRAMS

CWA's program of staff development includes two full weeks of focused in-house training in the audit of school districts. We also provide opportunities to staff to attend professional training provided by outside providers, such as School Services of California, the California Society of CPAs and CASBO. A sampling of training programs our staff have attended within the last year include:

Sampling of Training Courses Taken by Staff Within the Past Year	Training Provider Organization
<ul style="list-style-type: none"> <li>• Annual Government Finance Officers Conference</li> <li>• Annual CASBO Conference</li> <li>• January, May and Summer Budget Conferences</li> <li>• School District Conference</li> <li>• Fraud Auditing</li> <li>• Charter School Fiscal Management</li> <li>• Attendance and ASB Accounting</li> </ul>	<ul style="list-style-type: none"> <li>• Governmental Finance Officers Association</li> <li>• CASBO</li> <li>• School Services of California, Inc.</li> <li>• California Society of CPAs</li> <li>• Association of Certified Fraud Examiners</li> <li>• Fiscal Crisis Management &amp; Assistance Team (FCMAT)</li> <li>• CASBO</li> </ul>

## 5) SPECIFIC AUDIT APPROACH

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## 5) SPECIFIC AUDIT APPROACH

### SCOPE OF THE AUDITS

The scope of auditing services provided includes the annual financial statements of South Monterey County Joint Union High School District, a Single Audit under OMB Circular A-133, and Compliance with State Audit Requirements for fiscal years ending June 30, 2013 through 2015. The financial audit includes all funds of the district and all federal and state programs. In addition, we will provide assistance with GASB implementation, including GASB 34 conversion entries without extra charge.

### PURPOSE OF THE EXAMINATIONS

The purpose of the examination is to render the following opinions and reports:

- Auditor's Opinion on the Basic Financial Statements
- Auditor's Opinion on the Measure G Bond Financial Statements (separate audit)
- Auditor's Opinion on Internal Controls over Financial Reporting and Compliance
- Auditor's Opinion on State Compliance Requirements
- Auditor's Opinion on Federal Compliance Requirements
- Supplementary Information
- Current Year Findings and Recommendations
- Status Report on Prior-Year's Findings and Recommendations

### MANAGEMENT LETTERS

CWA also believes the purpose of a quality audit is to provide management with feedback on the effectiveness of the internal control structure, comment on observed good fiscal practices and recommend items to enhance the overall effectiveness and efficiency of the organization as a whole. CWA works closely with our client's management at the beginning, during and the end of the audit to ensure all areas are appropriately addressed and findings are communicated early on. We will issue our final management letter after thoroughly discussing each finding with management and incorporating the district's response in the letter. The findings will be compiled in accordance with *Government Auditing Standards* and standards established by the State Controller's Office.

## 5) SPECIFIC AUDIT APPROACH (CONTINUED)

### GENERAL AUDITING APPROACH

CWA believes the key to a good audit is efficiency. This ensures that the audit is thorough without performing unnecessary procedures. By following the professional standards prescribed by *Generally Accepted Auditing Standards (GAAS)* and *Government Auditing Standards*, we are certain that we are meeting our own professional standards for the industry.

In addition, we will conduct the audit to meet procedures required of:

- K-12 Audit Guide, as published by the State Controller's Office
- *Government Auditing Standards*, including *Performance Audit Standards* for the bond audit
- OMB Circular A-133 and the Compliance Supplements
- Other guides as required by the federal and state agencies

The partners and principals of CWA have experienced the audit from both sides of the desk. For example, Christy White worked as the Senior Director of Management Consulting Services at School Services of California and Michael Ash worked as an Internal Auditor for an international real estate development company. It is this unique perspective that provides our partners with the experience to recognize important audit issues. The partners' viewpoint is also tempered with appropriate sensitivity to our clients' particular situations.

Our partners are committed to maintaining an active role in all aspects of the audit. We understand how frustrating it can be to deal with someone that doesn't understand your business, and will take every measure to prevent that from occurring.

Our staff is highly trained to understand your unique business, and they are instructed to consult with the partners on all aspects of the audit. We believe in a consistent approach to the audit, so we try as much as possible to keep an auditing team together. The team includes two partners and a supervisor, as well as senior and junior staff. Your audit team will have a thorough understanding of your school district's individual needs.

## 5) SPECIFIC AUDIT APPROACH (CONTINUED)

### AUDITOR'S RESPONSIBILITY FOR THE DETECTION OF FRAUD

CWA plans audit procedures to ensure that the financial statements and compliance areas are materially free of errors and irregularities (i.e., fraud). In doing this, we consider the audit risk of each significant transaction and group of transactions and design tests to ensure the transactions are free of material errors and irregularities. Our procedures are designed in accordance with SAS 22 (Planning and Supervision), SAS 47 (Audit Risk and Materiality) and SAS 99 (Consideration of Fraud in a Financial Statement Audit).

If fraud is suspected or detected in the preparation of financial statements or the misappropriation of assets, CWA is experienced to bring the matter to the attention of the appropriate level in the organization to ensure it is addressed expediently and that further instances are prevented from occurring as quickly as possible. Each of the firm's partners who will be conducting a majority of the work proposed for South Monterey County Joint Union High School District have dealt with issues related to fraud as discovered by the audit and by clients through other means. In addition, CWA has 2 Certified Fraud Examiners on staff that can provide forensic audit services.

### GASB STATEMENT #34, #45 AND #54 EXPERIENCE

The partners at CWA are thoroughly knowledgeable about GASB 34. CWA has assisted all of our school district audit clients, *without extra charges*, by:

- Providing training on GASB 34 state software
- Providing training on conversion entries and GASB 34 reports
- Consulting on the management of fixed assets and depreciation schedules
- Providing sample Management Discussion and Analysis reports on diskette

We hold the philosophy that there are efficient ways to implement and manage the financial reporting standard and meet the intent of GASB. For example, to help prepare our clients for GASB 45, *Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions*, we have participated in statewide training, conferred with actuaries and developed a concise guide to implementation, the *GASB 45 Decision Guide*, to help our clients make decisions related to:

- Implementation timelines
- Assessing the GASB's impact on the financial status of the district
- Liability funding considerations
- Use of an irrevocable trust or informal set-asides of funds
- Use of self-insurance fund
- How to allocate costs to all programs (resources)
- Conversion entries and other financial reporting requirements

CWA is well versed in GASB #54, *Fund Balance Definitions*, having presented throughout the state to LEA groups on practical implementation considerations. We consult with all of our clients one-on-one and without extra charge to ensure a smooth implementation.



## 5) SPECIFIC AUDIT APPROACH (CONTINUED)

### DOCUMENTATION OF INTERNAL CONTROL STRUCTURES

CWA believes that an effective and efficient system of internal controls is critical to safeguard district assets, ensure transactions are properly approved and recorded, and maintain compliance with federal and state laws and regulations. Our audit approach starts with a thorough examination on the internal control structure over cycles such as:

- Purchasing and accounts payable
- Cash receipting and cash management
- Personnel and payroll
- Inventory and fixed assets
- Attendance and other compliance areas
- Financial reporting

Our examination of internal controls helps us to plan our audit procedures but, more importantly to you, we will communicate both positive control points and points where areas of improvement are needed.

### LEVEL AND NATURE OF SUPPORT REQUIRED

CWA requests sufficient space in close proximity to the accounting department and access to office equipment (e.g. copiers, phones and fax) be provided. We would also ask that the accounting staff be generally available to answer questions and pull sampled documents throughout the course of the audit. However, we are paperless and have a client portal for ease of document transmission.

### TIME REQUIREMENTS

The following is an estimate of the audit work to be conducted each month. The final schedule would be arranged based on the planning meeting that CWA holds with the Chief Business Official.

Month	Proposed Work	Percentage of Work Done
March (prior to P2)	Attendance and ASB site visits and tests	10%
April- June	Tests of Controls, Data Processing Review and Inventory Observation, State Compliance Testing	30%
August	Federal Compliance	10%
Late August/September	Year-end fieldwork, depending on when the books are closed	35%
October/ November 15	Reports drafted, reviewed and finalized	14%
December/January	Board presentation	1%
<i>Total</i>		100%

## 5) SPECIFIC AUDIT APPROACH (CONTINUED)

### CWA'S QUALITY CONTROL SYSTEM

CWA has received the highest level of assurance from our peer reviewer which is "Pass." Our quality control systems include policies and procedures on areas such as, leadership, ethical requirements, acceptable of new clients, personnel management, engagement performance, monitoring and communication. We actively monitor compliance with our quality control document through timely review of workpapers, training on new standards, consultation on complex areas and sound human resources practices.

### CWA'S RECRUITMENT PROGRAM

CWA actively recruits CPA qualified candidates from our local universities. We participate in on campus interviews, invite the best candidates to tour our offices and meet with our partners and staff. Our hiring process includes a requirement to pass an accounting and auditing test in addition to the oral interview process. We also recruit experienced staff through promotion of our firm and invitations to apply for open positions.

### CWA'S BUDGETING PRACTICES AND OVERRUN POLICY

CWA is the second largest firm in California conducting school district audits. Our firm partners and managers have years of school district audit experience. We believe our proposed hours and budget are reasonable and achievable. We do not bill for "extras" or failure on our part to budget properly. The only time a fee change might be made is if the client significantly changes the scope of the engagement, there are new or complex state/federal requirements or the client is unable to reasonably provide agreed upon information in a timely manner. These types of events rarely happen from our experience. Should an amendment on fees be required, we would meet first with the district to discuss the issues and agree upon a new fee based on a mutual understanding and prior to incurring the added costs.

### IDENTIFICATION OF POTENTIAL AUDIT PROBLEMS

CWA is not content to simply identify problem areas that may exist in your organization, but seeks ways to help provide solutions. If at any point during your audit we identify a problem or potential problem, you will be notified and we will discuss a resolution to your problem that not only meets our requirements but is designed to assist you to the smoothest implementation.

PROPOSAL FOR INDEPENDENT AUDIT FOR  
SOUTH MONTREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

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## 5) SPECIFIC AUDIT APPROACH (CONTINUED)

### WORK PLAN FOR DISTRICT AUDIT AND ESTIMATED HOURS

The proposed work plan below shows the anticipated amount of work by major audit activity for the District audit for fiscal years ending June 30, 2013 through 2015. *These hours determine the audit fees we proposed.*

Audit Work Segments	Estimated Hours of Completion	Audit Work Segments	Estimated Hours of Completion
<b>Planning, Supervision/Review</b>		<b>State Compliance Testing</b>	
Planning	5	Attendance	9
Audit Programs	3	All Other Areas	20
Supervision and Quality Control Review	10	<b>Substantive Testing Areas</b>	
Contingencies/Subsequent Events & Related Parties	1	Accounts Payable	8
Fraud Risk Assessment	3	Accounts Receivable	5
Board Minutes	3	Analytical Review Procedures	3
Correspondence (including Confirmations)	2	Other Funds	4
<b>Meeting and Presentations</b>		Cash and Investments	3
Entrance/Exit Conference	2	Revenues	8
Other Meetings	4	Fixed Assets	4
Board Presentation	8	Fund Balance	2
<b>Internal Control Review</b>		Inventory	1
Internal Control Interviews and Documentation	16	Long-Term Debt	12
Risk Assessment	4	Expenditures	4
<b>Data Processing Review</b>		Post-employment Benefits	3
Data Processing Interviews and Documentation	2	Student Body Funds	4
<b>Transaction Testing</b>		Interfund Activity	2
Cash Disbursements	7	<b>Report Preparation and Review</b>	
Payroll	6	Audit Reports Review and Opinions	40
Cash Receipts	6	Management Letters	2
Journal Entries	2	Secretarial	15
<b>Federal Single Audit</b>		<b>Total Time</b>	255
Planning	2		
Testing of Major Programs	20		

*Cont'd next col.*

## 5) SPECIFIC AUDIT APPROACH (CONTINUED)

### INFORMATION TECHNOLOGY AUDITS AND SOFTWARE EXPERIENCE

All of CWA's partners and staff have experience in computerized financial systems. As part of every audit, CWA evaluates the internal controls over key financial cycles and includes computer control procedures. We work with clients on conversion issues and have worked on a variety of systems.

CWA has also consistently recommended "paperless" or near paperless systems with appropriate operating controls (e.g. password protection, edit checks and supervision). As an example, for Stanislaus County Office of Education we helped the county select online purchase order processing software that is linked to the budget, finance and accounts payable systems. In Inglewood Unified School District, we have automated the attendance accounting for 11 of the district's K-6 school sites and for the hourly remedial programs that were manually kept.

Our partners are also experienced using state software, including SACS software. We have consulted with school districts in the use of SACS software for the preparation of GASB 34 conversion entries and reports.

We propose to conduct the audit engagement and submit the audit reports in compliance with the instructions provided by the State Controller's Office.

### CONSULTING SERVICES

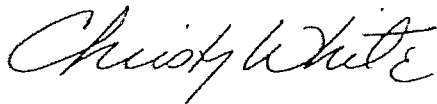
In addition to the auditing services, we have provided in our proposed fee **8 free hours of consulting services annually** which may be utilized for any service that does not impair our auditor independence. For example, we would be happy to provide free of additional charge in-service training on ASB, internal controls or attendance accounting. In addition, we are always available without extra charge to field technical questions. Should the District seek more services beyond those directly related to the audit scope plus the 8 free hours provided, we would negotiate a contract for the added services based on anticipated hours at our standard billing rates shown above.

*CWA does not derive any income as a direct result in our involvement in your audit other than the fees earned directly from the District for audit services.*

## 5) SPECIFIC AUDIT APPROACH (CONTINUED)

It is understood that the District reserves the right to reject this proposal and that this proposal will remain open and not be withdrawn for a period of ninety days after the date scheduled for submission of proposals.

The undersigned agrees to perform the audit services specified at a total cost not to exceed the amounts shown below and including fifteen (15) copies of the Audit Report for the District, and copies of the Audit Report to be filed with the County Office, State Departments and one (1) unbound report for duplication purposes. In addition, CWA prepares without added charge the Federal Clearinghouse Data Request Form at the conclusion of each audit and as required by OMB Circular A-133.



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Christy White, CPA, President  
Christy White Associates

April 10, 2013

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Date

**6) IDENTIFICATION OF ANTICIPATED  
POTENTIAL AUDIT PROBLEMS**

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## 6) IDENTIFICATION OF ANTICIPATED POTENTIAL AUDIT PROBLEMS

CWA believes that the conduct, skills and experience of its professional staff will keep potential audit problems to a minimum. Nonetheless, audit problems may arise from time to time in the area of relations with client staff, space and equipment arrangements at the client site, and coordination in completing the annual financial statements.

We attempt to maintain positive working relations with client staff by providing detailed items requested listings for interim and year-end fieldwork segments, and by conducting our work in an efficient and organized manner while at the client site. This means consolidating our requests for supporting schedules and source documents, and safekeeping any original documents in order to return them intact. We utilize computing technology such as ProSystem Engagement to set up our trial balances and leadsheets, and we use scanners to import source documents into our audit file. This computing approach serves to make the audit process more efficient and effective, and we have found this also has a positive impact on client relations.

Our usage of computing technology also minimizes the disruption at the client site for our staff to make use of telephones and fax machines. Provided with a workspace, our audit staff has wireless Internet connections (access to the Internet may be requested, but is not necessary), laptop computers, scanners, printers, and other remote computing devices to minimize the disruption to client resources.

As the annual financial statements near finalization, coordination between the auditor and client is important in order to ensure that all required elements are properly completed. From the issuance of independent auditors' reports, including management letters, to coordination on proper footnote disclosures, coordination between applicable client staff and the auditor is valuable. We have found that the key to avoiding problems as the audit process nears completion is open communication and dialogue in order to keep the process moving along as efficiently as possible, and identifying and responding to potential roadblocks that may arise, whether they are of a technical or an administrative nature. Our experience in working with clients that prepare their own annual financial statements as well as those that engage our assistance in developing the financial statement schedules is that open communication and positive dialogue is key to making the audit finalization process as smooth as possible.

## CWA'S REFERENCES

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## CWA'S REFERENCES

### RECENT ENGAGEMENTS: EXPERIENCE OF CWA STAFF

The listing below illustrates the depth and breadth of CWA's experience as it relates to the proposed audit of the District. Following on the next few pages are more detailed descriptions of governmental audits, who among our propose audit team is involved and the client contact for a reference.

#### *San Diego Unified School District (SDUSD)*

CWA has provided since 2007-08 all independent audit services to SDUSD, the 2<sup>nd</sup> largest school district in the State. The District recently renewed, after competitive bid, CWA's contract for a 5 year period through 2015-16. The District has a budget of over \$1.3 billion revenues annually. The District has an active Audit Committee and we meet with them several times a year to review the audit scope, progress and results.

In addition to the District's financial and A-133 compliance audit, CWA conducts the annual financial and performance audit over Proposition S Proposition 39 bond funds. The District has an authorization of \$2.1 billion and is issuing and expending hundreds of millions annually. The performance audit has expanded scope requirements and we meet regularly, under the District's directive, with their active Citizens' Oversight Committee.

CWA has delivered all audits on time and well ahead of past performance by the prior CPA firm, according to the Audit and Finance Committee.

Below is contact information for SDUSD, and we encourage you to contact them for a reference.

Name of Entity: **San Diego Unified School District**  
Contact Person: Jenny Salkeld, Chief Accountant  
Lee Dulgeroff, Executive Director Proposition S Program  
Address: 4100 Normal Street  
San Diego, CA 92103-2682  
Phone No.: 619-725-7667  
Fax No.: 619-725-5510  
Email: [jsalkeld@sandi.net](mailto:jsalkeld@sandi.net)  
[ldulgeroff@sandi.net](mailto:ldulgeroff@sandi.net)  
Number of Years Using CWA's Services: 5

*\*\*\* CWA provided all audit services to San Diego USD for the past 4 years. The District recently renewed a five year contract with CWA after a competitive bid.*

## CWA'S REFERENCES (CONTINUED)

### RECENT ENGAGEMENTS: EXPERIENCE OF CWA STAFF (CONTINUED)

#### Garden Grove Unified District (GGUSD)

CWA has been the independent auditor for GGUSD for the past eleven years. The audit services scope for GGUSD includes these audits:

- District financial and compliance audit, in accordance with OMB Circular A-133 and the K-12 Audit Guide
- Proposition 39 financial and performance audit
- School readiness grant audits

GGUSD has approximately 60,000 pupils. Major federal programs tested have included; for example: National School Lunch, Title I, Title II, Title III and Special Education.

CWA has delivered all audits on time, and we encourage you to contact Nancy Mefford for a reference.

Name of Entity:	<b>Garden Grove Unified School District</b>
Contact Person:	Ms. Nancy Mefford, Director Fiscal Services
Address:	10331 Standord Ave. Garden Grove, CA 92840
Phone No.:	714-663-6133
Fax No.:	714-663-6250
Email:	<u><a href="mailto:nmefford@ggusd.net">nmefford@ggusd.net</a></u>
Number of Years Using CWA's Services:	10
Total Staff Hours:	850

## CWA'S REFERENCES (CONTINUED)

### RECENT ENGAGEMENTS: EXPERIENCE OF CWA STAFF (CONTINUED)

#### Contra Costa County Office of Education (CCCOE)

CWA has been the independent auditor for CCCOE for the past six years. The audit services scope for CCUSD includes the County's financial audit and compliance audits, in accordance with OMB Circular A-133 and the K-12 Audit Guide.

CCCOE provides services to the county's 252 schools or 18 school districts. Major federal programs tested have included Special Education, National School Lunch, Adult Education, Title I, and Title X.

CWA has delivered all audits on time and we encourage you to contact Bill Clark for a reference.

Name of Entity:           **Contra Costa County Office of Education**  
Contact Person:         Bill Clark, Associate Superintendent  
Address:                   77 Santa Barbara Road  
                                  Pleasant Hill, CA 94523  
Phone No.:                925-942-3418  
Fax No.:                   925-945-1458  
Email:                     **[bclark@cccoe.k12.ca.us](mailto:bclark@cccoe.k12.ca.us)**  
Number of Years Using CWA's Services:       6

## CWA'S REFERENCES (CONTINUED)

CWA references are provided in the preceding pages for the significant engagements. In addition, below are more client references. We encourage you to contact any of our clients for a reference!

### A Sampling of Recent Governmental Audits Completed By CWA

CWA Local Government Agency Audit Clients	Fiscal Years Audited	Primary Contact	Telephone
County of San Diego Investment Pool	2008-09, 2009-10, 2010-11, 2011-12	Ms. Rebecca Shobe	(619) 531-5687
Encinitas School District	2002-03, 2003-04, 2004-05, 2005-06, 2006-07, 2007-08, 2008-09, 2009-10, 2010-11, 2011-12	Mr. John Britt	(760) 944-4300
Escondido Union High School District	2007-08, 2008-09, 2009-10, 2010-11, 2011-12, 2011-12	Ms. Nadine Kravietz	(760) 291-3214
John Swett Unified School District	2006-07, 2007-08, 2008-09, 2009-10, 2010-11, 2011-12, 2011-12	Mr. Mike McLaughlin	(510) 245-4300
Knighten School District	2008-09, 2009-10, 2010-11, 2011-12	Ms. Teresa Sidrian	(925) 625-0073
La Mesa-Spring Valley School District	2002-03, 2003-04, 2004-05, 2005-06, 2006-07, 2007-08, 2008-09, 2009-10, 2010-11, 2011-12	Ms. Robyn Adams	(619) 668-5700
Magnolia School District	2003-04, 2004-05, 2005-06, 2006-07, 2007-08, 2008-09, 2009-10, 2010-11, 2011-12	Mr. Kevin Smith	(714) 761-2771
Oceanside Unified School District	2004-05, 2005-06, 2006-07, 2007-08, 2008-09, 2009-10, 2010-11, 2011-12	Ms. Karen Huddleston	(760) 757-2560
Santa Maria JUHSD	2008-09, 2009-10, 2010-11, 2011-12	Ms. Brenda Hoff	(805) 922-4573
South San Francisco Unified	2004-05, 2005-06, 2006-07, 2007-08, 2008-09, 2009-10, 2010-11, 2011-12	Ms. Christine Gong	(650) 877-8707
WestED (a JPA)	2010-11, 2011-12	Ms. Nancy Riddle	(415) 565-3000

## FEE INFORMATION

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PROPOSAL FOR INDEPENDENT AUDIT FOR  
SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

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## FEE INFORMATION

### FEE STRUCTURE FOR SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

We propose to conduct the audit engagement and submit the audit reports in compliance with the instructions provided by the State Controller's Office. Following is a list of personnel by classification who will be assigned to the audits, indicating the estimated number of hours and rate per hour for the audits. The rates below include charges for all the audits in the RFP. The hourly billing rates indicated in the schedules below also apply to additional services not included in the original scope of work.

Annual Independent Audit Proposed Fees						
<u>Classification</u>	2012-13		Multi-Year Discounted Fee			
	Billing	Estimated				
	Rates	Hours	2012-13	2013-14	2014-15	
Partner	\$ 185	20	\$ 3,700	\$ 3,900	\$ 4,100	
Manager	145	40	5,800	6,100	6,400	
Supervisor	125	80	10,000	10,500	11,000	
Staff	95	100	9,500	10,000	10,500	
Clerical Assistant	45	15	675	700	700	
Totals Professional Fees		255	29,675	31,200	32,700	
Plus: Actual and Reasonable Travel Costs			4,500	4,600	4,700	
<b>Totals Professional Fees - Multi-year Fee*</b>			<b>\$ 34,175</b>	<b>\$ 35,800</b>	<b>\$ 37,400</b>	

\* Includes all expenses associated with the audit.

*At CWA, we do not bill for extra services related to the scope of the audit or added costs (such as printing). Our fees are all-inclusive and will not change unless there are significant changes in the scope of the audits proposed, as imposed by state or federal agencies.*

## APPENDIX

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## ADDITIONAL INFORMATION

\* RESUMES OF KEY AUDIT PERSONNEL

\* QUALITY CONTROL REPORT OPINION

\* INSURANCE REQUIREMENTS

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## RESUMES OF KEY AUDIT PERSONNEL

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**CHRISTY WHITE, CPA**

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**Audit and Review Services**

Ms. White has twenty years of audit experience (in addition to 7 years consulting with LEAs) starting in 1986 with Coopers & Lybrand, an international CPA firm, progressing to Audit Manager at Matson & Isom, a regional Northern California firm and now as CWA's audit partner in San Diego. Ms. White has worked on over 250 school agency audits plus many governmental audits of cities, special districts, and the Public Employment Retirement Service (PERS). The types of audits include:

- Financial statement audits
- Compliance and A-133 audits
- Special audits, including attendance
- Internal control and data processing reviews
- Fraud audits

**Management Consulting Services**

Leading the consulting department at School Services of California, Inc. for seven years, Ms. White worked with K-12 agencies in areas of:

- Budget development and planning
- Enrollment projections
- Efficiency/ organizational studies
- Interim business support services
- Unification feasibility studies
- Multi-Year financial projections
- Fiscal support for negotiations
- Salary, benefit and FTE surveys
- Auditing and control analyses
- AB 1200 fiscal reviews

**Workshops and Conferences**

Ms. White authored and conducted 6 workshops statewide for School Services of California:

- Attendance accounting
- School district organization
- Fiscal training for site administrators
- State audits
- Budget development
- Categorical program management

Currently, Ms. White presents annually *Governmental Accounting* for CASBO, *ASB Accounting* for the Clovis County Office of Education and *Boot Camp Training (School District Conference)* for the California Society of CPAs. Ms. White was the recipient of the *2006 Award for Outstanding Conference Volunteer* presented by the California Society of CPAs Educational Foundation.

The State's Fiscal Crisis and Management Assistance Team (FCMAT) sponsored many of these workshops. Ms. White also provides in-service training to her LEA clients as an additional service.

**Continuing Education and Professional Associations**

In addition to providing continuing education to other CPAs in the area of governmental audit and accounting, Ms. White annually attends (as a member) school finance conferences, programs conducted by the California Society of CPAs and conferences of the California Association of School Business Officials (CASBO). CWA also conducts several days of school district audit in-service to our staff.

**Education**

Ms. White is a graduate of California State University, Chico. She earned her Bachelor's Degree in Business Administration with a concentration in Accounting in 1985 and became a CPA in 1988.

PROPOSAL FOR INDEPENDENT AUDIT FOR  
SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

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**MICHAEL D. ASH, CPA**

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**EDUCATION**

University of New Mexico, Albuquerque, NM, Bachelor of Business Administration with a concentration in Accounting, May 1998, Graduated *magna cum laude*

**EXPERIENCE**

Prior to joining CWA in 2009, Michael had 13 years of public and private accounting experience, including:

**Hines Interests Limited Partnership, Houston, TX** – a privately-owned, international real estate firm.

- Approved and executed audit programs for property management and parking audit engagements
- Performed testing of controls and reviewed work papers for Sarbanes-Oxley audit engagements
- Assisted in construction audit engagements
- Conducted audit planning, scheduling, staffing assignments, budgeting, and reporting
- Developed audit staff through appropriate work assignments, training, and performance feedback
- Generated reports out of Oracle-based accounting system
- Investigated allegations of fraudulent activities at the company

**Meyners + Company, LLC, Albuquerque, NM** – a local accounting firm with over seventy professionals that is an independent member of the BDO Seidman Alliance.

- Supervised and directed staff accountants on audit engagements
- Prepared and tracked audit engagement budgets
- Drafted company financial statements and related disclosures
- Identified client-specific accounting issues for manufacturing, healthcare and nonprofit clients
- Provided client management with suggestions for improving internal controls

**Arthur Andersen, Albuquerque, NM**

- Supervised and directed staff accountants on audit engagements
- Drafted company financial statements and related disclosures for healthcare, manufacturing and financial organizations
- Assisted in auditing engagement areas for publicly-traded companies
- Identified risks and developed specific programs to conduct audits in accordance with standards
- Acted as liaison between clients and firm management

**SARAH FIEHLER**

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**Audit and Review Services**

Ms. Fiehler has over three years of audit experience starting as a staff accountant in the fall of 2009 with Nigro Nigro & White, PC CPA firm and is now a Supervisor for CWA in Alameda. Her experience from working on a wide variety of school agency audits has provided her a strong understanding of local educational agencies in the areas of accounts payable, cash, categorical programs, attendance accounting, associated student body accounting, payroll and others. She is knowledgeable in California Education Code and California School Accounting Manual. Ms. Fiehler has been engaged on several types of audits including:

- Financial statement audits
- Compliance audits
- Special audits, including attendance
- Internal control reviews

Ms. Fiehler has worked on clients in a variety of industries, including County Offices of Education, multiple School Districts, Charter Schools and non-profit organizations.

In addition to her experience on audit engagements, Ms. Fiehler also has a leading role in the Federal Clearinghouse submissions to the Federal Government for all CWA clients who receive an A-133 audit.

**Continuing Education and Associations**

Ms. Fiehler attends governmental and not-for-profit accounting and auditing conferences. She is a participant in CWA's in-house training sessions for audit staff members.

**Education**

Ms. Fiehler is a graduate of California State University San Marcos in May 2009. At California State University San Marcos, she earned a Bachelor of Science Degree in Business Administration as well as a minor in Dance.

## RESUMES OF KEY AUDIT PERSONNEL (CONTINUED)

CWA staff work almost exclusively on K-12 audits and are trained one-on-one by our firm partners. As a result, our staff have quickly developed in their specialization. In addition to our partners and supervisor assigned, the team of experienced assisting auditors include:

Auditors Assigned	Educational Background	Sample LEA Experience
Kristen Chacon, Senior	<ul style="list-style-type: none"> <li>• Azusa Pacific University</li> </ul>	<ul style="list-style-type: none"> <li>• Pleasanton Unified, Pittsburg Unified, Alameda Unified, John Swett Unified, South San Francisco Unified</li> </ul>
John Coulter, Senior	<ul style="list-style-type: none"> <li>• San Diego State University</li> </ul>	<ul style="list-style-type: none"> <li>• Culver City, Santa Maria JUHSD, Santa Barbara City Schools, Compton USD, Grossmont-Cuyamaca CCD</li> </ul>
Brian Badillo, Supervisor	<ul style="list-style-type: none"> <li>• California State University, San Marcos</li> </ul>	<ul style="list-style-type: none"> <li>• Sweetwater UHSD, Oceanside, Compton, South San Francisco, Oak Park Unified, San Diego USD</li> </ul>

## QUALITY CONTROL REPORT OPINION

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**POWELL & SPAFFORD, LLP**  
CERTIFIED PUBLIC ACCOUNTANTS

Jessie C. Powell, CPA  
Patrick D. Spafford, CPA

Licensed by the California Board of Accountancy  
Member: American Institute of Certified Public Accountants

### System Review Report

To the Shareholder  
Christy White, a Professional Accountancy Corporation  
and the Peer Review Committee of the California Society of CPAs.

We have reviewed the system of quality control for the accounting and auditing practice of Christy White, a Professional Accountancy Corporation (the firm) in effect for the year ended December 31, 2010. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants. The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review. The nature, objectives, scope, limitations of, and the procedures performed in a System Review are described in the standards at [www.aicpa.org/prsummary](http://www.aicpa.org/prsummary).

As required by the standards, engagements selected for review included engagements performed under *Government Auditing Standards*.

In our opinion, the system of quality control for the accounting and auditing practice of Christy White, a Professional Accountancy Corporation in effect for the year ended December 31, 2010, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency (ies)* or *fail*. Christy White, a Professional Accountancy Corporation has received a peer review rating of *pass*.

*Powell & Spafford, LLP*

March 22, 2011

## INSURANCE REQUIREMENTS

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DECLARATIONS

ACCOUNTANTS PROFESSIONAL LIABILITY INSURANCE POLICY

Policy Number: CAL108463-02

Effective Date: 08/01/2012 at 12:01 A.M. Standard time at the address shown below
Expiration Date: 08/01/2013 at 12:01 A.M. Standard time at the address shown below
Retroactive Date: 08/01/2010

Item 1 - Named Insured: Christy White Accountancy Corporation
Item 2 - Business Address: 2727 Camino Del Rio S. #219
San Diego, CA 92108

Item 3 - Limits of Liability: \$1,000,000 Per Claim
\$2,000,000 Policy Aggregate

Item 4 - Deductibles: \$10,000 Per Claim Deductible

Item 5 - Total Premium: \$14,701

Item 6 - The policy consists of this Declarations page, and the following policy forms and endorsements:

- PL-1000-A Accountants Professional Liability Insurance Policy
PL-2001-A (CA) State Endorsement - California
PL-1026-A Limited Coverage for Known Claims
PL-1007-A Exclusion - Claims Following Insureds Suit for Fees
PL-1034-A Excluded Entities

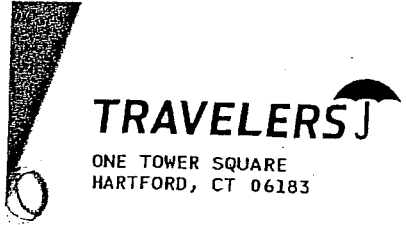
NOTICE OF TERRORISM INSURANCE COVERAGE: Coverage for acts of terrorism as defined under the Terrorism Risk Insurance Act of 2002 ("TRIA") is already included in your current policy. You should know that, effective November 26, 2002, under your existing coverage, any losses caused by certified acts of terrorism would be partially reimbursed by the United States under a formula established by federal law. Under this formula, the United States pays 90% of covered terrorism losses exceeding the statutorily established deductible paid by CAMICO Mutual Insurance Company. The portion of your annual premium that is attributable to coverage for acts of terrorism is: \$0.

PLEASE READ THESE DECLARATIONS, THE POLICY AND ENDORSEMENTS CAREFULLY.

CAMICO Mutual Insurance Company

[Handwritten signature]

Authorized Representative



WORKERS COMPENSATION AND EMPLOYERS LIABILITY POLICY

TYPE V INFORMATION PAGE WC 00 00 01 ( A)

POLICY NUMBER: (IJUB-4493R18-5-11) RENEWAL OF (IJUB-4493R18-5-10)

INSURER: TRAVELERS PROPERTY CASUALTY COMPANY OF AMERICA

1. NCCI CO CODE: 13579

INSURED: CHRISTY WHITE ACCOUNTANCY 2727 CAMINO DEL RIO S, STE 219 SAN DIEGO CA 92108 PRODUCER: PAYCHEX INS AGENCY INC 150 SAWGRASS DR ROCHESTER NY 14620

Insured is A CORPORATION

Other work places and identification numbers are shown in the schedule(s) attached.

2. The policy period is from 08-15-11 to 08-15-12 12:01 A.M. at the insured's mailing address.

3. A. WORKERS COMPENSATION INSURANCE: Part One of the policy applies to the Workers Compensation Law of the state(s) listed here: CA

B. EMPLOYERS LIABILITY INSURANCE: Part Two of the policy applies to work in each state listed in item 3.A. The limits of our liability under Part Two are:

Table with 3 columns: Injury Type, Amount, and Limit/Employee. Rows include Bodily Injury by Accident, Disease, and Other States Insurance.

C. OTHER STATES INSURANCE: Part Three of the policy applies to the states, if any, listed here:

- List of state abbreviations: AL AR AZ CO CT DC DE FL GA HI IA ID IL IN KS KY LA MA MD ME MI MN MO MS MT NC NE NH NJ NM NV NY OK OR PA RI SC SD TN TX UT VA VT WI WV

D. This policy includes these endorsements and schedules: SEE LISTING OF ENDORSEMENTS - EXTENSION OF INFO PAGE

4. The premium for this policy will be determined by our Manuals of Rules, Classifications, Rates and Rating Plans. All required information is subject to verification and change by audit to be made ANNUALLY.

DATE OF ISSUE: 07-01-11 MK

OFFICE: PAYROLL 70A

PRODUCER: PAYCHEX INS AGENCY INC

SV996

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

**SUBJECT:** Williams 3<sup>rd</sup> Quarter Report

**MEETING:** May 15, 2013

**AGENDA SECTION:**

**ACTION**

**INFORMATION**

**ACTION/CONSENT**

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Board Goals:

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

Summary:

Attached is the Williams 3<sup>rd</sup> Quarterly Report on items completed for fiscal year 2012-2013.

Recommendation:

This is an information item only.


Fiscal Impact:

None at this time.

Submitted By:

John Sims  
Director of MOTF

Approved:

  
Daniel R. Moirao Ed.D.  
State Administrator



# Monterey County Office of Education

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

Dr. Nancy Kotowski  
County Superintendent of Schools

April 18, 2013

Dr. Daniel Moirao  
Superintendent  
South Monterey County Joint UHSD  
800 Broadway Street  
King City, CA 93930

Dear Dr. Moirao:

California *Education Code* Section 1240 requires that the County Superintendent of Schools visit schools identified for compliance review in accordance with the *Williams and Valenzuela* Settlements and report to you the results. I am pleased to provide, for submission to your governing board at a regularly scheduled meeting, the **third** quarterly report for fiscal year 2012-2013 as required by *Education Code* section 1240(c)(2)(G) pursuant to the *Williams and Valenzuela* Settlements. This report presents the results of the review of the **South Monterey County Joint USD** for the period of **January through March, 2013**.

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

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

The law further requires that the County Superintendent:

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

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

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

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

Definitions of basic terms are as follows:

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

Findings are as follows:

- Instructional Materials – *Sufficient.*
- Facilities-- *See Attached Report.*
- School Accountability Report Card – *See Attached Report.*
- Teacher Misassignments and Teacher Vacancies – *Sufficient.*
- Uniform Complaint Procedure – *No complaints were received during this quarter.*
- *Valenzuela/CAHSEE Intensive Instruction and Services Program – Sufficient.*

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

Sincerely,

A handwritten signature in cursive script that reads "Nancy Kotowski".

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



**WILLIAMS SETTLEMENT LEGISLATION**

**THIRD QUARTERLY REPORT FOR SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**  
**APRIL 2013**

This report summarizes the results of the Williams Site Visits and documentation reviews at deciles 1, 2, and 3 schools (2009 Base API) for the months of August - September 2012.

**SCHOOL FACILITIES:**

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

Greenfield HS	8/14/12	Lab/Office	Water stains on ceiling tiles in hallway.	Interior Surfaces	Ceiling tile replaced	11-5-12
		Girls RR	Handicap door is missing.	Sinks/Fountains		
		Student Union	Water stains ceiling tile outside entry, door stop is broken, interior door on west side entrance is damaged/missing.	Interior surfaces, Windows/Doors/Gates/Fences	Ceiling tile replaced	11-5-12
		Custodian Storage	Water damage on wall under faucet.	Sinks/Fountains	Wall repaired	2-22-13
		Office Kitchen	Water stains ceiling tiles.	Interior surfaces	Ceiling tile replaced	3-27-13
		Library	Some lights on main floor do not work, Paint peeling on down spouts and gutters.	Electrical, Hazardous Materials	Lights replaced/repaired	1-3-13
		Media Center	Water stains ceiling tiles.	Interior surfaces	Ceiling tile replaced	3-27-13
		Admin Building	Paint peeling on down spouts/gutters/leaves.	Hazardous Materials.		
		Rm 101	Carpet tears and waves/trip hazard.	Interior surfaces		
		Rm 106	Water stains ceiling tiles, Carpet tears and waves (trip hazard).	Interior Surfaces		
		Biology Work Room	Water stains ceiling tiles.	Interior surfaces		
		Rm 202	Carpet has waves (trip hazard).	Interior surfaces	Ceiling tile replaced	3-27-13
		Rm 205	Carpet has tears and waves (trip hazard).	Interior Surfaces		

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

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



**WILLIAMS SETTLEMENT LEGISLATION**  
**THIRD QUARTERLY REPORT FOR SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**  
**APRIL 2013**

This report summarizes the results of the Williams Site Visits and documentation reviews at deciles 1, 2, and 3 schools (2009 Base API) for the months of August - September 2012.

**SCHOOL FACILITIES:**

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

Greenfield HS (CONT)	8/14/12	Rm 203	Carpet has tears and waves (trip hazard).	Interior Surfaces		
		Rm 204	Carpet has tears and waves (trip hazard).	Interior Surfaces		
		P-Rm 603	Carpet has tears and waves (trip hazard). Rust under exterior eaves/deteriorating/holes.	Interior Surfaces, Hazardous Materials		
		P-Rm 605	Carpet has tears and waves (trip hazard).	Interior Surfaces		
		P-Rm 609	Carpet has tears and waves (trip hazard).	Interior Surfaces		
		Men's Locker Room	Missing bubbler on exterior drinking fountains, leaking at base on wall.	Sinks/fountains	Bubblers replaced fountain repaired	10-6-12
		Women's Locker Room	Missing exterior fountain, last faucet does not work.	Sinks/Fountains		
		Rm 405 Visual Arts	Water stains ceiling tiles outside hallway.	Interior surfaces	Ceiling tile replaced	11-5-12
		Auto Shop	Electrical room needs better ventilation.	MECH/HVAC		
		Outdoor courts	Basketball courts: missing cover tile @ Volleyball pole location.	Playground/school grounds		
		Play Fields	Softball and Baseball fields: damaged boards on bleachers.	Playgrounds/School Grounds	Boards replaced	2-27-13
King City HS	8/15/12	Rm 181	Hole in window.	Windows/doors/gates/fences		

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

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

# WILLIAMS SETTLEMENT LEGISLATION

## THIRD QUARTERLY REPORT FOR SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT APRIL 2013

This report summarizes the results of the Williams Site Visits and documentation reviews at deciles 1, 2, and 3 schools (2009 Base API) for the months of August - September 2012.

### SCHOOL FACILITIES:

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

School	Facility	Room	Date	Description of Problem	Structural damage	Other	Completion Date
King City HS (CONT)		Rm 184	8/15/12	Dry rot on exterior beams.	Structural damage		
		Rm 193/SHOP		Dry rot header and walls. Note: Guards missing on grinders.	Structural Damage		
		Rm 191		Termites in baseboard.	Pest/Vermin infestation		
		Cafeteria		Drinking fountain is leaking at west entry.	Interior Surfaces, Playgrounds/School Grounds	Repaired	10-6-12
		Gymnasium		Water stains ceiling tiles/ceiling tiles missing and loose.	Interior surfaces	Ceiling tiles replaced	8-27-12
		Girls RR		Exhaust fan not working.	MECH/HVAC	Repaired	8-27-12
		Boys PE		Paint chipping on ceiling.	Hazardous Materials		
		Lockers		Bent, broken, metal protruding (injury hazard).	Interior Surfaces	Lockers to be replaced during summer	4-2-13
		Rm 103		Water stains ceiling tiles around electrical cover.	Interior Surfaces	Ceiling tiles replaced	1-10-13
		Rm 111		Extension cord running from back office area to room.	Electrical	Extension cord removed again	8-29-12
		Rm 112		Heating unit is very loud (distractive to students and teacher).	MECH/HVAC	Unit repaired	11-3-12
		Rm 122		Damaged room divider.	Structural Damage		
		Rm 150		Inadequate lighting - one light panel is out.	Electrical	Replaced lamps	1-10-13
		Boys RR		Damaged sinks.	Sinks/Fountains	Sink replaced	9-17-12

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

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

**WILLIAMS SETTLEMENT LEGISLATION**  
**THIRD QUARTERLY REPORT FOR SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT**  
**APRIL 2013**

This report summarizes the results of the Williams Site Visits and documentation reviews at deciles 1, 2, and 3 schools (2009 Base API) for the months of August - September 2012.

**SCHOOL FACILITIES:**

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

School	Review Date	Room	Condition	Comments	Priority	Completion	Cost
King City HS (CONT)	8/15/12	Rm 173	Floor worn by door entry, Water stains in light panel.	Interior surfaces			
		Women's RR	Two faucets are damaged.	Sinks/Fountains			

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

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

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

**SUBJECT:** Monthly Cash Flow Report

**MEETING:** May 15, 2013

**AGENDA SECTION:**

ACTION

INFORMATION

ACTION/CONSENT

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Board Goals:

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

Summary:

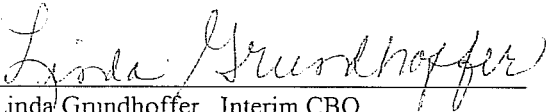
The attached Cash Flow as of the end of April, 2013 indicates a positive cash balance on June 30 of \$142,042.92. This cash flow projection includes the cash payment from the State for Prop 30 revenues for 2012-13 of approximately \$2,286,378. This payment is to be made on June 27, 2013.

Recommendation:

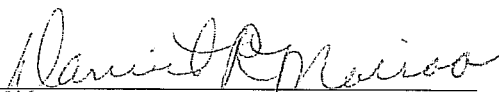
Information only.

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
<b>ACTUALS THROUGH THE MONTH OF</b> (Enter Month Name)									
<b>A. BEGINNING CASH</b>									
<b>B. RECEIPTS</b>									
8010-8019 Revenue Limit Sources		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)
8020-8079 Principal Apportionment		(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
8080-8099 Property Taxes		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
8100-8299 Miscellaneous Funds		0.00	0.00	0.00	0.00	0.00	0.00	2,183.27	2,137.65
8300-8599 Federal Revenue		(37,354.00)	1,371.00	96,574.00	51,333.63	(5,897.35)	169,585.42	187,441.10	(14,025.54)
8600-8799 Other State Revenue		4,538.67	18,600.00	326,180.00	527,487.00	293,341.61	134,269.30	251,848.95	173,920.48
8910-8929 Other Local Revenue			14,430.83	40,944.33	151,826.31	241,520.79	98,521.02	133,944.39	86,916.15
8930-8979 Interfund Transfers In			0.00						
All Other Financing Sources									
<b>TOTAL RECEIPTS</b>		(118,588.45)	(99,149.63)	1,681,223.63	2,060,270.33	1,033,602.90	2,760,114.13	849,008.54	660,309.77
<b>C. DISBURSEMENTS</b>									
1000-1999 Certificated Salaries		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
2000-2999 Classified Salaries		114,495.82	188,470.73	178,870.49	174,183.50	176,914.81	211,567.28	173,608.91	165,194.62
3000-3999 Employee Benefits		95,444.77	363,904.23	352,041.26	347,457.43	248,432.88	72,519.58	414,401.25	231,478.80
4000-4999 Books and Supplies		126,377.35	257,229.40	149,210.56	464,981.19	232,691.15	123,711.83	257,425.30	194,451.51
5000-5999 Services									
6000-6599 Capital Outlay									
6000-6599 Other Outgo			38,148.73		905,299.44	(75,229.48)	25,842.69	100,032.24	29,769.16
7000-7499 Ir and Transfers Out									
7600-7629 All Other Financing Uses					0.00				0.00
7630-7699 All Other Financing Uses									
<b>TOTAL DISBURSEMENTS</b>		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
<b>D. E. NET INCREASE SHEET TRANSACTIONS</b>									
<b>Assets</b>									
9111-9199 Cash Not In Treasury	0.00								
9200-9299 Accounts Receivable	2,098,726.90								
9310 Due From Other Funds	38,410.63		582,451.00	999,220.69	102,077.68	(516,807.44)	(74,123.45)	0.00	(76,777.00)
9320 Stores						0.00	38,410.63		
9330 Prepaid Expenditures									
9340 Other Current Assets									
<b>SUBTOTAL ASSETS</b>	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)
<b>Liabilities</b>									
9500-9599 Accounts Payable	442,323.16		225,093.48	676,038.65	(204,757.34)	18,682.01	(180,319.22)	0.00	(366.96)
9610 Due To Other Funds	21,699.72					0.00	21,699.72		
9640 Current Loans									
9650 Deferred Revenues									
<b>SUBTOTAL LIABILITIES</b>	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)
9910 Nonoperating									
Suspense Clearing									
<b>TOTAL BALANCE SHEET TRANSACTIONS</b>	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)
<b>E. NET INCREASE/DECREASE (B - C + D)</b>									
<b>F. ENDING CASH (A + E)</b>									
		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)
		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)
<b>G. ENDING CASH, PLUS CASH ACCRUALS AND ADJUSTMENTS</b>									

ACTUALS THROUGH THE MONTH OF (Enter Month Name)	March	April	May	June	Accruals	Adjustments	TOTAL	BUDGET
<b>A. BEGINNING CASH</b>	(846,947.09)	(1,368,980.32)	(580,646.19)	(1,504,488.35)				
<b>B. RECEIPTS</b>								
Revenue Limit Sources								
Principal Apportionment	143,748.00	73,540.00		2,286,378.00	986,471.73		6,706,608.68	
Property Taxes	86,809.39	1,702,259.07	6.73	(3.97)			4,428,280.48	
Miscellaneous Funds	2,142.86	2,151.06	0.00	0.00			8,614.84	
Federal Revenue	169,208.99	9,221.00	288,444.88	134,042.18	439,284.69		1,469,230.00	
Other State Revenue	243,040.64	235,577.79	81,160.76	127,665.46	142,913.04		2,556,015.03	
Other Local Revenue	62,663.12	20,409.61	0.00	0.00			855,715.22	
Interfund Transfers In	2,680.92			(41,142.92)			0.00	
All Other Financing Sources	710,293.92	2,043,158.53	369,612.37	2,506,938.75	1,566,669.46	0.00	16,024,464.25	0.00
<b>TOTAL RECEIPTS</b>								
<b>C. DISBURSEMENTS</b>								
Certificated Salaries	698,536.61	703,443.04	481,784.94	101,359.18	0.00		6,902,149.00	
Classified Salaries	185,347.72	171,734.49	190,111.64	152,014.96	79,938.03		2,162,453.00	
Employee Benefits	216,073.44	245,111.18	261,751.68	145,145.50	30,000.00		3,023,762.00	
Books and Supplies	106,542.76	95,960.85	337,501.96	305,725.53	1,600,896.61		4,252,706.00	
Services					0.00			
Capital Outlay					0.00			
Other Outgo	389,279.78	29,364.10	22,304.31	22,301.31	166,556.72		1,653,669.00	
Interfund Transfers Out				133,861.00			133,861.00	
All Other Financing Uses							0.00	
<b>TOTAL DISBURSEMENTS</b>								
<b>D. BALANCE SHEET TRANSACTIONS</b>	1,595,780.31	1,245,613.66	1,293,454.53	860,407.48	1,877,391.36	0.00	18,128,600.00	0.00
<b>Assets</b>								
Cash Not In Treasury								
Accounts Receivable	9,159.00	(9,306.00)					0.00	
Due From Other Funds	0.00		0.00	0.00			2,025,302.90	
Stores							38,410.63	
Prepaid Expenditures							0.00	
Other Current Assets							0.00	
<b>SUBTOTAL ASSETS</b>	9,159.00	(9,306.00)	0.00	0.00	0.00	0.00	2,063,713.53	
<b>Liabilities</b>								
Accounts Payable	(354,294.16)	(95.26)					498,162.58	
Due To Other Funds							21,699.72	
Current Loans							0.00	
Deferred Revenues							0.00	
<b>SUBTOTAL LIABILITIES</b>	(354,294.16)	(95.26)	0.00	0.00	0.00	0.00	519,862.30	
Nonoperating								
Suspense Clearing	0.00						(822.26)	
<b>TOTAL BALANCE SHEET TRANSACTIONS</b>	363,453.16	(9,210.74)	0.00	0.00	0.00	0.00	1,543,028.97	
<b>E. NET INCREASE/DECREASE</b>								
<b>F. ENDING CASH (A + E)</b>	(522,033.23)	788,334.13	(923,842.16)	1,646,531.27	(308,721.90)	0.00	(561,106.78)	0.00
<b>G. ENDING CASH, PLUS CASH ACCRUALS AND ADJUSTMENTS</b>	(1,368,980.32)	(580,646.19)	(1,504,488.35)	142,042.92			(166,678.98)	

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

GOVERNING BOARD

**SUBJECT:** Monthly Board Report of Revenues and Expenditures

**MEETING:** May 15, 2013

**AGENDA SECTION:**

ACTION

INFORMATION

ACTION/CONSENT

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Board Goals:

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

Summary:

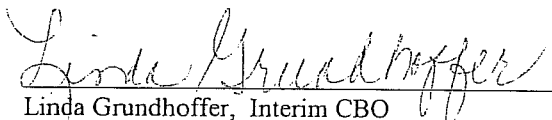
The Board Report of Revenues and Expenditures is provided monthly for the Board's information. This report reflects known changes in revenues and expenditures as of April 30, 2013. The district continues to anticipate a positive ending fund balance in the General Fund.

Recommendation:

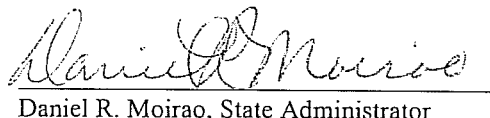
Information Only

Fiscal Impact:

Submitted By:

  
Linda Grundhoffer, Interim CBO

Approved:

  
Daniel R. Moirao, State Administrator

# Board Report

From 7/1/2012 thru 4/30/2013

01 General Fund

	Approved	Working	Expended	Encumbered	Unencumbered	
			Current	Year To Date	Balance	
					%	
<b>**** Total Adjusted Beginning Balance</b>	\$2,252,973.95	\$2,928,692.27	\$2,890,230.27	\$2,890,230.27	\$38,462.00	1.31
100 Revenue Limit State Aid - Current Year	\$5,317,067.00	\$6,286,619.00	\$3,326,047.00	\$3,326,047.00	\$2,960,572.00	47.09
900 Revenue Limit State Aid - Prior Years	\$0.00	\$0.00	\$107,711.95	\$107,711.95	(\$107,711.95)	0.00
100 Home Owners Exemption	\$26,000.00	\$26,000.00	\$14,811.00	\$14,811.00	\$11,189.00	43.03
100 Secured Tax Rolls	\$4,397,809.00	\$4,582,945.00	\$4,322,982.91	\$4,322,982.91	\$259,962.09	5.67
200 Unsecured Roll Taxes	\$165,000.00	\$165,000.00	\$183,215.63	\$183,215.63	(\$18,215.63)	(11.04)
310 Prior Years' Taxes	\$160,000.00	\$160,000.00	(\$68,270.07)	(\$68,270.07)	\$228,270.07	142.67
400 Supplemental Taxes	\$25,000.00	\$25,000.00	\$42,483.89	\$42,483.89	(\$17,483.89)	(69.94)
700 Community Redevelopment Funds	\$28,309.00	\$28,309.00	\$25,889.22	\$25,889.22	\$2,419.78	8.55
800 Penalties and Interest from Delinquent Taxes	\$0.00	\$0.00	(\$1,068.85)	(\$1,068.85)	\$1,068.85	0.00
200 PERS Reduction Transfer	\$17,843.00	\$17,301.00	\$21,667.83	\$21,667.83	(\$4,366.83)	(25.24)
600 Transfers to Charter Schools In-Lieu of Property Tax	\$0.00	(\$104,819.00)	(\$104,819.00)	(\$104,819.00)	\$0.00	0.00
100 Special Education - Entitlement per UDC	\$389,076.00	\$389,076.00	\$241,966.53	\$241,966.53	\$147,109.47	37.81
000 Forest Reserve Funds	\$0.00	\$0.00	\$3,328.46	\$3,328.46	(\$3,328.46)	0.00
000 All Other Federal Revenues	\$533,820.00	\$1,080,153.82	\$362,163.26	\$362,163.26	\$717,990.56	66.47
100 Other State Apportionments - Current Year	\$632,827.00	\$596,569.00	\$454,725.00	\$454,725.00	\$141,844.00	23.78
000 Mandated Cost Reimbursements	\$0.00	\$0.00	\$51,478.00	\$51,478.00	(\$51,478.00)	0.00
000 State Lottery Revenue	\$283,649.00	\$328,135.00	\$198,394.20	\$198,394.20	\$129,740.80	39.54
000 All Other State Revenues	\$1,675,369.00	\$1,631,311.00	\$1,499,678.57	\$1,499,678.57	\$131,632.43	8.07
000 Comm. Redevelop. Fds Not Sub. to RL Deduct.	\$26,700.00	\$26,700.00	\$36,045.92	\$36,045.92	(\$9,345.92)	(35.00)
000 Leases and Rentals	\$22,000.00	\$22,000.00	\$14,937.31	\$14,937.31	\$7,062.69	32.10
000 Interest	\$5,400.00	\$5,400.00	\$14,393.46	\$14,393.46	(\$8,993.46)	(166.55)
000 Interagency Services Between LEAs	\$0.00	\$5,396.00	\$5,396.16	\$5,396.16	(\$0.16)	0.00
000 All Other Local Revenues	\$99,200.00	\$109,554.38	\$113,265.51	\$113,265.51	(\$3,711.13)	(3.39)



# Board Report

From 7/1/2012 thru 4/30/2013

01 General Fund

	Approved	Working	Expended		Encumbered	Unencumbered
			Current	Year To Date		Balance %
200 Transfers of Apportionments From County Offices	\$500,000.00	\$610,875.00	\$653,076.86	\$653,076.86	\$0.00	(\$42,201.86) (6.91)
900 Other Transfers In From All Others	\$0.00	\$18,600.00	\$18,600.00	\$18,600.00	\$0.00	\$0.00 0.00
200 Between General Fund and Special Reserve Fund	\$1,500,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00 0.00
900 Other Authorized Interfund Transfers In	\$0.00	\$0.00	\$2,680.92	\$2,680.92	\$0.00	(\$2,680.92) 0.00
000 Contributions from Unrestricted Revenues	\$0.00	(\$0.25)	\$0.00	\$0.00	\$0.00	(\$0.25) 0.00
**** 8000 Totals	\$15,805,069.00	\$16,010,124.95	\$11,540,781.67	\$11,540,781.67	\$0.00	\$4,469,343.28 27.92
**** Total Income & Beginning Balance	\$18,058,042.95	\$18,938,817.22	\$14,431,011.94	\$14,431,011.94	\$0.00	\$4,507,805.28 23.80
00 Teachers' Salaries	\$5,411,772.42	\$5,471,856.00	\$5,068,399.17	\$5,068,399.17	\$0.00	\$403,456.83 7.37
00 Substitute Teachers	\$182,000.00	\$189,985.00	\$173,806.06	\$173,806.06	\$0.00	\$16,178.94 8.52
030 Teachers Salaries - Hourly	\$91,540.00	\$140,765.00	\$93,496.82	\$93,496.82	\$0.00	\$47,268.18 33.58
060 Teachers Salaries - Stipends	\$28,000.00	\$49,442.00	\$17,501.50	\$17,501.50	\$0.00	\$31,940.50 64.60
000 Certificated Pupil Support Salaries	\$263,003.00	\$263,003.00	\$262,473.97	\$262,473.97	\$0.00	\$529.03 0.20
030 Certificated Pupil Support Salaries - Hourly	\$0.00	\$0.00	\$664.16	\$664.16	\$0.00	(\$664.16) 0.00
000 Certificated Supervisors' and Administrators' Salaries	\$854,695.00	\$802,892.00	\$565,938.38	\$565,938.38	\$0.00	\$236,953.62 29.51
010 Certificated Supervisor and Administrator Salaries-Su	\$0.00	\$30,000.00	\$41,204.82	\$41,204.82	\$0.00	(\$11,204.82) (37.35)
060 Certificated Supervisors and Administrators Salaries-	\$4,500.00	\$4,500.00	\$7,000.00	\$7,000.00	\$0.00	(\$2,500.00) (55.56)
000 Other Certificated Salaries	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00 0.00
020 Other Certificated Salaries - Other	\$36,500.00	\$36,500.00	\$49,470.00	\$49,470.00	\$0.00	(\$12,970.00) (35.53)
030 Other Certificated Salaries - Hourly	\$2,000.00	\$28,110.00	\$27,150.00	\$27,150.00	\$0.00	\$960.00 3.42
060 Other Certificated Salaries - Stipend	\$12,000.00	\$12,000.00	\$11,900.00	\$11,900.00	\$0.00	\$100.00 0.83
**** 1000 Totals	\$6,886,010.42	\$7,029,053.00	\$6,319,004.88	\$6,319,004.88	\$0.00	\$710,048.12 10.10
000 Instructional Aides' Salaries	\$246,037.20	\$268,546.20	\$237,278.23	\$237,278.23	\$0.00	\$31,267.97 11.64
010 Instructional Aides- Substitute	\$3,000.00	\$9,000.00	\$14,635.10	\$14,635.10	\$0.00	(\$5,635.10) (62.61)
030 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 4/30/2013

01 General Fund

	Approved	Working	Expended		Year To Date	Encumbered	Unencumbered Balance	%
			Current	Year To Date				
000 Classified Support Salaries	\$761,819.52	\$777,350.52	\$624,481.68	\$624,481.68	\$0.00	\$152,868.84	19.67	
010 Substitute Classified Support Salaries	\$9,000.00	\$9,129.00	\$25,154.73	\$25,154.73	\$0.00	(\$16,025.73)	(175.55)	
030 Classified Support Salaries - Hourly	\$29,110.00	\$28,981.00	\$8,285.13	\$8,285.13	\$0.00	\$20,695.87	71.41	
050 Classified Support Salaries - Overtime	\$34,200.00	\$34,300.00	\$22,925.12	\$22,925.12	\$0.00	\$11,374.88	33.16	
000 Classified Supervisors' and Administrators' Salaries	\$489,339.00	\$489,339.00	\$384,695.36	\$384,695.36	\$0.00	\$104,643.64	21.38	
000 Clerical & Office Salaries	\$406,771.00	\$403,079.00	\$350,102.86	\$350,102.86	\$0.00	\$52,976.14	13.14	
030 Clerical and Office Salaries - Hourly	\$2,000.00	\$5,000.00	\$3,608.20	\$3,608.20	\$0.00	\$1,391.80	27.84	
050 Clerical and Office Salaries - Overtime	\$0.00	\$0.00	\$214.97	\$214.97	\$0.00	(\$214.97)	0.00	
000 Other Classified Salaries - Other	\$129,500.00	\$129,500.00	\$62,700.58	\$62,700.58	\$0.00	\$66,799.42	51.58	
050 Other Classified Salaries - Overtime	\$0.00	\$0.00	\$508.57	\$508.57	\$0.00	(\$508.57)	0.00	
<b>**** 2000 Totals</b>	<b>\$2,113,776.72</b>	<b>\$2,162,452.72</b>	<b>\$1,740,388.37</b>	<b>\$1,740,388.37</b>	<b>\$0.00</b>	<b>\$422,064.35</b>	<b>19.52</b>	
100 State Teachers' Retirement System. certificated	\$571,208.52	\$575,802.00	\$507,901.23	\$507,901.23	\$0.00	\$67,900.77	11.79	
160 STRS. certificated. stibend	\$2,769.00	\$2,769.00	\$0.00	\$0.00	\$0.00	\$2,769.00	100.00	
200 State Teachers' Retirement System. classified	\$0.00	\$0.00	\$469.85	\$469.85	\$0.00	(\$469.85)	0.00	
200 Public Employees' Retirement System. classified	\$238,275.00	\$237,448.00	\$180,112.63	\$180,112.63	\$0.00	\$57,335.37	24.15	
100 Social Security/Medicare/Alternative. certificated	\$99,768.85	\$101,930.00	\$85,838.52	\$85,838.52	\$0.00	\$16,091.48	15.79	
160 Soc Sec/Medicare/Alt Retire. certificated. stibend	\$476.00	\$476.00	\$0.00	\$0.00	\$0.00	\$476.00	100.00	
200 Social Security/Medicare/Alternative. classified	\$174,973.00	\$174,202.00	\$134,364.86	\$134,364.86	\$0.00	\$39,837.14	22.87	
100 Health & Welfare Benefits. certificated	\$867,438.75	\$859,560.00	\$809,273.15	\$809,273.15	\$0.00	\$50,286.85	5.85	
200 Health & Welfare Benefits. classified	\$531,522.00	\$492,833.00	\$383,112.96	\$383,112.96	\$0.00	\$109,720.04	22.26	
100 State Unemployment Insurance. certificated	\$75,901.42	\$76,994.00	\$67,578.91	\$67,578.91	\$0.00	\$9,415.09	12.23	
160 SUI. certificated. stibend	\$248.00	\$248.00	\$0.00	\$0.00	\$0.00	\$248.00	100.00	
200 State Unemployment Insurance. classified	\$27,750.00	\$27,134.00	\$18,679.46	\$18,679.46	\$0.00	\$8,454.54	31.16	
100 Worker's Compensation Insurance. certificated	\$146,874.67	\$148,115.13	\$135,703.50	\$135,703.50	\$0.00	\$12,411.63	8.38	

# Board Report

From 7/1/2012 thru 4/30/2013

01 General Fund

	Approved	Working	Expended		Encumbered	Unencumbered Balance	%
			Current	Year To Date			
160 WC. certificated. stibend	\$803.00	\$803.00	\$0.00	\$0.00	\$0.00	\$803.00	100.00
200 Worker's Compensation Insurance. classified	\$51,383.00	\$51,159.00	\$36,373.94	\$36,373.94	\$0.00	\$14,785.06	28.90
100 Retiree Benefits. certificated	\$54,096.00	\$54,096.00	\$54,163.57	\$54,163.57	\$0.00	(\$67.57)	(0.12)
200 Retiree Benefits. classified	\$69,504.00	\$69,504.00	\$49,152.79	\$49,152.79	\$0.00	\$20,351.21	29.28
200 PERS Reduction. Classified	\$17,843.00	\$17,301.00	\$21,667.83	\$21,667.83	\$0.00	(\$4,366.83)	(25.24)
100 Other Benefits. certificated	\$150,000.00	\$150,000.00	\$102,471.62	\$102,471.62	\$0.00	\$47,528.38	31.69
<b>**** 3000 Totals</b>	<b>\$3,080,834.21</b>	<b>\$3,040,374.13</b>	<b>\$2,586,864.82</b>	<b>\$2,586,864.82</b>	<b>\$0.00</b>	<b>\$453,509.31</b>	<b>14.92</b>
01 Approved Textbooks and Core Curricula Materials	\$49,275.00	\$128,071.00	\$90,484.52	\$90,484.52	\$1,992.57	\$35,593.91	27.79
000 Books and Reference Materials	\$9,855.63	\$12,186.63	\$2,910.82	\$2,910.82	\$0.00	\$9,275.81	76.12
000 Materials and Supplies	\$631,813.24	\$770,103.85	\$231,958.01	\$231,958.01	\$69,215.00	\$468,930.84	60.89
D10 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
D11 Materials and Supplies - Tires	\$12,000.00	\$9,605.00	\$678.50	\$678.50	\$1,500.00	\$7,426.50	77.32
000 Noncapitalized Equipment	\$57,870.00	\$76,350.00	\$81,468.26	\$81,468.26	\$234.86	(\$5,353.12)	(7.01)
<b>**** 4000 Totals</b>	<b>\$859,390.87</b>	<b>\$1,100,412.48</b>	<b>\$469,223.72</b>	<b>\$469,223.72</b>	<b>\$111,216.62</b>	<b>\$519,972.14</b>	<b>47.25</b>
000 Contracted Services	\$200,000.00	\$174,685.00	\$74,607.50	\$74,607.50	\$100,077.50	\$0.00	0.00
00 Travel and Conferences	\$59,612.00	\$106,393.34	\$59,384.13	\$59,384.13	\$1,556.04	\$45,453.17	42.72
10 Travel and Conference - Stibends	\$0.00	\$27,600.00	\$23,000.00	\$23,000.00	\$0.00	\$4,600.00	16.67
00 Dues and Memberships	\$24,313.00	\$11,781.00	\$11,551.57	\$11,551.57	\$0.00	\$229.43	1.95
00 Insurance	\$11,000.00	\$11,800.00	\$11,000.00	\$11,000.00	\$0.00	\$800.00	6.78
00 Other Insurance	\$120,000.00	\$120,000.00	\$121,049.00	\$121,049.00	\$0.00	(\$1,049.00)	(0.87)
10 Gas	\$38,850.00	\$38,850.00	\$27,276.51	\$27,276.51	\$14,118.03	(\$2,544.54)	(6.55)
20 Electricity	\$273,800.00	\$275,800.00	\$207,002.30	\$207,002.30	\$75,449.43	(\$6,651.73)	(2.41)

# Board Report

From 7/1/2012 thru 4/30/2013

01 General Fund

	Approved	Working	Current	Expended Year To Date	Encumbered	Unencumbered Balance	%
030 Water	\$11,750.00	\$14,300.00	\$10,066.67	\$10,066.67	\$4,417.64	(\$184.31)	(1.29)
040 Sewer	\$19,512.00	\$22,180.00	\$19,876.60	\$19,876.60	\$3,039.29	(\$735.89)	(3.32)
050 Garbage	\$64,500.00	\$64,641.00	\$43,063.70	\$43,063.70	\$24,217.38	(\$2,640.08)	(4.08)
070 Pest Control	\$300.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
010 Maintenance Agreements	\$18,575.00	\$17,928.00	\$11,469.44	\$11,469.44	\$4,090.67	\$2,367.89	13.21
020 Repairs	\$85,750.00	\$89,970.00	\$49,330.79	\$49,330.79	\$25,026.18	\$15,613.03	17.35
030 Leases and Rentals	\$48,100.00	\$66,953.00	\$44,500.24	\$44,500.24	\$15,231.86	\$7,220.90	10.79
040 Direct Costs for Transfer of Services - Motor Pool	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
050 Professional/Consulting Services and Operating Expe	\$861,022.85	\$1,764,164.67	\$551,100.71	\$551,100.71	\$333,845.42	\$879,218.54	49.84
060 Prof. Services & Operating Expenses- Legal	\$30,000.00	\$124,866.00	\$92,381.24	\$92,381.24	\$5,304.97	\$27,179.79	21.77
070 Prof. Services & Operating Expenses - Transportatio	\$800.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
080 Prof. Services & Operating Expenses - Advertising	\$1,160.00	\$2,000.00	\$900.00	\$900.00	\$0.00	\$1,100.00	55.00
090 Prof Services & Operating Expenses-Software Licens	\$36,500.00	\$159,045.00	\$130,479.32	\$130,479.32	\$12,286.00	\$16,279.68	10.24
100 Prof Services and Operating Expenses - Fingerprint/	\$2,000.00	\$1,300.00	\$896.00	\$896.00	\$404.00	\$0.00	0.00
110 Communications - Telephone	\$3,300.00	\$12,130.00	\$11,381.95	\$11,381.95	\$291.85	\$456.20	3.76
120 Communications - Postage	\$30,010.00	\$30,155.00	\$29,503.97	\$29,503.97	\$692.74	(\$41.71)	(0.14)
140 Communications - Cellular Phones	\$12,080.00	\$12,952.00	\$9,536.54	\$9,536.54	\$669.45	\$2,746.01	21.20
<b>**** 5000 Totals</b>	<b>\$1,952,934.85</b>	<b>\$3,149,494.01</b>	<b>\$1,539,358.18</b>	<b>\$1,539,358.18</b>	<b>\$620,718.45</b>	<b>\$989,417.38</b>	<b>31.42</b>
<b>**** 1000 - 5000</b>	<b>\$14,892,947.07</b>	<b>\$16,481,786.34</b>	<b>\$12,654,839.97</b>	<b>\$12,654,839.97</b>	<b>\$731,935.07</b>	<b>\$3,095,011.30</b>	<b>18.78</b>
000 Equipment - Over \$5000 per unit	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
<b>**** 6000 Totals</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>0.00</b>
<b>**** 1000 - 6000</b>	<b>\$14,892,947.07</b>	<b>\$16,481,786.34</b>	<b>\$12,654,839.97</b>	<b>\$12,654,839.97</b>	<b>\$731,935.07</b>	<b>\$3,095,011.30</b>	<b>18.78</b>
00 State Special Schools	\$13,930.00	\$13,930.00	\$6,943.00	\$6,943.00	\$0.00	\$6,987.00	50.16
00 Other Tuition, Excess Costs, and/or Deficits Payment	\$350,000.00	\$372,535.00	\$188,663.80	\$188,663.80	\$0.00	\$183,871.20	49.36
00 All Other Transfers to County Offices	\$27,560.00	\$29,860.00	\$13,756.50	\$13,756.50	\$0.00	\$16,103.50	53.93

# Board Report

From 7/1/2012 thru 4/30/2013

5/7/2013 12:09:09PM

01 General Fund

	Approved	Working	Expended		Year To Date	Encumbered	Unencumbered Balance	%
			Current					
000 Transfers of Indirect Costs	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
800 Debt Service Interest	\$717,344.00	\$717,344.00	\$713,143.36	\$713,143.36	\$0.00	\$4,200.64	\$4,200.64	0.59
900 Other Debt Service Payments	\$520,000.00	\$520,000.00	\$520,000.00	\$520,000.00	\$0.00	\$0.00	\$0.00	0.00
600 From General Fund to Cafeteria Fund	\$0.00	\$133,861.00	\$0.00	\$0.00	\$0.00	\$133,861.00	\$133,861.00	100.00
<b>**** 7000 Totals</b>	<b>\$1,628,834.00</b>	<b>\$1,787,530.00</b>	<b>\$1,442,506.66</b>	<b>\$1,442,506.66</b>	<b>\$0.00</b>	<b>\$345,023.34</b>	<b>\$345,023.34</b>	<b>19.30</b>
<b>**** 1000 - 7000</b>	<b>\$16,521,781.07</b>	<b>\$18,269,316.34</b>	<b>\$14,097,346.63</b>	<b>\$14,097,346.63</b>	<b>\$731,935.07</b>	<b>\$3,440,034.64</b>	<b>\$3,440,034.64</b>	<b>18.83</b>

# Board Report

From 7/1/2012 thru 4/30/2013

01 General Fund

	Approved	Working	Expended		Encumbered	Unencumbered Balance	%
			Current	Year To Date			
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	\$16,010,124.95	\$11,540,781.67	\$11,540,781.67	\$0.00	\$4,469,343.28	27.92
Total: 1000 - 5000	\$14,892,947.07	\$16,481,786.34	\$12,654,839.97	\$12,654,839.97	\$731,935.07	\$3,095,011.30	18.78
Total: 1000 - 6000	\$14,892,947.07	\$16,481,786.34	\$12,654,839.97	\$12,654,839.97	\$731,935.07	\$3,095,011.30	18.78
Total: 1000 - 7000	\$16,521,781.07	\$18,269,316.34	\$14,097,346.63	\$14,097,346.63	\$731,935.07	\$3,440,034.64	18.83
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	\$669,500.88	\$333,665.31	\$333,665.31	(\$731,935.07)	\$1,067,770.64	159.49
Total: Income & Beginning Balance	\$18,058,042.95	\$18,938,817.22	\$14,431,011.94	\$14,431,011.94	\$0.00	\$4,507,805.28	23.80
Total Expenditures & Ending Balance	\$18,058,042.95	\$18,938,817.22	\$14,431,011.94	\$14,431,011.94	\$0.00	\$4,507,805.28	23.80

# Board Report

From 7/1/2012 thru 4/30/2013

: 09 Charter Schools Fund

	Approved	Working	Expended		Encumbered	Unencumbered Balance	%
			Current	Year To Date			
<b>**** Total Adjusted Beginning Balance</b>	\$383,086.51	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
500 Charter Schools Gen Purpose Entitlement-State Aid	\$0.00	\$0.00	\$8,093.00	\$8,093.00	\$0.00	(\$8,093.00)	0.00
900 Revenue Limit State Aid - Prior Years	\$0.00	\$0.00	(\$38,551.00)	(\$38,551.00)	\$0.00	\$38,551.00	0.00
1000 State Lottery Revenue	\$0.00	\$0.00	\$2,881.90	\$2,881.90	\$0.00	(\$2,881.90)	0.00
1000 All Other State Revenues	\$0.00	\$0.00	(\$8,093.00)	(\$8,093.00)	\$0.00	\$8,093.00	0.00
1000 Interest	\$0.00	\$0.00	\$34.52	\$34.52	\$0.00	(\$34.52)	0.00
900 Other Authorized Interfund Transfers In	\$0.00	\$0.00	\$36,217.58	\$36,217.58	\$0.00	(\$36,217.58)	0.00
<b>**** 8000 Totals</b>	\$0.00	\$0.00	\$583.00	\$583.00	\$0.00	(\$583.00)	0.00
<b>**** Total Income &amp; Beginning Balance</b>	\$383,086.51	\$0.00	\$583.00	\$583.00	\$0.00	(\$583.00)	0.00
000 Teachers' Salaries	\$0.00	\$0.00	\$40.00	\$40.00	\$0.00	(\$40.00)	0.00
<b>**** 1000 Totals</b>	\$0.00	\$0.00	\$40.00	\$40.00	\$0.00	(\$40.00)	0.00
000 Clerical & Office Salaries	\$0.00	\$0.00	\$770.00	\$770.00	\$0.00	(\$770.00)	0.00
<b>**** 2000 Totals</b>	\$0.00	\$0.00	\$770.00	\$770.00	\$0.00	(\$770.00)	0.00
100 State Teachers' Retirement System, certified	\$0.00	\$0.00	\$3.30	\$3.30	\$0.00	(\$3.30)	0.00
200 Public Employees' Retirement Svstem, classified	\$0.00	\$0.00	\$87.91	\$87.91	\$0.00	(\$87.91)	0.00
100 Social Security/Medicare/Alternative, certified	\$0.00	\$0.00	\$0.58	\$0.58	\$0.00	(\$0.58)	0.00
200 Social Security/Medicare/Alternative, classified	\$0.00	\$0.00	\$58.91	\$58.91	\$0.00	(\$58.91)	0.00
100 State Unemployment Insurance, certified	\$0.00	\$0.00	\$0.44	\$0.44	\$0.00	(\$0.44)	0.00
200 State Unemployment Insurance, classified	\$0.00	\$0.00	\$8.47	\$8.47	\$0.00	(\$8.47)	0.00
100 Worker's Compensation Insurance, certified	\$0.00	\$0.00	\$0.88	\$0.88	\$0.00	(\$0.88)	0.00
200 Worker's Compensation Insurance, classified	\$0.00	\$0.00	\$17.00	\$17.00	\$0.00	(\$17.00)	0.00

# Board Report

From 7/1/2012 thru 4/30/2013

09 Charter Schools Fund

	Approved	Working	Current	Expended		Encumbered	Unencumbered Balance	%
				Year To Date				
<b>**** 3000 Totals</b>	\$0.00	\$0.00	\$177.49	\$177.49	\$177.49	\$0.00	(\$177.49)	0.00
030 Leases and Rentals	\$0.00	\$0.00	(\$359.29)	(\$359.29)	(\$359.29)	\$0.00	\$359.29	0.00
<b>**** 5000 Totals</b>	\$0.00	\$0.00	(\$359.29)	(\$359.29)	(\$359.29)	\$0.00	\$359.29	0.00
<b>**** 1000 - 5000</b>	\$0.00	\$0.00	\$628.20	\$628.20	\$628.20	\$0.00	(\$628.20)	0.00



# Board Report

From 7/1/2012 thru 4/30/2013

09 Charter Schools Fund

	Approved	Working	Expended		Year To Date	Encumbered	Unencumbered Balance	%
			Current					
Total: Beginning Balance	\$383,086.51	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
Total: Income Current Year	\$0.00	\$0.00	\$583.00	\$583.00	\$583.00	\$0.00	(\$583.00)	0.00
Total: 1000 - 5000	\$0.00	\$0.00	\$628.20	\$628.20	\$628.20	\$0.00	(\$628.20)	0.00
Total: 1000 - 6000	\$0.00	\$0.00	\$628.20	\$628.20	\$628.20	\$0.00	(\$628.20)	0.00
Total: 1000 - 7000	\$0.00	\$0.00	\$628.20	\$628.20	\$628.20	\$0.00	(\$628.20)	0.00
Total: 9710 - 9719	\$0.00	\$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	0.00
Total: Estimated Fund Balance (9790)	\$383,086.51	\$0.00	(\$45.20)	(\$45.20)	\$0.00	\$45.20	\$45.20	0.00
Total: Income & Beginning Balance	\$383,086.51	\$0.00	\$583.00	\$583.00	\$583.00	\$0.00	(\$583.00)	0.00
Total Expenditures & Ending Balance	\$383,086.51	\$0.00	\$583.00	\$583.00	\$583.00	\$0.00	(\$583.00)	0.00

# Board Report

From 7/1/2012 thru 4/30/2013

5/7/2013 12:09:09PM

13 Cafeteria Fund

	Approved	Working	Expended		Year To Date	Encumbered	Unencumbered Balance	%
			Current					
<b>**** Total Adjusted Beginning Balance</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
000 Child Nutrition Programs	\$332,000.00	\$328,539.00	\$271,143.75	\$271,143.75	\$0.00	\$0.00	\$57,395.25	17.47
000 Child Nutrition	\$25,000.00	\$36,100.00	\$22,104.10	\$22,104.10	\$0.00	\$0.00	\$13,995.90	38.77
400 Food Services Sales	\$65,000.00	\$79,753.00	\$39,966.38	\$39,966.38	\$0.00	\$0.00	\$39,786.62	49.89
000 Interest	\$0.00	\$0.00	(\$348.55)	(\$348.55)	\$0.00	\$0.00	\$348.55	0.00
600 To Cafeteria Fund. From General Fund	\$0.00	\$133,861.00	\$0.00	\$0.00	\$0.00	\$0.00	\$133,861.00	100.00
<b>**** 8000 Totals</b>	\$422,000.00	\$578,253.00	\$332,865.68	\$332,865.68	\$0.00	\$0.00	\$245,387.32	42.44
<b>**** Total Income &amp; Beginning Balance</b>	\$422,000.00	\$578,253.00	\$332,865.68	\$332,865.68	\$0.00	\$0.00	\$245,387.32	42.44
000 Classified Support Salaries	\$75,000.00	\$75,937.00	\$71,445.07	\$71,445.07	\$0.00	\$0.00	\$4,491.93	5.92
000 Classified Supervisors' and Administrators' Salaries	\$45,886.00	\$45,886.00	\$38,045.70	\$38,045.70	\$0.00	\$0.00	\$7,840.30	17.09
<b>**** 2000 Totals</b>	\$120,886.00	\$121,823.00	\$109,490.77	\$109,490.77	\$0.00	\$0.00	\$12,332.23	10.12
200 Public Emolovees' Retirement Svstem. classified	\$7,150.00	\$7,150.00	\$8,303.28	\$8,303.28	\$0.00	\$0.00	(\$1,153.28)	(16.13)
200 Social Security/Medicare/Alternative. classified	\$9,300.00	\$9,300.00	\$8,361.51	\$8,361.51	\$0.00	\$0.00	\$938.49	10.09
200 Health & Welfare Benefits. classified	\$9,100.00	\$16,092.00	\$29,148.76	\$29,148.76	\$0.00	\$0.00	(\$13,056.76)	(81.14)
200 State Unemployment Insurance. classified	\$1,950.00	\$1,950.00	\$1,202.36	\$1,202.36	\$0.00	\$0.00	\$747.64	38.34
200 Worker's Compensation Insurance. classified	\$2,950.00	\$2,950.00	\$2,413.25	\$2,413.25	\$0.00	\$0.00	\$536.75	18.19
<b>**** 3000 Totals</b>	\$30,450.00	\$37,442.00	\$49,429.16	\$49,429.16	\$0.00	\$0.00	(\$11,987.16)	(32.02)
000 Materials and Supplies	\$2,700.00	\$1,450.00	\$958.25	\$958.25	\$298.66	\$298.66	\$193.09	13.32
000 Food	\$261,764.00	\$410,176.00	\$344,311.22	\$344,311.22	\$50,274.68	\$50,274.68	\$15,590.10	3.80

# Board Report

From 7/1/2012 thru 4/30/2013

5/7/2013 12:09:09PM

113 Cafeteria Fund

	Approved	Working	Expended		Encumbered	Unencumbered Balance	%
			Current	Year To Date			
<b>**** 4000 Totals</b>	<u>\$264,464.00</u>	<u>\$411,626.00</u>	<u>\$345,269.47</u>	<u>\$345,269.47</u>	<u>\$50,573.34</u>	<u>\$15,783.19</u>	<u>3.83</u>
000 Travel and Conferences	\$1,200.00	\$1,553.00	\$1,552.90	\$1,552.90	\$0.00	\$0.10	0.01
000 Rentals, Leases and Repairs	\$500.00	\$1,739.00	\$1,738.17	\$1,738.17	\$0.00	\$0.83	0.05
000 Professional/Consulting Services and Operating Expe	\$4,500.00	\$4,070.00	\$2,770.22	\$2,770.22	\$893.16	\$406.62	9.99
<b>**** 5000 Totals</b>	<u>\$6,200.00</u>	<u>\$7,362.00</u>	<u>\$6,061.29</u>	<u>\$6,061.29</u>	<u>\$893.16</u>	<u>\$407.55</u>	<u>5.54</u>
<b>**** 1000 - 5000</b>	<u>\$422,000.00</u>	<u>\$578,253.00</u>	<u>\$510,250.69</u>	<u>\$510,250.69</u>	<u>\$51,466.50</u>	<u>\$16,535.81</u>	<u>2.86</u>

# Board Report

From 7/1/2012 thru 4/30/2013

: 13 Cafeteria Fund

	Approved	Working	Expended		Encumbered	Unencumbered Balance	%
			Current	Year To Date			
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	\$332,865.68	\$332,865.68	\$0.00	\$245,387.32	42.44
Total: 1000 - 5000	\$422,000.00	\$578,253.00	\$510,250.69	\$510,250.69	\$51,466.50	\$16,535.81	2.86
Total: 1000 - 6000	\$422,000.00	\$578,253.00	\$510,250.69	\$510,250.69	\$51,466.50	\$16,535.81	2.86
Total: 1000 - 7000	\$422,000.00	\$578,253.00	\$510,250.69	\$510,250.69	\$51,466.50	\$16,535.81	2.86
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	(\$177,385.01)	(\$177,385.01)	(\$51,466.50)	\$228,851.51	0.00
Total: Income & Beginning Balance	\$422,000.00	\$578,253.00	\$332,865.68	\$332,865.68	\$0.00	\$245,387.32	42.44
Total Expenditures & Ending Balance	\$422,000.00	\$578,253.00	\$332,865.68	\$332,865.68	\$0.00	\$245,387.32	42.44

# Board Report

From 7/1/2012 thru 4/30/2013

5/7/2013 12:09:09PM

Fund : 14 Deferred Maintenance Fund

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

# Board Report

From 7/1/2012 thru 4/30/2013

14 Deferred Maintenance Fund

	Approved	Working	Expended		Year To Date	Encumbered	Unencumbered Balance	%
			Current	Year To Date				
Total: Beginning Balance	\$562.67	\$2,687.20	\$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	\$34,993.72	\$0.00	\$6.28	0.02
Total: 1000 - 5000	\$0.00	\$35,000.00	\$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	\$35,000.00	\$0.00	\$0.00	0.00
Total: 1000 - 7000	\$0.00	\$35,000.00	\$37,680.92	\$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	0.00
Total: 9770 - 9780	\$0.00	\$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	\$0.00	\$2,687.20	100.00
Total: Income & Beginning Balance	\$562.67	\$37,687.20	\$37,680.92	\$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	\$37,680.92	\$0.00	\$6.28	0.02

# Board Report

From 7/1/2012 thru 4/30/2013

: 17 Special Reserve Fund for Other than

	Approved	Working	Expended Current	Year To Date	Encumbered	Unencumbered Balance	%
**** Total Adjusted 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
0000 Interest	\$0.00	\$0.00	\$8,585.16	\$8,585.16	\$0.00	(\$8,585.16)	0.00
**** 8000 Totals	\$0.00	\$0.00	\$8,585.16	\$8,585.16	\$0.00	(\$8,585.16)	0.00
**** 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
200 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	\$1,500,000.00	\$0.00	\$36,217.58	\$36,217.58	\$0.00	(\$36,217.58)	0.00
-12 **** 1000 - 7000	\$1,500,000.00	\$0.00	\$36,217.58	\$36,217.58	\$0.00	(\$36,217.58)	0.00
51							

# Board Report

From 7/1/2012 thru 4/30/2013

: 17 Special Reserve Fund for Other than

	Approved	Working	Expended		Encumbered	Unencumbered Balance	%
			Current	Year To Date			
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
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 4/30/2013

Capital Facilities Fund

	Approved	Working	Expended		Encumbered	Unencumbered Balance	%
			Current	Year To Date			
<b>**** Total Adjusted Beginning Balance</b>	\$407,847.12	\$456,422.12	\$494,884.12	\$494,884.12	\$0.00	(\$38,462.00)	(8.43)
6000 Interest	\$0.00	\$0.00	\$1,509.92	\$1,509.92	\$0.00	(\$1,509.92)	0.00
6100 Mitigation/Developer Fees	\$5,000.00	\$5,000.00	\$162,393.38	\$162,393.38	\$0.00	(\$157,393.38)	3,147.87
6900 All Other Local Revenues	\$2,000.00	\$2,000.00	\$0.00	\$0.00	\$0.00	\$2,000.00	100.00
<b>**** 8000 Totals</b>	\$7,000.00	\$7,000.00	\$163,903.30	\$163,903.30	\$0.00	(\$156,903.30)	2,241.48
<b>**** Total Income &amp; Beginning Balance</b>	\$414,847.12	\$463,422.12	\$658,787.42	\$658,787.42	\$0.00	(\$195,365.30)	(42.16)
7000 Equipment - Over \$5000 per unit	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
<b>**** 6000 Totals</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
<b>**** 1000 - 6000</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
800 Debt Service Interest	\$23,694.00	\$23,852.00	\$23,851.76	\$23,851.76	\$0.00	\$0.24	0.00
900 Other Debt Service Payments	\$80,979.00	\$84,821.00	\$84,821.00	\$84,821.00	\$0.00	\$0.00	0.00
<b>**** 7000 Totals</b>	\$104,673.00	\$108,673.00	\$108,672.76	\$108,672.76	\$0.00	\$0.24	0.00
<b>**** 1000 - 7000</b>	\$104,673.00	\$108,673.00	\$108,672.76	\$108,672.76	\$0.00	\$0.24	0.00

# Board Report

From 7/1/2012 thru 4/30/2013

: 25 Capital Facilities Fund

	Approved	Working	Expended		Encumbered	Unencumbered Balance	%
			Current	Year To Date			
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	\$163,903.30	\$163,903.30	\$0.00	(\$156,903.30)	2,241.48
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	\$550,114.66	\$550,114.66	\$0.00	(\$195,365.54)	(55.07)
Total Income & Beginning Balance	\$414,847.12	\$463,422.12	\$658,787.42	\$658,787.42	\$0.00	(\$195,365.30)	(42.16)
Total Expenditures & Ending Balance	\$414,847.12	\$463,422.12	\$658,787.42	\$658,787.42	\$0.00	(\$195,365.30)	(42.16)

# Board Report

From 7/1/2012 thru 4/30/2013

id: 35 School Facility Program (Regular)

	Approved	Working	Current	Expend Year To Date	Encumbered	Unencumbered Balance	%
<b>**** Total Adjusted Beginning Balance</b>	\$2,699,961.51	\$1,408,851.76	\$1,408,851.76	\$1,408,851.76	\$0.00	\$0.00	0.00
6000 Interest	\$7,000.00	\$7,000.00	\$5,630.54	\$5,630.54	\$0.00	\$1,369.46	19.56
<b>**** 8000 Totals</b>	\$7,000.00	\$7,000.00	\$5,630.54	\$5,630.54	\$0.00	\$1,369.46	19.56
<b>**** Total Income &amp; Beginning Balance</b>	\$2,706,961.51	\$1,415,851.76	\$1,414,482.30	\$1,414,482.30	\$0.00	\$1,369.46	0.10
0000 Professional/Consulting Services and Operating Expe	\$50,000.00	\$50,500.00	\$18,891.00	\$18,891.00	\$8,825.00	\$22,784.00	45.12
<b>**** 5000 Totals</b>	\$50,000.00	\$50,500.00	\$18,891.00	\$18,891.00	\$8,825.00	\$22,784.00	45.12
<b>**** 1000 - 5000</b>	\$50,000.00	\$50,500.00	\$18,891.00	\$18,891.00	\$8,825.00	\$22,784.00	45.12
0000 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
<b>**** 6000 Totals</b>	\$2,607,967.00	\$1,365,851.76	\$798,004.50	\$798,004.50	\$8,150.00	\$559,697.26	40.98
<b>**** 1000 - 6000</b>	\$2,657,967.00	\$1,416,351.76	\$816,895.50	\$816,895.50	\$16,975.00	\$582,481.26	41.13

# Board Report

From 7/1/2012 thru 4/30/2013

i: 35 School Facility Program (Regular)

	Approved	Working	Expended		Encumbered	Unencumbered
			Current	Year To Date		
Total: Beginning Balance	\$2,699,961.51	\$1,408,851.76	\$1,408,851.76	\$1,408,851.76	\$0.00	\$0.00
Total: Income Current Year	\$7,000.00	\$7,000.00	\$5,630.54	\$5,630.54	\$0.00	\$1,369.46
Total: 1000 - 5000	\$50,000.00	\$50,500.00	\$18,891.00	\$18,891.00	\$8,825.00	\$22,784.00
Total: 1000 - 6000	\$2,657,967.00	\$1,416,351.76	\$816,895.50	\$816,895.50	\$16,975.00	\$582,481.26
Total: 1000 - 7000	\$2,657,967.00	\$1,416,351.76	\$816,895.50	\$816,895.50	\$16,975.00	\$582,481.26
Total: 9710 - 9719	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total: 9770 - 9780	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total: Estimated Fund Balance (9790)	\$48,994.51	(\$500.00)	\$597,586.80	\$597,586.80	(\$16,975.00)	(\$581,111.80)
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
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

# Board Report

From 7/1/2012 thru 4/30/2013

Item: 51 Bond Interest and Redemption Fund

	Approved	Working	Expended		Encumbered	Unencumbered	
			Current	Year To Date			Balance
<b>**** Total Adjusted Beginning Balance</b>	\$1,450,614.00	\$1,646,838.00	\$0.00	\$0.00	\$0.00	\$1,646,838.00	100.00
	\$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 4/30/2013

5/7/2013 12:09:09PM

: 51 Bond Interest and Redemption Fund

	Approved	Working	Expended		Year To Date	Encumbered	Unencumbered Balance	%
			Current					
Total: Beginning Balance	\$1,450,614.00	\$1,646,838.00	\$0.00	\$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	0.00
Total: 1000 - 5000	\$0.00	\$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	0.00
Total: 1000 - 7000	\$0.00	\$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	0.00
Total: 9770 - 9780	\$0.00	\$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	\$1,646,838.00	100.00
Total: Income & Beginning Balance	\$1,450,614.00	\$1,646,838.00	\$0.00	\$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	\$0.00	\$1,646,838.00	100.00

# Board Report

From 7/1/2012 thru 4/30/2013

i: 56 Debt Service Fund

	Approved	Working	Expended		Encumbered	Unencumbered
			Current	Year To Date		
**** 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 4/30/2013

id: 56 Debt Service Fund

	Approved	Working	Expended		Encumbered	Unencumbered Balance	%
			Current	Year To Date			
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
Total: 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:** May 15, 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

5/8/2013 2:37:14 PM

2012-2013

## Daily Apportionment for Month 9

Page 1

Day #	Date	Holiday	Enrollment	Apportionment	Difference	Percent Present
161	3/25/2013		873	809	64	92.67%
162	3/26/2013		872	836	36	95.87%
163	3/27/2013		872	834	38	95.64%
164	3/28/2013		871	819	52	94.03%
165	3/29/2013	@	0	0	0	
166	4/1/2013	@	0	0	0	
167	4/2/2013	@	0	0	0	
168	4/3/2013	@	0	0	0	
169	4/4/2013	@	0	0	0	
170	4/5/2013	@	0	0	0	
171	4/8/2013		871	803	68	92.19%
172	4/9/2013		872	828	44	94.95%
173	4/10/2013		873	836	37	95.76%
174	4/11/2013		876	838	38	95.66%
175	4/12/2013		876	696	180	79.45%
176	4/15/2013		875	827	48	94.51%
177	4/16/2013		875	844	31	96.46%
178	4/17/2013		876	842	34	96.12%
179	4/18/2013		876	840	36	95.89%
180	4/19/2013		876	831	45	94.86%
<b>Month 9 Average:</b>			<b>873.86</b>	<b>820.21</b>		<b>93.86%</b>

@ = School not in session

Spring Break 3-29-2013 - 4/5/2013



# King City High School

## Daily Apportionment for Month 9

5/8/2013

2:48:56 PM

2012-2013

Page 1

Day #	Date	Holiday	Enrollment	Apportionment	Difference	Percent Present
161	3/25/2013		888	838	50	94.37%
162	3/26/2013		885	859	26	97.06%
163	3/27/2013		884	833	51	94.23%
164	3/28/2013		883	833	50	94.34%
165	3/29/2013	@	0	0	0	
166	4/1/2013	@	0	0	0	
167	4/2/2013	@	0	0	0	
168	4/3/2013	@	0	0	0	
169	4/4/2013	@	0	0	0	
170	4/5/2013	@	0	0	0	
171	4/8/2013		881	835	46	94.78%
172	4/9/2013		882	852	30	96.60%
173	4/10/2013		882	856	26	97.05%
174	4/11/2013		880	839	41	95.34%
175	4/12/2013		881	850	31	96.48%
176	4/15/2013		882	866	16	98.19%
177	4/16/2013		882	873	9	98.98%
178	4/17/2013		881	833	48	94.55%
179	4/18/2013		881	865	16	98.18%
180	4/19/2013		881	871	10	98.86%
<b>Month 9 Average:</b>			<b>882.36</b>	<b>850.21</b>		<b>96.36%</b>

@ = School not in session

Spring Break 3-29-2013 - 4/5/2013

# King City High School

ADS Discipline Distribution Report from 4/1/2013 to 4/30/2013

Code # and Name	Total	Grade				Sex	
		9	10	11	12	F	M
08 *Drugs, Possession of (E)	3	1	2	-	-	1	2
10 *Drugs, Use of (E) 48900	1	-	1	-	-	1	-
47 Disruption of School	2	-	1	1	-	1	1
52 Fighting (E) 48900 (a)(1)	1	-	-	1	-	-	1
Totals:	7	1	4	2	-	3	4

# Portola-Butler Contin. High School 5/8/2013 12:52:43

2012-2013

## Daily Apportionment for Month 9

Page 1

Day #	Date	Holiday	Enrollment	Apportionment	Difference	Percent Present
161	3/25/2013		111	107	4	96.40%
162	3/26/2013		112	110	2	98.21%
163	3/27/2013		112	109	3	97.32%
164	3/28/2013		112	110	2	98.21%
165	3/29/2013	@	0	0	0	
166	4/1/2013	@	0	0	0	
167	4/2/2013	@	0	0	0	
168	4/3/2013	@	0	0	0	
169	4/4/2013	@	0	0	0	
170	4/5/2013	@	0	0	0	
171	4/8/2013		111	111	0	100.00%
172	4/9/2013		107	107	0	100.00%
173	4/10/2013		107	107	0	100.00%
174	4/11/2013		106	106	0	100.00%
175	4/12/2013		106	106	0	100.00%
176	4/15/2013		104	104	0	100.00%
177	4/16/2013		103	103	0	100.00%
178	4/17/2013		102	102	0	100.00%
179	4/18/2013		101	101	0	100.00%
180	4/19/2013		102	102	0	100.00%
<b>Month 9 Average:</b>			<b>106.86</b>	<b>106.07</b>		<b>99.26%</b>

@ = School not in session

Spring Break 3-29-2013 - 4/5/2013

# Portola-Butler Contin. High School

## ADS Discipline Distribution Report from 4/1/2013 to 4/30/2013

Code # and Name	Total	Grade				Sex	
		9	10	11	12	F	M
04 *Assault (E) 48900 (a)(2)	1	-	1	-	-	-	1
07 *Drugs, Paraphernalia (E)	1	-	-	-	1	-	1
38 Behavior, Disruptive (E)	1	-	-	1	-	-	1
52 Fighting (E) 48900 (a)(1)	1	-	-	-	1	-	1
<b>Totals:</b>	<b>4</b>	<b>-</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>-</b>	<b>4</b>

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

**SUBJECT:** California Healthy Kids Survey

**MEETING:**

**AGENDA SECTION:**

**ACTION**

**INFORMATION**

**ACTION/CONSENT**

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Board Goals:

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

Summary:

The California Healthy Kids Survey (CHKS) is the largest statewide survey of resiliency, protective factors, and risk behaviors in the nation. Across California, the CHKS has led to a better understanding of the relationship between students' health behaviors and academic performance, and is frequently cited by state policymakers and the media as a critical component of school improvement efforts to help guide the development of more effective health, prevention, and youth development programs.

The CHKS also helps schools meet the current requirements of the federal Safe and Drug Free Schools and Communities Act (SDFSC) as embodied in Title IV of the *No Child Left Behind Act (NCLB) of 2001*. NCLB requires that CDE collects data on the incidence, prevalence, age of onset, and perception of health risks and social disapproval of drug use by youth, and violence in schools and communities through anonymous student and teacher surveys.

During the month of May SMCJUHSD will be administering the CHKS to all students in grades 9 and 11 at GHS and KCHS and to all students at the Portola-Butler Continuation High School. All parents have been sent a letter explaining the purpose and the process for having their students participate in the survey. Parents have the right to withdraw permission for their son/daughter to take the survey.

Recommendation:

It is recommended that the State Administrator approve the district's participation in the CHKS Survey.


Fiscal Impact:

The cost will not exceed \$250.00.

Submitted By:

Canace A. McCarthy

Approved:

  
Daniel R. Moirao, Ed.D.



# SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

**SUBJECT:** Board Policies First Reading

**MEETING:** May 15, 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:

Attached are a series of Board Polices, Administrative Regulations and Exhibits that will govern the South Monterey County Joint Union High School District. These are presented as a first reading for the Boards' edits etc.

Recommendation:

To review these policies and AR's for consideration before making final approval.

BP 6161.1 Selection and Evaluation of Instructional Materials (Revised)  
AR 6161.1 Selection and Evaluation of Instructional Materials (Revised)

BP 6161.11 Supplementary Instructional materials (new)

AR 6173.1 Education for Foster Youth (revised)

BP 6174 Education for English Language Learners (revised)  
AR 6174 Education for English Language Learners (revised)  
E 6174 Education for English Language Learners (new)

AR 6183 Home and Hospital Instruction (new)

BB 9322 Agenda Meeting Materials (revised)

BB 9323.2 Actions By the Board (revised)  
E 9323.2 Actions by the Board (revised)

Fiscal Impact:

None

Submitted By:

Approved:



Daniel R. Moirao, Ed.D.  
State Administrator



Daniel R. Moirao, Ed.D.  
State Administrator

BP 6161.1 Instruction

**Selection And Evaluation Of Instructional Materials**

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

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

The Superintendent or designee shall establish a process by which instructional materials shall be reviewed for recommendation to the Board. **Toward that end, he/she may establish an instructional materials review committee to evaluate and recommend instructional materials.** This process shall involve teachers in a substantial manner and shall also encourage the participation of parents/guardians and community members. (Education Code 60002)

(cf. 1220 - Citizen Advisory Committees)

**The Board shall adopt instructional materials for grades 9-12 upon determining that the materials meet the criteria specified in law and administrative regulation. (Education Code 60400)**

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

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

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

*(cf. 9270 - Conflict of Interest)*

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

*(cf. 1312.2 - Complaints Concerning Instructional Materials)*

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

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

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

### **Public Hearing on Sufficiency of Textbooks or Instructional Materials**

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

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

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

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

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

~~1. Mathematics~~

~~2. Science~~

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

~~\*\*\*Note: Pursuant to Education Code 60119, the determination of the sufficiency of textbooks or instructional materials for mathematics, science, history-social science, and English/language arts is a condition for receipt of state instructional materials funding. The Board must also make a written determination during the hearing as to the sufficiency of textbooks or instructional materials in foreign language and health courses, as well as science laboratory equipment in science laboratory courses, although the provision of the materials or the equipment in these courses is not a condition for receipt of state instructional materials funding.\*\*\*~~

**At the hearing(s), the Board shall determine, through a resolution, whether each student in each school, including each English learner, has sufficient textbooks or instructional materials which are aligned to the state content standards adopted pursuant to Education Code 60605 or the Common Core Standards adopted pursuant to Education Code 60605.8 and which are consistent with the content and cycles of the state's curriculum frameworks. Sufficiency of instructional materials shall be determined in each of the following subjects: (Education Code 60119)**

**1. Mathematics**

(cf. 6142.92 - Mathematics Instruction)

**2. Science**

(cf. 6142.93 - Science Instruction)

**3. History-social science**

(cf. 6142.94 - History-Social Science Instruction)

**4. English language arts, including the English language development component of an adopted program**

(cf. 6142.91 - English/Language Arts Instruction)  
(cf. 6174 - Education for English Language Learners)

**5. Foreign language**

(cf. 6142.2 - World/Foreign Language Instruction)

**6. Health**

**(cf. 6142.8 - Comprehensive Health Education)**

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

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

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

~~\*\*\*Note: The following paragraph is optional. Education Code 1240.3 authorizes the district, until July 1, 2015, to purchase the newest adopted instructional materials for the neediest schools in the district without incurring a duty to purchase these materials for students in other district schools. This provision will be used by the County Superintendent through fiscal year 2014-15 whenever he/she visits schools ranked in deciles 1-3 of the API to determine the sufficiency of instructional materials pursuant to Education Code 1240.\*\*\*~~

**However, the district may purchase the newest adopted instructional materials for students in district schools ranked in deciles 1-3 of the base Academic Performance Index in any one of the past three school years without necessarily purchasing these materials for use in other district schools. (Education Code 1240.3)**

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

Legal Reference:

EDUCATION CODE

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

CODE OF REGULATIONS, TITLE 5

9505-9535 Instructional materials, especially:  
9531-9532 Instructional Materials Funding Realignment Program  
Management Resources:

CSBA PUBLICATIONS

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

CALIFORNIA DEPARTMENT OF EDUCATION CORRESPONDENCE

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

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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

STATE BOARD OF EDUCATION POLICIES

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

WEB SITES

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

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

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

(11/06 11/09) 11/10

BP 6161.1 (f)

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

First Reading: May 15, 2013

Adopted:

King City, California

AR 6161.1 Instruction

**Selection And Evaluation Of Instructional Materials**

**Instructional Materials Funding Realignment Program**

The district shall use state funds received under the Instructional Materials Funding Realignment Program to ensure that each student is provided with standards-aligned textbooks or instructional materials, in an electronic or hard-bound format, in the core curriculum areas of reading/language arts, mathematics, science, and history-social science. (Education Code 60422, 60422.3)

Instructional materials for grades 9-12 shall be adopted by the Governing Board. Standards-aligned materials in each core curriculum area shall be provided to each student at the beginning of the first school term that commences no later than 24 months after those materials are adopted by the Board, as applicable. (Education Code 60422)

*(cf. 6011 - Academic Standards)*

For grades 9-12, the Superintendent or designee shall review instructional materials in history-social science, mathematics, reading/language arts, and science using a standards map in order to determine the extent to which the materials are aligned to the content standards adopted by the SBE.

After the Board has certified that all students have been provided with standards-aligned instructional materials in the core curriculum areas, the district may use any remaining program funds for the purposes specified in Education Code 60242. (Education Code 60119, 60422)

**Criteria for Selection and Adoption of Instructional Materials**

~~Instructional materials adopted by the Board shall:~~

**In recommending textbooks or other instructional materials for adoption by the Governing Board, the Superintendent or designee shall ensure that such materials:**

- 1. Are aligned to any applicable academic content standards adopted by the State Board of Education (SBE) pursuant to Education Code 60605 and/or Common Core Standards adopted pursuant to Education Code 60605.8**
2. For instructional materials in high schools, be provided by publishers who comply with the requirements of Education Code 60040-60048, 60060-60062, and 60226 (Education Code 60400)



~~2. Not reflect adversely upon persons because of their race, color, creed, national origin, ancestry, sex, disability, or occupation, or contain any sectarian or denominational doctrine or propaganda contrary to law (Education Code 60044)~~

**3. Do not reflect adversely upon persons because of their race or ethnicity, gender, religion, disability, nationality, sexual orientation, occupation, or other characteristic listed in Education Code 220, nor contain any sectarian or denominational doctrine or propaganda contrary to law (Education Code 51501, 60044)**

3. To the satisfaction of the Board, be accurate, objective, current, and suited to the needs and comprehension of students at their respective grade levels (Education Code 60045)

4. With the exception of literature and trade books, use proper grammar and spelling (Education Code 60045)

5. Not provide any exposure to a commercial brand name, product, or corporate or company logo unless the Board makes a specific finding that the use is appropriate based on one of the following: (Education Code 60048, 60200)

a. The commercial brand name, product, or corporate or company logo is used in text for an educational purpose as defined in guidelines or frameworks adopted by the SBE.

b. The appearance of a commercial brand name, product, or corporate or company logo in an illustration is incidental to the general nature of the illustration.

*(cf. 1325 - Advertising and Promotion)*

6. If the materials are technology-based materials, be both available and comparable to other, equivalent instructional materials (Education Code 60052)

7. Meet the requirements of Education Code 60040-60043 for specific subject content

8. Support the district's adopted courses of study and curricular goals

~~*(cf. 6141 - Curriculum Development and Evaluation)*~~

~~*(cf. 6143 - Courses of Study)*~~

**(cf. 6141 - Curriculum Development and Evaluation)**

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

**(cf. 6142.8 - Comprehensive Health Education)**

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

**(cf. 6142.92 - Mathematics Instruction)**

**(cf. 6142.93 - Science Instruction)**

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

**(cf. 6143 - Courses of Study)**

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

AR 6161.1 (c)

9. Contribute to a comprehensive, balanced curriculum
10. Demonstrate reliable quality of scholarship as evidenced by:
  - a. Accurate, up-to-date, and well-documented information
  - b. Objective presentation of diverse viewpoints
  - c. Clear, concise writing and appropriate vocabulary
  - d. Thorough treatment of subject
11. Provide for a wide range of materials at all levels of difficulty, with appeal to students of varied interests, abilities, and developmental levels
12. Include materials that stimulate discussion of contemporary issues and improve students' thinking and decision-making skills
13. Contribute to the proper articulation of instruction through grade levels
14. As appropriate, have corresponding versions available in languages other than English
15. Include high-quality teacher's guides
16. Meet high standards in terms of the quality, durability, and appearance of paper, binding, text, and graphics
18. When available from the publishers, include options for lighter weight materials in order to help minimize any injury to students by the combined weight of instructional materials

**Instructional Materials Evaluation Committee**

The Superintendent or designee may establish an instructional materials evaluation committee to evaluate and recommend instructional materials for Board approval. This committee shall substantially be composed of teachers and may also include administrators, other staff who have subject-matter expertise, parents/guardians, community members, and students as appropriate.

*(cf. 1220 - Citizen Advisory Committees)*

The committee shall review instructional materials using criteria provided above and in law, and shall provide the Board with documentation supporting its recommendations.

### **Conflict of Interest**

To ensure integrity and impartiality in the evaluation and selection of instructional materials, any district employee who is participating in the evaluation of instructional materials and not otherwise designated in the district's conflict of interest code shall not:

1. Accept any emolument, money, or other valuable thing or inducement to directly or indirectly introduce, recommend, vote for, or otherwise influence the adoption or purchase of any instructional material (Education Code 60072)

Sample copies of instructional materials are excepted from this prohibition. (Education Code 60075)

*(cf. 9270 - Conflict of Interest)*

2. Be employed by or receive compensation from any person, firm, organization, or any of its subsidiaries or controlling entities submitting instructional materials to the district
3. Have or negotiate a contractual relationship with any person, firm, or organization or any of its subsidiaries or controlling entities submitting instructional materials to the district
4. Have an interest as a contributor, author, editor, or consultant in any textbook or other instructional material submitted to the district

(11/06 11/09) 11/10

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

First Reading: May 15, 2013

Adopted:

King City, California

## **Instruction**

### **Supplementary Instructional Materials**

~~\*\*\*Note: The following optional policy addresses the selection of instructional materials that are used to supplement the basic textbooks and other instructional materials adopted by the Governing Board for use in grades K-8 pursuant to Education Code 60200 or for grades 9-12 pursuant to Education Code 60400. See BP/AR 6161.1 Selection and Evaluation of Instructional Materials for requirements pertaining to the selection of those basic instructional materials.\*\*\*~~

**The Governing Board encourages the use of supplementary instructional materials to enrich the curriculum and enhance student learning. Such materials shall be aligned with district goals, curriculum objectives, and academic standards and shall supplement and not supplant the use of Board-adopted basic instructional materials that serve as the primary learning resources.**

**(cf. 0000 - Vision)**

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

**(cf. 6011 - Academic Standards)**

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

**(cf. 6163.1 - Library Media Centers)**

**Supplementary instructional materials include, but are not limited to, instructional materials that are designed to serve one or more of the following purposes: (Education Code 60010)**

- 1. To provide more complete coverage of one or more subjects included in a given course**
- 2. To meet the various learning ability levels of students in a given age group or grade level**
- 3. To meet the diverse educational needs of students with a language disability in a given age group or grade level**
- 4. To meet the diverse educational needs of students reflective of a condition of cultural pluralism**
- 5. To use current, relevant technology that further engages interactive learning in the classroom and beyond**

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

**(cf. 6142.92 - Mathematics Instruction)**

(cf. 6142.93 - Science Instruction)  
(cf. 6142.94 - History-Social Science Instruction)

Supplementary instructional materials may be selected by the State Administrator/Superintendent or designee, school administrators, or teachers, as applicable, and obtained through donations to the district and/or available funding sources designated for these purposes.

(cf. 1260 - Educational Foundation)  
(cf. 3290 - Gifts, Grants and Bequests)  
(cf. 4132/4232/4332 - Publication or Creation of Materials)

~~\*\*\*Note: In McCarthy v. Fletcher, a California appellate court clarified that the Board may exclude materials from classroom teaching because they are educationally unsuitable and unrelated to the goals specified in Education Code 233.5, but not simply because the materials contain ideas to which Board or community members object.\*\*\*~~

As appropriate, supplementary instructional materials shall meet the criteria developed for the selection and evaluation of basic instructional materials as described in AR 6161.1 - Selection and Evaluation of Instructional Materials. Supplementary instructional materials shall be directly related to the course of study in which they are being used and shall be appropriate for the age and maturity level of the students.

The use or reproduction of supplementary instructional materials shall be in accordance with federal copyright law.

(cf. 6162.6 - Use of Copyrighted Materials)

Supplementary Materials Aligned with Common Core Standards

~~\*\*\*Note: Pursuant to Education Code 60605.86-60605.88, as added by SB 140 (Ch. 623, Statutes of 2011) and AB 1719 (Ch. 636, Statutes of 2012), the district may select supplementary materials that are not on the SBE approved lists. Such materials must be reviewed and recommended by content review experts who are selected by the Board, meet specified qualifications, and serve without compensation. The Board must ensure that the selected materials comply with SBE approved evaluation criteria, which are available on the CDE's website, and specified legal requirements for instructional materials, including social content review requirements.\*\*\*~~

The Board may approve supplementary instructional materials that are not on the lists approved by the SBE but which are aligned with the Common Core Standards provided that the materials comply with the evaluation criteria established by the SBE and Education Code 60050, 60060-60062, and 60226. The Board shall select content review experts who possess the qualifications specified in law to review and recommend such

supplementary materials. The majority of the content review experts shall be teachers who are credentialed and/or authorized in the subject area they are reviewing and the remainder shall include appropriate persons from postsecondary educational institutions, school and district curriculum administrators, and other persons who are knowledgeable in the subject area. (Education Code 60605.86-60605.88)

#### Appropriateness of Materials

~~\*\*\*Note: The following optional section may be revised to reflect district practice, including any district criteria for the appropriateness of supplementary instructional materials and/or circumstances under which materials should be submitted to the principal or other designee for review prior to their use (e.g., when materials relate to controversial issues or are presented in a controversial manner or context, such as when materials contain nudity, sexual content, graphic violence, or extensive profanity). The district is encouraged to consult legal counsel prior to adopting such criteria or processes or when banning films, electronic resources, or other materials solely on the basis of industry ratings.\*\*\*~~

Whenever a district employee proposes to use a supplementary resource which is not included in the approved learning resources of the district, he/she shall preview the material to determine whether, in his/her professional judgment, it is appropriate for the grade level taught and is consistent with district criteria for the selection of supplementary instructional materials.

The employee shall confer with the Superintendent or designee as necessary to determine the compliance of the material with district criteria. The primary considerations should be the educational value, appropriateness, and relevance of the materials as well as the ages and maturity of the students.

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)  
(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)  
(cf. 6144 - Controversial Issues)

#### Legal Reference:

##### EDUCATION CODE

233.5 Duty regarding instruction in morals, manners, and citizenship  
18111 Exclusion of books by governing board  
51510 Prohibited study or supplemental materials  
51511 Religious matters properly included  
51933 Sex education materials  
60010 Definitions  
60050 Social content review of instructional materials  
60060-60062 Requirements of publishers

60200.7 Suspension of state instructional materials adoptions  
60226 Learner verification of instructional materials  
60242 Uses of instructional materials funds  
60400 Adoption of high school instructional materials  
60605.8 Common Core Standards  
60605.86-60605.88 Supplemental instructional materials aligned with Common Core Standards  
60811.3 English language development standards

**COURT DECISIONS**

McCarthy v. Fletcher, (1989) 207 Cal. App. 3d 130

Fowler v. Board of Education of Lincoln County, (1978) 819 F.2d 657

**Management Resources:**

**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**

Standards for Evaluating Instructional Materials for Social Content, 2000

**WEB SITES**

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

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

(12/90 10/95) 11/12

Policy SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

First Reading: May 15, 2013

Adopted:

King City, CA

AR 6173.1 Instruction

**Education For Foster Youth**

Definitions

Foster youth means a child who has been removed from his/her home pursuant to Welfare and Institutions Code 309, is the subject of a petition filed under Welfare and Institutions Code 300 or 602, or has been removed from his/her home and is the subject of a petition filed under Welfare and Institutions Code 300 or 602. (Education Code 48853.5)

Person holding the right to make educational decisions means a responsible adult appointed by a court pursuant to Welfare and Institutions Code 361 or 727.

School of origin means the school that the foster youth attended when permanently housed or the school in which he/she was last enrolled. If the school the foster youth attended when permanently housed is different from the school in which he/she was last enrolled, or if there is some other school that the foster youth attended within the preceding 15 months and with which the youth is connected, the liaison shall, in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the youth, determine, in the best interests of the foster youth, which school is the school of origin. (Education Code 48853.5)

Best interests means that, in making educational and school placement decisions for a foster youth, consideration is given to, among other factors, educational stability, the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress, and the foster youth's access to academic resources, services, and extracurricular and enrichment activities that are available to all district students. (Education Code 48850, 48853)

District Liaison

The Superintendent designates the following position as the district's liaison for foster youth: (Education Code 48853.5)

Assistant Superintendent  
800 Broadway - King City, CA 93930  
(831) 385-0606

*(cf. 6173 - Education for Homeless Children)*

The liaison for foster youth shall:

1. Ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of students in foster care (Education Code 48853.5)



2. Ensure proper transfer of credits, records, and grades when students in foster care transfer from one school to another or from one district to another (Education Code 48853.5, 48645.5)

When a student in foster care is enrolling in a district school, the liaison shall contact the school last attended by the student to obtain all academic and other records, within two business days of receiving the request. When a foster youth is transferring to a new school, the liaison shall provide the student's records to the new school within two business days of receiving the new school's request. (Education Code 48853.5)

*(cf. 5117 - Interdistrict Attendance)*  
*(cf. 5125 - Student Records)*  
*(cf. 6146.3 - Reciprocity of Academic Credit)*

3. As needed, make appropriate referrals to ensure that students in foster care receive necessary special education services and services under Section 504 of the federal Rehabilitation Act of 1973

*(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)*  
*(cf. 6164.6 - Identification and Education Under Section 504)*

4. Ensure that students in foster care receive appropriate school-based services, such as supplemental instruction, counseling, or after-school services

*(cf. 5141.6 - School Health Services)*  
*(cf. 5148.2 - Before/After School Programs)*  
*(cf. 5149 - At-Risk Students)*  
*(cf. 6164.2 - Guidance/Counseling Services)*  
*(cf. 6172 - Gifted and Talented Student Program)*  
*(cf. 6174 - Education for English Language Learners)*  
*(cf. 6177 - Summer School)*  
*(cf. 6179 - Supplemental Instruction)*

5. **As needed, ensure that students in foster care receive appropriate school-based services, such as counseling and health services, supplemental instruction, and after-school services**

**(cf. 5141.6 - School Health Services)**  
**(cf. 5148.2 - Before/After School Programs)**  
**(cf. 5149 - At-Risk Students)**  
**(cf. 6164.2 - Guidance/Counseling Services)**  
**(cf. 6172 - Gifted and Talented Student Program)**  
**(cf. 6174 - Education for English Language Learners)**  
**(cf. 6177 - Summer School)**  
**(cf. 6179 - Supplemental Instruction)**

6. Develop protocols and procedures so that district staff, including principals, school registrars, and attendance clerks, are aware of the requirements for the proper enrollment, placement, and transfer of foster youth

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

7. Collaborate with the county placing agency, social services, probation officers, juvenile court officers, nonprofit organizations, and advocates to help coordinate services for the district's foster youth

*(cf. 1020 - Youth Services)*  
*(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)*  
*(cf. 5113.1 - Chronic Absence and Truancy)*

8. Monitor the educational progress of foster youth and provide reports to the Superintendent or designee and the Governing Board based on indicators identified in Board policy

The Superintendent or designee shall regularly monitor the caseload of the liaison, as well as his/her additional duties outside of the foster youth program, to determine whether adequate time and resources are available to meet the needs of foster youth in the district.

*(cf. 4115 - Evaluation/Supervision)*  
*(cf. 4315 - Evaluation/Supervision)*

### Enrollment

A foster youth placed in a licensed children's institution or foster family home within the district shall attend programs operated by the district unless one of the following circumstances applies: (Education Code 48853, 48853.5)

1. The student has an individualized education program requiring placement in a nonpublic, nonsectarian school or agency, or in another local educational agency.

*(cf. 6159 - Individualized Education Program)*  
*(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)*

- ~~2. The parent/guardian or other person holding the right to make educational decisions for the student determines that it is in the best interest of the student to be placed in another educational program.~~

~~\*\*\*Note: Education Code 48853 requires districts to educate foster youth in the least restrictive environment necessary for their educational achievement. However, pursuant to Education Code 48853, as amended by SB 121 (Ch. 571, Statutes of 2012), a district may be discharged from this~~

~~obligation when the parent/guardian or other person with the right to make educational decisions for the foster youth unilaterally decides to place the foster youth in another educational program and provides the district a written statement as specified in item #2 below. \*\*\*~~

**2. The parent/guardian or other person holding the right to make educational decisions for the student determines that it is in the best interest of the student to be placed in another educational program and submits a written statement to the district indicating that determination and that:**

**a. He/she is aware that the student has a right to attend a regular public school in the least restrictive environment.**

**b. The alternate educational program is a special education program, if applicable.**

**c. The decision to unilaterally remove the student from the district school and to place him/her in an alternate education program may not be financed by the district.**

*(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)*

**d. Any attempt to seek reimbursement for the alternate education program may be at the expense of the parent/guardian or other person holding the right to make educational decisions for the student.**

**(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)**

3. At the initial placement or any subsequent change in placement, the student exercises his/her right to continue in his/her school of origin, as defined above.

a. The student may continue in the school of origin for the duration of the court's jurisdiction or, if the court's jurisdiction is terminated prior to the end of a school year, then for remainder of the school year.

b. To provide the student the benefit of matriculating with his/her peers in accordance with the established feeder patterns of school districts, a student who is transitioning between school grade levels shall be allowed to continue in the district of origin in the same attendance area. A student who is transitioning to a middle school or high school shall be allowed to enroll in the school designated for matriculation in another school district.

The liaison may, in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the youth, recommend that the youth's right to attend the school of origin be waived and he/she be enrolled in any school that students living in the attendance area in which the foster youth resides are eligible to attend. All decisions shall be made in accordance with the foster youth's best interests. (Education Code 48853.5)

Prior to making any recommendation to move a foster youth from his/her school of origin, the liaison shall provide the youth and the person holding the right to make educational decisions for the youth with a written explanation of the basis for the recommendation and how this recommendation serves the youth's best interests. (Education Code 48853.5)

The role of the liaison shall be advisory with respect to placement decisions and determination of the school of origin. (Education Code 48853.5)

If the liaison, in consultation with the foster youth and the person holding the right to make educational decisions for the foster youth, agrees that the best interests of the youth would be served by his/her transfer to a school other than the school of origin, the principal or designee of the new school shall immediately enroll the foster youth. The foster youth shall be immediately enrolled even if he/she: (Education Code 48853.5)

1. Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended

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

2. Does not have clothing normally required by the school, such as school uniforms

*(cf. 5132 - Dress and Grooming)*

3. Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, and medical records, including, but not limited to, immunization records or other documentation

*(cf. 5141.26 - Tuberculosis Testing)*

*(cf. 5141.31 - Immunizations)*

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

If a person with the right to make educational decisions for a foster youth or the foster youth disagrees with the liaison's enrollment recommendation, he/she may appeal to the Superintendent. The Superintendent shall make a determination within 30 calendar days of receipt of the appeal. Within 30 calendar days of receipt of the Superintendent's decision, the parent/guardian or foster youth may appeal that decision to the Board. The Board shall consider the issue at its next regularly scheduled meeting. The Board's decision shall be final.

*(cf. 9320 - Meetings and Notices)*

If any dispute arises regarding the request of a foster youth to remain in the school of origin, the youth has the right to remain in the school of origin pending resolution of the dispute. (Education Code 48853.5)

Transportation.

Upon request, the district may provide transportation for a foster youth to and from his/her school of origin when the student is residing within the district and the school of origin is within district boundaries.

#### Transfer of Coursework and Applicability of Graduation Requirements

When a foster youth transfers into a district school, the district shall accept and issue full credit for any coursework that the foster youth has satisfactorily completed while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school or agency and shall not require the foster youth to retake the course. (Education Code 51225.2)

If the foster youth did not complete the entire course, he/she shall be issued partial credit for the coursework completed and shall be required to take the portion of the course that he/she did not complete at his/her previous school. However, the district may require the foster youth to retake the portion of the course completed if, in consultation with the holder of educational rights for the foster youth, the district finds that the foster youth is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a foster youth in any particular course, he/she shall be enrolled in the same or equivalent course, if applicable, so that he/she may continue and complete the entire course. (Education Code 51225.2)

In no event shall the district prevent a foster youth from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California. (Education Code 51225.2)

When a foster youth in grade 11 or 12 transfers into the district from another school district or transfers between high schools within the district, he/she shall be exempted from all coursework and other graduation requirements adopted by the Board that are in addition to the statewide coursework requirements specified in Education Code 51225.3 and the high school exit examination, unless the district makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school while he/she remains in foster care. (Education Code 51225.3, 60851)

The Superintendent or designee shall notify any student who is granted an exemption and, as appropriate, the person holding the right to make educational decisions for the student, if any of the requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges. (Education Code 51225.3)

*(cf. 6146.1 - High School Graduation Requirements)*  
*(cf. 6162.52 - High School Exit Examination)*

Grades/Credits

Grades for a student in foster care shall not be lowered if the student is absent from school due to either of the following circumstances: (Education Code 49069.5)

1. A decision by a court or placement agency to change the student's placement, in which case the student's grades and credits shall be calculated as of the date he/she left school
2. A verified court appearance or related court-ordered activity

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

Eligibility for Extracurricular Activities

A foster youth who changes residences pursuant to a court order or decision of a child welfare worker shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities. (Education Code 48850)

*(cf. 6145 - Extracurricular and Cocurricular Activities)*

*(cf. 6145.2 - Athletic Competition)*

(11/09 11/10) 11/11

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

First Reading: May 15, 2013

Adopted:

King City, California

## BP 6174 Instruction

## Education For English Language Learners

The Governing Board intends to provide English language learners with a challenging curriculum and instruction that develop proficiency in English as rapidly and effectively as possible in order to assist students in accessing the full educational program and achieving the district's academic standards. The district's program shall be based on sound instructional theory and shall be adequately supported so that English language learners can achieve results at the same academic level as their English-proficient peers in the regular course of study.

The Board encourages staff to exchange information with staff in other districts and the county office of education about programs, options and strategies for English language learners that succeed under various demographic conditions.

(cf. 4112.22 - Staff Teaching Students of Limited English Proficiency)

~~\*\*\*Note: Pursuant to Education Code 60811, the SBE has adopted state academic content standards for English language development for students whose primary language is a language other than English. In November 2012, the SBE approved English language development standards that have been updated to align with the state's Common Core Standards for English language arts as required by Education Code 60811.3, as added by AB 124 (Ch. 605, Statutes of 2012). The standards describe what students should know and be able to do in the early stages of and at exit from each of three proficiency levels: emerging, expanding, and bridging.\*\*\*~~

~~\*\*\*Note: The SBE has been unable to adopt K-8 textbooks and instructional materials aligned to the Common Core Standards because Education Code 60200.7 suspended state adoptions of instructional materials until the 2015-16 school year. To bridge the gap, Education Code 60605.87, as added by AB 1719 (Ch. 636, Statutes of 2012), requires the CDE to recommend and the SBE to approve, by June 30, 2014, a list of supplementary instructional materials aligned with the updated English language development standards. This list of supplementary materials will be available on the CDE's web site and is informational only; see BP 6161.11-- Supplementary Instructional Materials.\*\*\*~~

**English learners shall be provided English language development instruction targeted to their English proficiency level and aligned with state content standards. The district's program shall be based on sound instructional theory and adequately supported in order to assist students in accessing the full educational program.**

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

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

(cf. 6161.11 - Supplementary Instructional Materials)

(cf. 6171 - Title I Programs)

~~\*\*\*Note: Education Code 44253.1-44253.11, related Title 5 regulations, and Commission on Teacher Credentialing (CTC) leaflet CL-622, Serving English Learners, describe requirements pertaining to the qualifications of teachers of English learners. A teacher who is assigned to provide English language development, specially designed academic instruction in English, and/or primary language instruction to English learners must hold an appropriate authorization from the CTC; see AR 4112.22 - Staff Teaching English Language Learners.\*\*\*~~

**The Superintendent or designee shall ensure that all staff employed to teach English learners possess the appropriate authorization from the Commission on Teacher Credentialing.**

**(cf. 4112.22 - Staff Teaching English Language Learners)**

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

**The Superintendent or designee shall encourage parent and community involvement in the development, implementation, and evaluation of English language development programs. In addition, to support students' English language development, the Superintendent or designee may provide an adult literacy training program for parents/guardians and community members that leads to English fluency.**

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

**(cf. 1220 - Citizen Advisory Committees)**

**(cf. 6020 - Parent Involvement)**

The Superintendent or designee shall maintain procedures which provide for the identification, assessment and placement of English language learners and for their redesignation based on criteria adopted by the Board and specified in administrative regulations.

To evaluate program effectiveness, the Superintendent or designee shall regularly examine program results, including reports of the English language learners' academic achievement, their progress towards proficiency in English and the progress of students who have been redesignated as fluent English proficient. The Superintendent or designee shall annually report these findings to the Board and shall also provide the Board with regular reports from any district or schoolwide English learner advisory committees.

(cf. 6190 - Evaluation of the Instructional Program)

### Type of Instruction

Students who are English language learners shall be educated through "sheltered English immersion" or "structured English immersion" during a temporary transition period not normally intended to exceed one year. "Nearly all" of the classroom instruction in the district's sheltered



English immersion program shall be in English, but with the curriculum and presentation designed for students who are learning the language. (Education Code 305, 306)

The district has defined the term "nearly all" as follows:

- The student's primary language may be used as support to clarify meaning and facilitate comprehension

When an English language learner has acquired a reasonable level of English proficiency as measured by any of the state-designated assessments approved by the California Department of Education or any locally developed assessments and using other criteria developed by the district, he/she shall be transferred from a structured English immersion classroom to an English language mainstream classroom in which the instruction is "overwhelmingly" in English. (Education Code 305; 5 CCR 11301)

An English language learner has acquired a "reasonable level of English proficiency" when he/she has achieved the following:

- ELD Level 4 "Early Advanced" (level 4) or "Advanced" (level 5) as assessed by the California English Language Development Test (CELDT)

*(cf. 6011 - Academic Standards)*  
*(cf. 6162.5 - Student Assessment)*  
*(cf. 6171 - Title I Programs)*

Upon the request of his/her parent/guardian, a student shall be placed in an English language mainstream classroom. (5 CCR 11301)

### Parental Exception Waivers

At any time during the school year, the parent/guardian of an English language learner may have his/her child moved into an English language mainstream program.

Parent/guardian requests for waivers from Education Code 305 regarding placement in a sheltered English immersion program shall be granted in accordance with law and administrative regulation.

If the Superintendent or designee denies the waiver request, he/she shall provide a written justification to the parent/guardian describing the reasons for the denial. A parent/guardian may appeal the Superintendent's decision in writing to the Board. The Board may consider the matter at its next regular Board meeting. The Board may decide not to hear the appeal, in which case the Superintendent's decision shall be final. If the Board hears the appeal, the Superintendent shall send the Board's decision to the parent/guardian within seven working days.

~~\*\*\*Note: Education Code 313.1, as added by AB 2193 (Ch. 427, Statutes of 2012), defines~~

~~"long term English learner" and "English learner at risk of becoming a long term English learner"; see definitions in the accompanying administrative regulation. Pursuant to Education Code 313.2, as added by AB 2193, the CDE is required to annually determine the number of students in each district and school who are, or at risk of becoming, long term English learners and to report that information to districts and schools.\*\*\*~~

**To evaluate the effectiveness of the district's educational program for English learners, the Superintendent or designee shall report to the Board, at least annually, regarding the progress of English learners towards proficiency in English, the number and percentage of English learners reclassified as fluent English proficient, the number and percentage of English learners who are or are at risk of being classified as long-term English learners, the achievement of English learners on standards-based tests in core curricular areas, and a comparison of current data with data from at least the previous year. The Superintendent or designee also shall provide the Board with regular reports from any district or schoolwide English learner advisory committees.**

Legal Reference:

EDUCATION CODE

~~300-340 English language education for immigrant children  
 430-446 English Learner and Immigrant Pupil Federal Conformity Act  
 33308.5 CDE guidelines not binding  
 44253.5-44253.10 Certification for bilingual-cross-cultural competence  
 48985 Notices to parents in language other than English  
 51101 Rights of parents to information  
 51101.1 Rights for parents of English learners  
 52130-52135 Impacted languages act of 1984  
 52160-52178 Bilingual Bicultural Act  
 52180-52186 Bilingual teacher training assistance program  
 54000-54028 Programs for disadvantaged children  
 60810-60812 Assessment of language development  
 62001-62005.5 Evaluation and sunseting of programs  
 4320 Determination of funding to support program to overcome the linguistic difficulties of English learners  
 11300-11316 English Language Learner Education  
 11510-11516 California English Language Development Test  
 1701-1705 Equal Educational Opportunities Act  
 6312 Local education agency plans  
 6801-6871 Title III, Language instruction for limited English proficient and immigrant students~~

COURT DECISIONS

Valeria G. v. Wilson, (9th Circuit) 2002 U.S. App. Lexis 20956

California Teachers Association et al. v. State Board of Education et al., (9th Circuit, 2001) 271 F.3d 1141

McLaughlin v. State Board of Education, (1999) 75 Cal.App.4th 196

Teresa P. et al v. Berkeley Unified School District et al, (1989) 724 F.Supp. 698

Casteneda v. Pickard, (5th Cir. 1981) 648 F.2d 989

ATTORNEY GENERAL OPINIONS

83 Ops.Cal.Atty.Gen. 40 (2000)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Guidelines for Reclassification of English Learners, September 2002

Accommodations for the California English Language Development Test, Revised 8/13/01

WEB SITES

CDE: <http://www.cde.ca.gov>

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

(8/98-10/98) 11/02

**Legal Reference:**

**EDUCATION CODE**

**300-340 English language education**

**430-446 English Learner and Immigrant Pupil Federal Conformity Act**

**33050 State Board of Education waiver authority**

**44253.1-44253.11 Qualifications for teaching English learners**

**48985 Notices to parents in language other than English**

**51101-51101.1 Rights of parents**

**52130-52135 Impacted Languages Act of 1984**

**52160-52178 Bilingual Bicultural Act**

**52180-52186 Bilingual teacher training assistance program**

**54000-54028 Programs for disadvantaged children**

**60200.7 Suspension of state instructional materials adoptions**

**60605.87 Supplemental instructional materials, English language development**

**60810-60812 Assessment of language development**

**62005.5 Continuation of advisory committee after program sunsets**

**CODE OF REGULATIONS, TITLE 5**

**11300-11316 English learner education**

**11510-11517 California English Language Development Test**

**UNITED STATES CODE, TITLE 20**

**1701-1705 Equal Educational Opportunities Act**

**6312 Local education agency plans**

**6801-6871 Title III, Language instruction for limited English proficient and immigrant students**

**7012 Parental notification**

**COURT DECISIONS**

**Valeria G. v. Wilson, (2002) 307 F.3d 1036**

**California Teachers Association v. State Board of Education et al., (9th Circuit, 2001) 271 F.3d 1141**

**McLaughlin v. State Board of Education, (1999) 75 Cal.App.4th 196**

**Teresa P. et al v. Berkeley Unified School District et al, (1989) 724 F.Supp. 698**

**ATTORNEY GENERAL OPINIONS**

**83 Ops.Cal.Atty.Gen. 40 (2000)**

**Management Resources:**

**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**

**California English Language Development Test (CELDT): 2012-13 CELDT Information Guide, 2012**

**English Language Development Standards for California Public Schools: Kindergarten Through Grade Twelve, 2012**

**Matrix of Test Variations, Accommodations, and Modifications for Administration of California Statewide Assessments**

**U.S. DEPARTMENT OF EDUCATION NONREGULATORY GUIDANCE**

**Assessment and Accountability for Recently Arrived and Former Limited English Proficient (LEP) Students, May 2007**

**WEB SITES**

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

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

**(10/98 11/02) 11/12**

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

First Reading: May 15, 2013

Adopted:

King City, California

## AR 6174 Instruction

## Education For English Language Learners

Definitions

English learner means a student who does not speak English or whose native language is not English and who is not currently able to perform ordinary classroom work in English, also known as a limited English proficient or LEP child. (Education Code 306)

~~\*\*\*Note: Education Code 313.1, as added by AB 2193 (Ch. 427, Statutes of 2012), establishes the following definitions of "long-term English learner" and "English learner at risk of becoming a long-term English learner." Pursuant to Education Code 313.2, as added by AB 2193, the California Department of Education (CDE) is required to annually determine the number of students in each district and school who are, or at risk of becoming, long-term English learners and to report that information to districts and schools; see the accompanying Board policy.\*\*\*~~

**Long-term English learner means an English learner who is enrolled in grades 6-12, has been enrolled in schools in the United States for more than six years, has remained at the same English language proficiency level for two or more consecutive years as determined by the California English Language Development Test (CELDT) or any successor test, and scores far below basic or below basic on the English language arts test of the California Standards Tests or any successor test. (Education Code 313.1)**

**English learner at risk of becoming a long-term English learner means an English learner who is enrolled in grades 5-11 in the United States for four years, scores at the intermediate level or below on the CELDT or any successor test, and scores in the fourth year at the below basic or far below basic level on the English language arts test of the California Standards Tests or any successor test. (Education Code 313.1)**

English language classroom means a classroom in which the language of instruction used by the teaching personnel is overwhelmingly the English language, and in which such teaching personnel possess a good knowledge of the English language. (Education Code 306)

English language mainstream classroom means a classroom in which the students either are native English language speakers or already have acquired reasonable fluency in English. (Education Code 306)

Sheltered English immersion or structured English immersion means an English language acquisition process in which nearly all classroom instruction is in English but with the curriculum and presentation designed for students who are learning the language. (Education Code 306)

Bilingual education/native language instruction means a language acquisition process for students in which much or all instruction, textbooks, and teaching materials are in the student's native language. (Education Code 306)

### Identification and Assessment

Upon enrollment, each student's primary language shall be determined through use of a home language survey. (5 CCR 11307)

Within 30 calendar days of their initial enrollment, students who are identified as having a primary language other than English, as determined by the home language survey, and for whom there is no record of results from an English language development test shall be assessed using the California English Language Development Test (CELDT). (5 CCR 11511)

All students shall have sufficient time to complete the CELDT as provided in the directions for test administration. (5 CCR 11516)

~~Any student with a disability shall take the CELDT with those accommodations for testing that the student has regularly used during instruction and classroom assessment as delineated in the student's individualized education program (IEP) or Section 504 plan that are appropriate and necessary to address the student's individual needs. (5 CCR 11516.5) \*\*\*Note: 5 CCR 11307 and 11511 require the district to administer a home language survey to all enrolled students and, for students who are determined by the home survey to have a primary language other than English, to follow up with administration of the California English Language Development Test (CELDT) as provided in the following paragraphs. According to the CDE's 2012-13 CELDT Information Guide, these requirements also apply to students in a transitional kindergarten program, who are expected to have the same level of services as kindergarten students; see BP 6170.1—Transitional Kindergarten.\*\*\*~~

**Upon enrollment in the district, each student's primary language shall be determined through use of a home language survey. (5 CCR 11307)**

**Any student who is identified as having a primary language other than English as determined by the home language survey, and who has not been previously identified as an English learner by a California public school or for whom there is no record of results from an administration of an English language proficiency test, shall be assessed for English proficiency using the CELDT. The test shall be administered between 60 calendar days before the date of first enrollment in a district school and 30 calendar days after the date of first enrollment, but not before July 1 of that school year. (5 CCR 11511)**

**The CELDT shall be administered in accordance with 5 CCR 11511-11516.7.**

~~\*\*\*Note: 5 CCR 11516-11516.6 specify allowable variations and accommodations in CELDT administration. These variations and accommodations are generally the same as those allowed~~

~~for the Standardized Testing and Reporting Program; see AR 6162.51—Standardized Testing and Reporting Program. A matrix of allowable accommodations is available on the CDE's web site.\*\*\*~~

**Variations and accommodations in test administration may be provided pursuant to 5 CCR 11516-11516.7. Any student with a disability shall be allowed to take the CELDT with those accommodations for testing that the student has regularly used during instruction and classroom assessment as delineated in the student's individualized education program (IEP) or Section 504 plan that are appropriate and necessary to address the student's individual needs. If he/she is unable to participate in the assessment or a portion of the assessment with such accommodations, he/she shall be administered an alternate assessment for English language proficiency as set forth in his/her IEP. (5 CCR 11516-11516.7)**

**(cf. 6152.51 - Standardized Testing and Reporting Program)**

**(cf. 6159 - Individualized Education Program)**

**(cf. 6164.6 - Identification and Education Under Section 504)**

*(cf. 6159 - Individualized Education Program)*

*(cf. 6164.6 - Identification and Education Under Section 504)*

The district shall notify parents/guardians of their child's results on the CELDT within 30 calendar days. (5 CCR 11511.5)

*(cf. 5145.6 - Parental Notifications)*

Within 90 days of initial enrollment, students identified as having limited English proficiency shall be further assessed for primary language proficiency in comprehension, speaking, reading and writing. The Superintendent or designee shall develop criteria for determining student needs on the basis of these assessments. (former Education Code 52164.1, 62002)

Before students are enrolled in a program for English language learners, parents/guardians shall receive information about the program and their opportunities for parental involvement. This information shall include the fact that an individual student's participation in the program is voluntary on the part of the parent/guardian. (Education Code 52173)

Not later than 30 calendar days after the beginning of the school year, each parent/guardian of a student participating in, or identified for participation in, a language instruction program supported by federal Title III funds shall receive notification of the assessment of his/her child's English proficiency. The notice shall include all of the following: (Education Code 440; 20 USC 6312)

1. The reason for the student's classification as English language learner
2. The level of English proficiency
3. A description of the program for English language development instruction, including a description of all of the following:
  - a. The manner in which the program will meet the educational strengths and needs of the student
  - b. The manner in which the program will help the student develop his/her English proficiency and meet age-appropriate academic standards
  - c. The specific exit requirements for the program, the expected rate of transition from the program into classrooms not tailored for English language learner students, and the expected rate of graduation from secondary school if Title I funds are used for students in secondary schools
  - d. Where the student has been identified for special education, the manner in which the program meets the requirements of the student's IEP
4. Information regarding a parent/guardian's option to decline to allow the student to become enrolled in the program or to choose to allow the student to become enrolled in an alternative program
5. Information designed to assist a parent/guardian in selecting among available programs, if more than one program is offered

Parent/guardians also shall be notified of the results of any reassessments. (Education Code 52164.3)

#### Parental Exception Waivers

At the beginning of each school year, parents/guardians shall be informed of the placement of their children in a structured English immersion program and shall be notified of an opportunity to apply for a parental exception waiver. (Education Code 310; 5 CCR 11309)

A parent/guardian may request that the district waive the requirements of Education Code 305, pertaining to the placement of a student in a structured English immersion program if the one of the following circumstances exists:

1. Students who already know English: The student already possesses good English language skills, as measured by standardized tests of English vocabulary comprehension, reading and writing, in which the student scores at or above the state average for his/her



grade level or at or above the fifth-grade average, whichever is lower. (Education Code 311(a))

2. Older students: The student is age 10 years or older, and it is the informed belief of the school principal and educational staff that an alternate course of study would be better suited to the student's rapid acquisition of basic English skills. (Education Code 311(b))
3. Students with special needs: The student already has been placed, for a period of not less than 30 calendar days during that school year, in an English language classroom and it is subsequently the informed belief of the school principal and educational staff that the student has special physical, emotional, psychological or educational needs and that an alternate course of educational study would be better suited to the student's overall educational development. (Education Code 311(c))

The parent/guardian shall personally visit the school to apply for the waiver. (Education Code 310)

Upon request for a waiver, the Superintendent or designee shall provide to the parents/guardians: (Education Code 310, 311; 5 CCR 11309)

1. A full written description, and a spoken description upon request, of the intent and content of the structured English immersion program, any alternative courses of study and all educational opportunities offered by the district and available to the student, and the educational materials to be used in the different educational program choices
2. For a request for waiver pursuant to Education Code 311(c) for students with special needs, notification that the student must be placed for a period of not less than 30 calendar days in an English language classroom and that the Superintendent must approve the waiver pursuant to Governing Board guidelines

\*\*\*Note: Education Code 311 provides that a waiver may be granted when the student has such special physical, emotional, psychological, or educational needs that an alternate course of study would be better suited to the student's overall educational development, as provided in item #3 below. The State Board of Education (SBE) has declared that the definition of "special needs" is broader than special education, or any other specific medical condition, in that expert documentation justifying the waiver need not be presented by the parent/guardian. Rather, the determination as to whether a child has "special needs" should be based on the parent/guardian's opinion that an alternative program is better for his/her child. According to the CDE, for a special education student, the IEP determines placement of that student, and therefore a waiver pursuant to this section is not required.\*\*\*

3. The student already has been placed, for a period of not less than 30 calendar days during that school year, in an English language classroom and it is subsequently the informed belief of the principal and educational staff that the student has special physical, emotional, psychological,

or educational needs and that an alternate course of educational study would be better suited to the student's overall educational development.

~~\*\*\*Note: 5 CCR 11309 mandates that districts establish procedures for granting parental exception waivers that contain the following two paragraphs. Pursuant to Education Code 311, waivers granted pursuant to item #3 above are subject to approval by the Superintendent under guidelines adopted by the Governing Board and ultimately subject to SBE guidelines.\*\*\*~~

**Upon request for a waiver, the Superintendent or designee shall provide parents/guardians with a full written description and, upon request, a spoken description of the intent and content of the structured English immersion program, any alternative courses of study, all educational opportunities offered by the district and available to the student, and the educational materials to be used in the different educational program choices. For a request for waiver pursuant to item #3 above, the Superintendent or designee shall notify the parent/guardian that the student must be placed for a period of not less than 30 calendar days in an English language classroom and that the waiver must be approved by the Superintendent pursuant to any guidelines established by the Governing Board. (Education Code 310, 311; 5 CCR 11309)**

**The principal and educational staff may recommend a waiver to a parent/guardian pursuant to item #2 or #3 above. Parents/guardians shall be informed in writing of any recommendation for an alternative program made by the principal and staff and shall be given notice of their right to refuse to accept the recommendation. The notice shall include a full description of the recommended alternative program and the educational materials to be used for the alternative program as well as a description of all other programs available to the student. If the parent/guardian elects to request the alternative program recommended by the principal and educational staff, the parent/guardian shall comply with district procedures and requirements otherwise applicable to a parental exception waiver, including Education Code 310. (Education Code 311; 5 CCR 11309)**

~~\*\*\*Note: If standardized tests are not available to measure a student's English language skills and for waivers pursuant to item #1 above, 5 CCR 11309 provides that the district may use equivalent measures as determined by the Board. The following optional paragraph should be revised to reflect district practice.\*\*\*~~

**Parental exception waivers pursuant to item #2 above shall be granted if it is the informed belief of the principal and educational staff that an alternate course of educational study would be better suited to the student's rapid acquisition of basic English language skills. (Education Code 311)**

**Parental exception waivers pursuant to item #3 above shall be granted by the Superintendent if it is the informed belief of the principal and educational staff that, due to the student's special physical, emotional, psychological, or educational needs, an alternate course of educational study would be better suited to the student's overall educational development. (Education Code 311)**

**All parental exception waivers shall be acted upon within 20 instructional days of submission to the principal. However, parental waiver requests pursuant to item #3 above shall not be acted upon during the 30-day placement in an English language classroom. Such waivers shall be acted upon no later than 10 calendar days after the expiration of that 30-day English language classroom placement or within 20 instructional days of submission of the waiver to the principal, whichever is later. (5 CCR 11309)**

~~\*\*\*Note: Education Code 310 provides that when 20 or more students in the same grade level at the same school receive a waiver, the school is required to offer an alternative class; otherwise it must allow the students to transfer to a public school in which such a class is offered. Districts that have questions about the requirement to offer a program should consult legal counsel as necessary.\*\*\*~~

**Any individual school in which 20 students or more of a given grade level receive a waiver shall offer an alternative class where the students are taught English and other subjects through bilingual education techniques or other generally recognized educational methodologies permitted by law. Otherwise, the students shall be allowed to transfer to a public school in which such a class is offered. (Education Code 310)**

**In cases where a parental exception waiver pursuant to item #2 or #3 above is denied, the parent/guardian shall be informed in writing of the reason(s) for the denial and advised that he/she may appeal the decision to the Board if the Board authorizes such an appeal, or to the court. (5 CCR 11309)**

**Waiver requests shall be renewed annually by the parent/guardian. (Education Code 310)**

Pursuant to Education Code 311(b) and 311(c), the principal and educational staff may recommend a waiver to a parent/guardian for a student 10 years or older and a student with special needs. Parents/guardians shall be informed in writing of any recommendation for an alternative program made by the principal and staff and shall be given notice of their right to refuse to accept the recommendation. The notice shall include a full description of the recommended alternative program and the educational materials to be used for the alternative program as well as a description of all other programs available to the student. If the parent/guardian elects to request the alternative program recommended by the principal and educational staff, the parent/guardian shall comply with district procedures and requirements otherwise applicable to a parental exception waiver, including Education Code 310. (5 CCR 11309)

When evaluating waiver requests pursuant to Education Code 311(a) for students who already know English and other waiver requests for those students for whom standardized assessment data are not available, other equivalent assessment measures may be used. These equivalent measures may include local assessments, local standards and teacher evaluations.

Parental exception waivers pursuant to Education Code 311(b) for students 10 years or older shall be granted if it is the informed belief of the principal and educational staff that an alternate course of educational study would be better suited to the student's rapid acquisition of basic English language skills. (Education Code 311)

Parental exception waivers pursuant to Education Code 311(c) for students with special needs shall be granted if it is the informed belief of the principal and educational staff that, due to the student's special physical, emotional, psychological or educational needs, an alternate course of educational study would be better suited to the student's overall educational development. (Education Code 311)

The principal shall consider all waiver requests made pursuant to Education Code 311(c) for students with special needs and shall submit a rationale of the decision regarding the waiver to the Superintendent or designee. When determining whether or not to recommend the approval of the waiver request, the principal shall assume that the facts justifying the request attested by the parent/guardian are a true representation of the child's condition.

Each waiver shall be considered on its individual merits with great deference given to parental preference for student placement.

The principal or designee shall act upon all parental exception waivers within 20 instructional days of submission to the principal. However, parental waiver requests pursuant to Education Code 311(c) for students with special needs shall not be acted upon during the 30-day placement in an English language classroom. These waivers shall be acted upon no later than 10 calendar days after the expiration of that 30-day English language classroom placement or within 20 instructional days of submission of the waiver to the principal, whichever is later. (5 CCR 11309)

All parental exception waivers shall be granted unless the principal and educational staff have determined that an alternative program offered at the school would not be better suited for the overall educational development of the student. (5 CCR 11309)

Individual schools in which 20 students or more of a given grade level receive a waiver shall be required to offer such a class; otherwise they must allow the students to transfer to a public school in which such a class is offered. (Education Code 310)

Students wishing to transfer shall be subject to the district's intradistrict and interdistrict attendance policies and administrative regulations. Students wishing to transfer to another district shall also be subject to the receiving district's interdistrict attendance policies and administrative regulations.

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

In cases where a parental exception waiver pursuant to Education Code 311(b) or (c) is denied, the parent/guardian shall be informed in writing of the reason(s) for the denial and advised that he/she may appeal the decision to the Board if the Board authorizes such an appeal, or to the court. (5 CCR 11309)

Waiver requests shall be renewed annually by the parent/guardian. (Education Code 310)

### Reclassification/Redesignation

~~The district shall continue to provide additional and appropriate educational services to English language learners for the purposes of overcoming language barriers until the English language learners have: (5 CCR 11302)~~

- ~~1. Demonstrated English language proficiency comparable to that of the district's average native English language speakers~~
- ~~2. Recouped any academic deficits which may have been incurred in other areas of the core curriculum as a result of language barriers~~

~~English language learners shall be redesignated as fluent English proficient when they are able to comprehend, speak, read and write English well enough to receive instruction in the regular program and make academic progress at a level substantially equivalent to that of students of the same age or grade whose primary language is English and who are in the regular course of study. (Education Code 52164.6)~~

~~The following measures shall be used to determine whether an English language learner shall be reclassified as fluent English proficient: (5 CCR 11303)~~

- ~~1. Assessment of English language proficiency utilizing the CELDT as the primary criterion, and objective assessment of the student's English reading and writing skills~~
- ~~2. Participation of the student's classroom teacher and any other certificated staff with direct responsibility for teaching or placement decisions~~
- ~~3. Parent/guardian opinion and consultation during a redesignation interview~~

~~Parents/guardians shall receive notice and a description of the redesignation process, including notice of their right to participate in the process. Parent/guardian participation in the process shall be encouraged.~~

- ~~4. Comparison of performance in basic skills, including performance on the English-Language Arts section of the California Standards Test~~
- ~~5. Objective data on the student's academic performance in English~~

~~The Superintendent or designee shall provide subsequent monitoring and support for redesignated students, including but not limited to monitoring the performance of redesignated students in the core curriculum in comparison with their native English speaking peers; monitoring the rate of redesignation, and ensuring correct classification and placement.~~

~~The Superintendent or designee shall develop a process to monitor the effectiveness of the district's program for English language learners. The district's program shall be modified as needed to help ensure language and academic success for each English language learner.~~

#### Reclassification/Redesignation

~~\*\*\*Note: The following section reflects procedures established by law and state regulations for the reclassification of English learners to fluent English proficient. Education Code 313.5, as added by SB 1108 (Ch. 434, Statutes of 2012), requires the CDE to review the criteria, policies, and practices of a sampling of school districts and to recommend to the Legislature and the SBE, by January 1, 2014 and again by January 1, 2017, any guidelines or regulatory or statutory changes needed to identify when English learners are prepared for the successful transition to classrooms and curricula that require English proficiency.\*\*\*~~

**The district shall continue to provide additional and appropriate educational services to English learners for the purposes of overcoming language barriers until they: (5 CCR 11302)**

- 1. Demonstrate English language proficiency comparable to that of the district's average native English language speakers**
- 2. Recoup any academic deficits which may have been incurred in other areas of the core curriculum as a result of language barriers**

**English learners shall be reclassified as fluent English proficient when they are able to comprehend, speak, read, and write English well enough to receive instruction in an English language classroom and make academic progress at a level substantially equivalent to that of students of the same age or grade whose primary language is English and who are in the regular course of study. (Education Code 52164.6)**

~~\*\*\*Note: 5 CCR 11303 mandates that the district's reclassification process include the criteria specified in items #1-4 below. The CDE's 2012-13 CELDT Information Guide includes recommendations for assessing each of the following criteria.\*\*\*~~

**The following measures shall be used to determine whether an English learner shall be reclassified as fluent English proficient: (Education Code 313; 5 CCR 11303)**

- 1. Assessment of English language proficiency using an objective assessment instrument, including, but not limited to, the CELDT.**

2. **Participation of the student's classroom teacher and any other certificated staff with direct responsibility for teaching or placement decisions related to the student.**
3. **Parent/guardian opinion and consultation. The Superintendent or designee shall provide the parent/guardian with notice and a description of the reclassification process and of his/her opportunity to participate in the process and shall encourage his/her involvement in the process.**
4. **Student performance on a statewide assessment of basic skills in English.**

~~\*\*\*Note: 5 CCR 11304 requires the district to monitor the progress of reclassified students to ensure that their classification and placement are correct. During the Federal Program Monitoring process, CDE staff will check whether the district monitors the progress of reclassified students for at least two years and whether such monitoring includes a determination of additional academic support needed.\*\*\*~~

**The Superintendent or designee shall monitor the progress of reclassified students to ensure their correct classification and placement. (5 CCR 11304)**

**Students shall be monitored for at least two years following their reclassification. As part of this evaluation, the Superintendent or designee shall identify whether the student needs any additional academic support to ensure his/her language and academic success.**

#### Advisory Committees

At the district level when there are more than 50 English language learners in the district and at each school with more than 20 English language learners, parent/guardian advisory committees shall be maintained to serve the advisory functions specified in law. (5 CCR 11308)

Parents/guardians of English language learners shall constitute committee membership in at least the same percentage as their children represent of the total number of students in the school. (Education Code 52176)

The district's English language advisory committee shall advise the Board on at least the following tasks: (5 CCR 11308)

1. The development of a district master plan of education programs and services for English learners, taking into consideration the school site plans for English learners
2. The districtwide needs assessment on a school-by-school basis
3. Establishment of a district program, goals and objectives for programs and services for English learners

4. Development of a plan to ensure compliance with applicable teacher or aide requirements
5. Administration of the annual language census
6. Review of and comment on the district's reclassification procedures
7. Review of and comments on the written notification required to be sent to parents/guardians pursuant to 5 CCR 11300-11316

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

*(cf. 1220 - Citizen Advisory Committees)*

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

*(cf. 6020 - Parent Involvement)*

In order to assist advisory members in carrying out their responsibilities, the Superintendent or designee shall ensure that committee members receive appropriate training and materials. This training shall be planned in full consultation with the members. (5 CCR 11308)

(10/98 11/02) 3/03

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

First Reading: May 15, 2013

Adopted:

King City, California



**Instruction**

**Education For English Language Learners**

PARENTAL EXCEPTION WAIVER  
EDUCATION CODE 311

Student's Name: \_\_\_\_\_ Grade: \_\_\_\_\_

School: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Student's Primary Language: \_\_\_\_\_

I request a waiver of the placement of my child in the school's structured/sheltered English immersion program for the following reason:

My child possesses good English language skills. (Education Code 311(a))

My child is 10 years of age or older and I believe that an alternate course of study is better suited to my child's rapid acquisition of English. (Education Code 311(b))

I believe that my child has special needs and that an alternate course of study is better suited to his/her educational development. (Education Code 311(c))

I understand that the objective for my child is to be taught English as rapidly and effectively as possible. I have been provided a full written description of the intent and content of the structured English immersion program; any alternative courses of study offered by the district and made available to my child; all educational opportunities offered by the district and made available to my child; and the educational materials to be used in the different educational program choices.

I have personally visited the school to apply for this waiver.

I understand that I must request that this waiver be reconsidered annually, each school year.

Parent/Guardian Signature: \_\_\_\_\_

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

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: Zip: \_\_\_\_\_

Phone Number: \_\_\_\_\_

For School Use Only:

For waivers pursuant to Education Code 311(a), student's English standardized test scores:  
(Scores must be at or above the state average for the child's grade level or above the 5th grade average) \_\_\_\_\_

Waiver Granted/Denied:      Date: \_\_\_\_\_

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

(10/95 10/98) 11/12

Exhibit:      SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

First Reading:    May 15, 2013

Adopted:

King City, CA

AR 6183 Instruction

Home And Hospital Instruction

A student with a temporary disability which makes school attendance impossible or inadvisable shall receive individual instruction in the student's home or in a hospital or other residential health facility, excluding state hospitals. This instruction applies to students incurring a physical, mental or emotional disability after which they can reasonably be expected to return to regular day classes or an alternative education program without special intervention. It does not apply to students identified as individuals with exceptional needs pursuant to Education Code 56026. (Education Code 48206.3)

*(cf. 6158 - Independent Study)*

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

Home or hospital instruction shall be provided only by teachers with valid California teaching credentials who consent to the assignment. (Education Code 44865)

*(cf. 4112.2 - Certification)*

*(cf. 4113 - Assignment)*

The district shall offer at least one hour of instruction for every day of instruction offered by the district in the regular education program. No student shall be credited with more than five days of attendance per calendar week or credited with more than the total number of calendar days that regular classes are offered by the district in any fiscal year. (Education Code 48200, 48206.3)

Insofar as possible, the teacher providing home or hospital instruction shall consult with the student's current classroom teacher(s) so as to provide a continuity of instruction that enables the student to stay abreast with the regular school program.

The Superintendent or designee may require verification through any reasonable means that the student requires home instruction. In addition, this verification shall also state that the disabling condition will not expose the teacher to a contagious disease that can be transmitted through casual contact. Home or hospital instruction shall not be denied to students with Hepatitis B, herpes or HIV/AIDS, as long as the home or hospital practices current preventive protocol as determined by the U.S. Centers for Disease Control.

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

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

*(cf. 5112.2 - Exclusions from Attendance)*

*(cf. 5141.22 - Infectious Diseases)*

Nondistrict Students

A student of another district who is temporarily disabled and confined to a hospital or health facility within this district shall be eligible to receive individual instruction in this district. (Education Code 48207)

In such circumstances, it is the responsibility of the parent/guardian to notify the district of the student's presence in a qualifying hospital. (Education Code 48208)

Upon receiving such notification, the Superintendent or designee shall: (Education Code 48208)

1. Within five working days of the notification, determine whether the student is able to receive individualized instruction and, if so, when it shall begin. Instruction shall begin no later than five working days after the Superintendent or designee has determined that the student is able to receive individualized instruction.
2. Within five working days of the beginning of the individualized instruction, the Superintendent or designee shall provide written notification to the district in which the student was previously enrolled stating that the student shall not be counted by that district for purposes of computing average daily attendance, effective the date on which individualized instruction began.

Alternatively, the Superintendent or designee may enter into an agreement with the district in which the student was previously enrolled to have that district provide the individualized instruction. (Education Code 48208)

Parental Notifications

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians that: (Education Code 48208, 48980)

1. Individual instruction is available for temporarily disabled students as prescribed by Education Code 48206.3.
2. If a student becomes temporarily disabled, it is the parent/ guardian's responsibility to notify the receiving district of the student's presence in a qualifying hospital.

*(cf. 5145.6 - Parental Notifications)*

Legal Reference:

EDUCATION CODE

44865 Qualifications for home teachers

45031 Home teachers

48200 Minimum school day

48206.3 Pupils with temporary disabilities; individual instruction; definitions; computing average daily attendance

48206.5 Continuation of individual instruction programs for students with temp. disabilities

48207 Pupils with temporary disabilities in hospitals out- side of school district; compliance with residency requirements

48208 Presence of pupils with temporary disabilities in qualifying hospitals; notice by parents or guardians; commencement of individualized instruction

48980 Required notification of rights and availability of nutrition and individualized instruction programs

51800-51802 Employment of home teachers

CODE OF REGULATIONS, TITLE 5

421 Method of verification

423 Prolonged illness

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

First Reading: May 15, 2013

Adopted:

King City, California

**AGENDA/MEETING MATERIALS**

Governing Board meeting agendas shall state the meeting time and place and shall briefly describe each business item to be transacted or discussed, including items to be discussed in closed session. (Government Code 54954.2)

*(cf. 9320 - Meetings and Notices)*  
*(cf. 9321- Closed Session Purposes and Agendas)*

The agenda shall provide members of the public the opportunity to address the Board on any agenda item before or during the Board's consideration of the item. The agenda shall also provide members of the public an opportunity to testify at regular meetings on matters which are not on the agenda but which are within the subject matter jurisdiction of the Board. (Education Code 35145.5; Government Code 54954.3)

*(cf. 9323 - Meeting Conduct)*

Each meeting agenda shall list the address designated by the Superintendent or designee for public inspection of agenda documents that have been distributed to the Board less than 72 hours before the meeting. (Government Code 54957.5)

The agenda shall specify that an individual who requires disability-related accommodations or modifications, including auxiliary aids and services, in order to participate in the Board meeting should contact the Superintendent or designee. (Government Code 54954.2)

**Agenda Preparation**

The Board president and the Superintendent, as secretary to the Board, shall work together to develop the agenda for each regular and special meeting. Each agenda shall reflect the district's vision and goals and the Board's focus on student learning.

*(cf. 0000 - Vision)*  
*(cf. 0200 - Goals for the School District)*  
*(cf. 9121 - President)*  
*(cf. 9122 - Secretary)*

A Board member or member of the public may request that a matter within the jurisdiction of the Board be placed on the agenda of a regular meeting. The request shall be in writing and be submitted to the Superintendent or designee with supporting documents and information, if any, at least one week before the scheduled meeting date. Items submitted less than a week before the scheduled meeting date may be postponed to a later meeting in order to allow sufficient time for consideration and research of the issue.

The Board president and Superintendent shall decide whether a request is within the subject matter jurisdiction of the Board. Items not within the subject matter jurisdiction of the Board may not be placed on the agenda. In addition, the Board president and Superintendent shall determine if the item

is merely a request for information or whether the issue is covered by an existing policy or administrative regulation before placing the item on the agenda.

The Board president and Superintendent shall decide whether an agenda item is appropriate for discussion in open or closed session, and whether the item should be an action item subject to Board vote, an information item that does not require immediate action, or a consent item that is routine in nature and for which no discussion is anticipated.

Any Board action that involves borrowing \$100,000 or more shall be discussed, considered, and deliberated upon as a separate item of business on the meeting agenda. (Government Code 53635.7)

*(cf. 9323.2 - Actions by the Board)*

All public communications with the Board are subject to requirements of relevant Board policies and administrative regulations.

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

*(cf. 1312.2 - Complaints Concerning Instructional Materials)*

*(cf. 1312.3 - Uniform Complaint Procedures)*

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

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

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

## **Consent Items**

In order to promote efficient meetings, the Board may act upon more than one item by a single vote through the use of a consent agenda. Consent items shall be items of a routine nature or items for which no Board discussion is anticipated and for which the Superintendent recommends approval.

In accordance with law, the public has a right to comment on any consent item. At the request of any member of the Board, any item on the consent agenda shall be removed and given individual consideration for action as a regular agenda item.

~~\*\*\*Note: The following optional section is for boards that use the consent agenda or calendar to take action on matters of a routine nature for which discussion may not be necessary. It is important for such boards to limit the use of the consent agenda to noncontroversial matters and to establish rules that help ensure that any use of the consent agenda does not reduce transparency in the board's conduct of district business or result in violation of the open meeting laws. In addition, boards should be aware that, by law, certain items may not be placed on the consent agenda. For example, pursuant to Government Code 54960.2, as added by SB 1003 (Ch. 732, Statutes of 2012), a board's decision to approve or rescind its unconditional commitment to refrain from taking certain actions in violation of the Brown Act must be made as a separate item and not on the consent agenda. See BB 9323.2 - Actions by the Board.\*\*\*~~

**In order to promote efficient meetings, the Board may bundle a number of items and act upon them together by a single vote through the use of a consent agenda. Consent agenda items shall be items of a routine nature and items for which Board discussion is not anticipated and for which the Superintendent recommends approval.**

**When any Board member requests the removal of an item from the consent agenda, the item shall be removed and given individual consideration for action as a regular agenda item.**

**The agenda shall provide an opportunity for members of the public to comment on any consent agenda item that has not been previously considered. However, the agenda need not provide an opportunity for public comment when the consent agenda item has previously been considered at an open meeting of a committee comprised exclusively of all the Board members provided that members of the public were afforded an opportunity to comment on the item at that meeting, unless the item has been substantially changed since the committee considered it. (Government Code 54954.3)**

#### Agenda Dissemination to Board Members

At least three days before each regular meeting a copy of the agenda and agenda packet shall be forwarded to each Board member, including the Superintendent or designee's report; minutes to be approved; copies of communications; reports from committees, staff, citizens, and others; and other available documents pertinent to the meeting.

When special meetings are called, the Superintendent or designee shall make every effort to distribute the agenda and supporting materials to Board members as soon as possible before the meeting.

~~Board members shall review agenda materials before each meeting. Individual members may confer directly with the Superintendent or designee to request additional information on agenda items.~~

~~\*\*\*Note: The following section is optional and should be modified to reflect district practice. Pursuant to Government Code 6252.7, when the Board, in the conduct of its duties, is authorized by law to access any writing of the district, including agenda and supporting documents, the district is prohibited from discriminating between or among Board members as to when and which records will be made available.\*\*\*~~

**Board members shall review agenda materials before each meeting. Individual members may confer directly with the Superintendent or designee to ask questions and/or request additional information on agenda items. However, a majority of Board members shall not directly or through intermediaries or electronic means discuss, deliberate, or take action on any matter within the subject matter jurisdiction of the Board.**

#### **(cf. 9012 - Board Member Electronic Communications)**

#### Agenda Dissemination to Members of the Public

The Superintendent or designee shall mail a copy of the agenda or a copy of all the documents constituting the agenda packet to any person who requests the items. The materials shall be mailed at the time the agenda is posted or upon distribution of the agenda to a majority of the Board, whichever occurs first. (Government Code 54954.1)

If a document is distributed to the Board less than 72 hours prior to a meeting, the Superintendent or designee shall make the document available for public inspection at the time the document is



distributed to a majority of the Board provided that the document is a public record under the Public Records Act and relates to an agenda item for an open session of a regular Board meeting. The Superintendent or designee may also post the document on the district's web site in a position and manner that makes it clear that the document relates to an agenda item for an upcoming meeting. (Government Code 54957.5)

*(cf. 1113 - District and School Web Sites)*  
*(cf. 1340 - Access to District Records)*

Any documents prepared by the district or the Board and distributed during a public meeting shall be made available for public inspection at the meeting. Any documents prepared by another person shall be made available for public inspection after the meeting. These requirements shall not apply to a document that is exempt from public disclosure under the Public Records Act. (Government Code 54957.5)

Upon request, the Superintendent or designee shall make the agenda, agenda packet, and/or any writings distributed at the meeting available in appropriate alternative formats to persons with a disability, as required by the Americans with Disabilities Act. (Government Code 54954.1)

Any request for mailed copies of agendas or agenda packets shall be in writing and shall be valid for the calendar year in which it is filed. Written requests must be renewed following January 1 of each year. (Government Code 54954.1)

Persons requesting mailing of the agenda or agenda packet shall pay an annual fee, as determined by the Superintendent or designee, not to exceed the cost of providing the service.

**Legal Reference:**

**EDUCATION CODE**

35144 Special meetings

35145 Public meetings

35145.5 Right of public to place matters on agenda

**GOVERNMENT CODE**

6250-6270 Public Records Act

53635.7 Separate item of business

54954.1 Mailed agenda of meeting

54954.2 Agenda posting requirements; board actions

54954.3 Opportunity for public to address legislative body

54954.5 Closed session item descriptions

54956.5 Emergency meetings

54957.5 Public records

**UNITED STATES CODE, TITLE 42**

12101-12213 Americans with Disabilities Act

**CODE OF FEDERAL REGULATIONS, TITLE 28**

35.160 Effective communications

36.303 Auxiliary aids and services

**COURT DECISIONS**

Caldwell v. Roseville Joint Union HSD, 2007 U.S. Dist. LEXIS 66318

**Management Resources:**

**CSBA PUBLICATIONS**

~~The Brown Act: School Boards and Open Meeting Laws, rev. 2007~~

~~Guide to Effective Meetings, rev. 2007~~

~~Maximizing School Board Leadership: Boardsmanship, 1996~~

**ATTORNEY GENERAL PUBLICATIONS**

~~The Brown Act: Open Meetings for Legislative Bodies, California Attorney General's Office, rev. 2003~~

**CALIFORNIA CITY ATTORNEY PUBLICATIONS**

~~Open and Public III: A User's Guide to the Ralph M. Brown Act, 2000~~

**WEB SITES**

~~CSBA, Agenda Online:~~

~~<http://www.csba.org/Services/Services/GovernanceTechnology/AgendaOnline.aspx>~~

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

~~(10/97-11/02) 3/08~~

**Legal Reference:**

**EDUCATION CODE**

**35144 Special meetings**

**35145 Public meetings**

**35145.5 Right of public to place matters on agenda**

**GOVERNMENT CODE**

**6250-6270 Public Records Act**

**53635.7 Separate item of business**

**54954.1 Mailed agenda of meeting**

**54954.2 Agenda posting requirements; board actions**

**54954.3 Opportunity for public to address legislative body**

**54954.5 Closed session item descriptions**

**54956.5 Emergency meetings**

**54957.5 Public records**

**54960.2 Challenging board actions; cease and desist**

**UNITED STATES CODE, TITLE 42**

**12101-12213 Americans with Disabilities Act**

**CODE OF FEDERAL REGULATIONS, TITLE 28**

**35.160 Effective communications**

**36.303 Auxiliary aids and services**

**COURT DECISIONS**

**Mooney v. Garcia, (2012) 207 Cal.App.4th 229**

**Caldwell v. Roseville Joint Union High School District, 2007 U.S. Dist. LEXIS 66318**

**Management Resources:**

**CSBA PUBLICATIONS**

**Call to Order: A Blueprint for Great Board Meetings, 2010**

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

**ATTORNEY GENERAL PUBLICATIONS**

**The Brown Act: Open Meetings for Legislative Bodies, rev. 2003**

**WEB SITES**

CSBA, Agenda Online: <http://www.csba.org>

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

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

First Reading: May 15, 2013

Adopted:

King City, California

## BB 9323.2 Board Bylaws

### Actions By The Board

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

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

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

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

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

(cf. 9324 - Minutes and Recordings)

### Action on Non-Agenda Items

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

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

(cf. 9320 - Meetings and Notices)

(cf. 9322 - Agenda/Meeting Materials)

### Challenging Board Actions

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

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

~~\*\*\*Note: Government Code 54960 grants authority to the district attorney or any interested person to file a civil action asking the court to order the Board to stop or prevent Brown Act violations specified below. The Board should be careful to respond to legal challenges to its actions and consult legal counsel when necessary. Pursuant to Government Code 54960.5, a court may award court costs and reasonable attorney's fees to a plaintiff who successfully invalidates a Board action in violation of the Brown Act or successfully enforces one of the Brown Act's civil remedies provided in Government Code 54960-54960.2.\*\*\*~~

**The district attorney's office or any interested person may file an action in court to stop or prevent the Board's violation or threats of violations of the Brown Act, to determine the applicability of the Brown Act to ongoing or future threatened Board actions, to determine the validity, under California or federal law, of any Board rule or action to penalize any of its members or otherwise discourage the member's expression, or to compel the Board to audio record its closed sessions because of its violation of any applicable Government Code provision. (Government Code 54960)**

~~\*\*\*Note: Pursuant to Government Code 54960.1, the district attorney's office or any interested person may file a lawsuit to invalidate (i.e., declare null and void) actions that violate specific provisions of the Brown Act listed in Government Code 54960.1 and specified below. However, even when the action may normally be subject to invalidation, Government Code 54960.1 provides that in certain circumstances (e.g., when there has been substantial compliance with the Brown Act or the Board created a contractual obligation), the action may not be invalidated.\*\*\*~~

~~\*\*\*Note: Before seeking court action, the person who believes a violation occurred must send a written demand to the Board to "cure or correct" the action as specified below. Because the laws regarding these provisions are complex, it is recommended that the district consult with legal counsel upon receipt of a "cure and correct" demand.\*\*\*~~

**The district attorney or any interested person may present a demand that the Board cure and correct a Board action which he/she alleges is in violation of law regarding any of the following: (Government Code 54960.1)**

- 1. Open meeting and teleconferencing (Government Code 54953)**
- 2. Agenda posting (Government Code 54954.2)**
- 3. Closed session item descriptions (Government Code 54954.5)**
- 4. New or increased tax assessments (Government Code 54954.6)**
- 5. Special meetings (Government Code 54956)**

## 6. Emergency meetings (Government Code 54956.5)

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

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

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

~~\*\*\*Note: Pursuant to Government Code 54960, as amended by SB 1003 (Ch. 732, Statutes of 2012), past Board actions that occur on or after January 1, 2013 but which are not specified in Government Code 54960.1 may also be challenged. However, prior to commencing such an action, the district attorney or other interested person must comply with the requirements specified in Government Code 54960.2, as added by SB 1003, including sending a cease and desist letter to the Board within nine months of the alleged violation.\*\*\*~~

**In addition, the district attorney's office or any interested party may file an action in court to determine the applicability of the Brown Act to any past Board action not specified in Government Code 54960.1, if the following conditions are met: (Government Code 54960.2)**

- 1. Within nine months of the alleged violation, a cease and desist letter is submitted to the Board, clearly describing the past Board action and the nature of the alleged violation.**

~~\*\*\*Note: Pursuant to Government Code 54960.2, the Board may respond within 30 days of receiving the cease and desist letter. If the Board decides to respond to the letter with an unconditional commitment to desist from repeating the past action, the unconditional commitment is required to be substantially in the same form provided in Government Code 54960.2 and to be approved in an open session of the Board's regular or special meeting. For a sample unconditional commitment letter, see E(2) 9323.2.\*\*\*~~

- 2. The time for the Board to respond has expired and the Board has not provided an unconditional commitment to cease and desist from and not repeat the past action alleged to have violated the Brown Act.**

Legal Reference:

BB 9323.2 (d)

~~EDUCATION CODE~~

~~15266 School construction bonds  
17466 Declaration of intent to sell or lease real property  
17481 Lease of property with residence for nondistrict purposes  
17510-17511 Resolution requiring unanimous vote of all members constituting board  
17546 Private sale of personal property  
17556-17561 Dedication of real property  
17582-17583 District deferred maintenance fund  
35140-35149 Meetings  
35160-35178.4 Powers and duties  
48660-48661 Community day schools establishment and restrictions~~

~~CODE OF CIVIL PROCEDURE~~

~~425.16 Special motion to strike in connection with a public issue  
1245.240 Eminent domain vote requirements  
1245.245 Eminent domain, resolution adopting different use~~

~~GOVERNMENT CODE~~

~~53090-53097.5 Regulation of local agencies by counties and cities  
53724 Parcel tax resolution requirements  
53790-53792 Exceeding the budget  
53820-53833 Temporary borrowing  
53850-53858 Temporary borrowing  
54950-54963 The Ralph M. Brown Act, especially:  
54952.6 Action taken, definition  
54953 Meetings to be open and public; attendance; secret ballots  
54960 Action to prevent violations  
65352.2 Coordination with planning agency~~

~~PUBLIC CONTRACT CODE~~

~~3400 Bid specifications  
20111 Contracts over \$50,000; contracts for construction; award to lowest responsible bidder  
20113 Emergencies, award of contracts without bids~~

~~COURT DECISIONS~~

~~Los Angeles Times Communications LLC v. Los Angeles County Board of Supervisors,  
(2003) 112 Cal.App.4th 1313  
McKee v. Orange Unified School District, (2003) 110 Cal.App.4th 1310  
Bell v. Vista Unified School District, (2002) 82 Cal.App.4th 672  
Boyle v. City of Redondo Beach, (1999) 70 Cal.App.4th 1109~~

Management Resources:

~~CSBA PUBLICATIONS~~

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

~~ATTORNEY GENERAL PUBLICATIONS~~

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

~~LEAGUE OF CALIFORNIA CITIES PUBLICATIONS~~

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

~~WEB SITES~~

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California Attorney General's Office: <http://www.caag.state.ca.us>  
Institute of Local Government: <http://www.ca-ilg.org>

(3/00-11/02) 3/11

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(11/02 3/11) 11/12

Bylaw SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

First Reading: May 15, 2013

Adopted:

King City, California

Bylaws of the Board

Actions By The Board

ACTIONS REQUIRING MORE THAN A MAJORITY VOTE

Actions Requiring a Two-Thirds Vote of the Board:

1. Resolution declaring intention to sell or lease real property (Education Code 17466)

*(cf. 3280 - Sale or Lease of District-Owned Real Property)*

2. Resolution declaring intent of Governing Board to convey or dedicate property to the state or any political subdivision for the purposes specified in Education Code 17556 (Education Code 17557)
3. Resolution authorizing and directing the Board president, or any other presiding officer, secretary, or member, to execute a deed of dedication or conveyance of property to the state or a political subdivision (Education Code 17559)
4. Lease for up to three months of school property which has a residence on it and which cannot be developed for district purposes because funds are unavailable (Education Code 17481)
5. Temporary borrowing before receipt of fiscal income, if implemented pursuant to Government Code 53820-53833 (Government Code 53821)
6. Upon complying with Government Code 65352.2 and Public Resources Code 21151.2, ordering city or county zoning ordinances inapplicable to a proposed use of the property by the district (Government Code 53094)

*(cf. 7131 - Relations with Local Agencies)*

*(cf. 7150 - Site Selection and Development)*

*(cf. 7160 - Charter School Facilities)*

7. Resolution to transfer excess local funds from a deferred maintenance fund when state funds are insufficient to match local funds being held in the deferred maintenance fund (Education Code 17582, 17583)
8. For districts with an ADA of 2,500 or less seeking to add a community day school on an existing school site, certification that satisfactory alternative facilities are not available for a community day school (Education Code 48661)

*(cf. 6185 - Community Day School)*

9. Resolution of intent to issue general obligation bonds with the approval of 55 percent of the voters of the district (Education Code 15266)

*(cf. 7214 - General Obligation Bonds)*

10. Resolution of intent to issue bonds within a school facilities improvement district with the approval of 55 percent of the voters of the school facilities improvement district (Education Code 15266)

*(cf. 7213 - School Facilities Improvement Districts)*

11. Resolution to place a parcel tax on the ballot (Government Code 53724)
12. Resolution of necessity to proceed with an eminent domain action and, if the Board desires to use the property for a different use than stated in the resolution of necessity, a subsequent resolution so authorizing the different use (Code of Civil Procedure 1245.240, 1245.245)

Actions Requiring a Two-Thirds Vote of the Board Members Present at the Meeting:

1. Determination that there is a need to take immediate action and that the need for action came to the district's attention after the posting of the agenda. If less than two-thirds of the Board members are present at the meeting, a unanimous vote of all members present is required. (Government Code 54954.2)
2. Determination that a closed session is necessary during an emergency meeting. If less than two-thirds of the Board members are present, a unanimous vote of all members present is required. (Government Code 54956.5)

*(cf. 9320 - Meetings and Notices)*

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

Actions Requiring a Four-Fifths Vote of the Board:

1. The expenditure and transfer of necessary funds and use of district property or personnel to meet a national or local emergency created by war, military, naval, or air attack, or sabotage, or to provide for adequate national or local defense (Government Code 53790-53792)

*(cf. 3110 - Transfer of Funds)*

2. Resolution, adopted between July 15 and August 30, to borrow funds of up to 25 percent of the estimated income and revenue to be received by the district during the current fiscal year from apportionments based on average daily attendance for the preceding school year (Government Code 53822-53824)

3. Declaration of an emergency in order to authorize the district to include a particular brand name or product in a bid specification (Public Contract Code 3400)

*(cf. 3311 - Bids)*

Actions Requiring a Unanimous Vote of the Board:

1. Resolution authorizing and prescribing the terms of a community lease for extraction of gas (Education Code 17510-17511)
2. Waiver of the competitive bid process pursuant to Public Contract Code 20111 when the Board determines that an emergency exists and upon approval of the County Superintendent of Schools (Public Contract Code 20113)

Action Requiring a Unanimous Vote of the Board Members Present at the Meeting:

1. Private sale of surplus property without advertisement in order to establish that such property is not worth more than \$2,500. Disposal of surplus property in the local dump or donation to a charitable organization requires the unanimous vote of the Board members present to establish that the value of such property would not defray the cost of arranging its sale. (Education Code 17546)

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

~~\*\*\*Note: Government Code 54960, as amended by SB 1003 (Ch. 732, Statutes of 2012), authorizes the district attorney or other interested person to file an action in court to determine the applicability of the Ralph M. Brown Act to any past Governing Board action which is not specified in Government Code 54960.1 and which occurs on or after January 1, 2013; see the accompanying administrative regulation. Prior to commencing such an action, the district attorney or other interested person must send a cease and desist letter to the Board within nine months of the alleged violation. Within 30 days of receiving the cease and desist letter, the Board may respond by sending an unconditional commitment, substantially in the same form provided in Government Code 54960.2, to desist from repeating the past action. If the Board so responds, the district attorney or other interested person may not file an action in court. The following exhibit presents a sample unconditional commitment letter.\*\*\*~~

**To: (Name of district attorney or any interested person)**

**The Governing Board of (name of school district) has received your cease and desist letter dated (date) alleging that the following described past action taken by the Board violates the Ralph M. Brown Act: (Describe alleged past action as set forth in the cease and desist letter.)**

**In order to avoid unnecessary litigation and without admitting any violation of the Ralph M. Brown Act, the Board hereby unconditionally commits that it will cease, desist from, and not repeat the challenged past action described above. The Board may rescind this**

**commitment only by a majority vote of its membership taken in open session at a regular meeting and noticed on its posted agenda as "Rescission of Brown Act Commitment." You will be provided with written notice, sent by any means or media you provide in response to this message, to whatever address(es) you specify, of any intention to consider rescinding this commitment at least 30 days before any such regular meeting. In the event that this commitment is rescinded, a notice will be delivered to you by the same means as this commitment, or by mail to an address that you have designated in writing, and you will have the right to commence legal action pursuant to Government Code 54960(a).**

Sincerely,

(Name)

(Title of Board President or other designee)

Exhibit SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT  
First Reading: May 15, 2013  
Adopted: King City, California

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

GOVERNING BOARD

SUBJECT: King City Young Farmers Donation

MEETING: May 15, 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 King City Young Farmers Foundation has graciously donated \$5,100 to the Greenfield ASB FFA Club. The donation is to be used at the discretion of the advisor and officers of the club.

Recommendation:

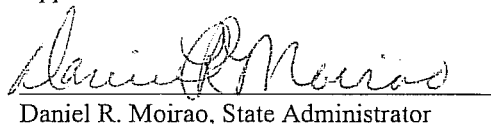
Accept the \$5,100 donation on behalf of the Greenfield ASB FFA Club

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



1038

DATE 3-6-13

Pay to the order of Greenfeld F.F.A.

\$ 5100 <sup>00</sup>/<sub>100</sub>

Five Thousand One hundred dollars + No/100

DEBIT



Security Features  
Included.  
Details on Back.

1ST CAPITAL BANK

King City Branch  
432 Broadway Street, King City, CA 93930  
831-385-8900

2013 Donation

*[Handwritten Signature]*

MP

⑆ 1 2 1 1 4 4 6 1 2 ⑆ 1038 ⑈ 0300010824 ⑈

DELIVER WALLET OR IMPRINT

ANTIQUE

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

**SUBJECT:** Approval of the 2012-13 Memorandum of Understanding between SMCJUHSD and the King City Joint Union High School Teachers Association

**MEETING:** May 15, 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:

On April 26, 2013 the KCJUHSDTA ratified a Memorandum of Understanding to take four (4) furlough days between then and the end of the 2012-13 school year. The agreement means an approximate reduction of 1.959% to the 2012-13 salaries for this bargaining unit.

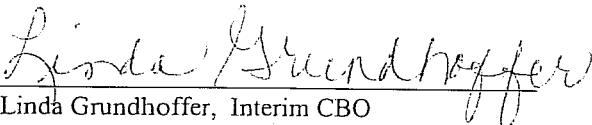
Recommendation:

Approve the Memorandum of Understanding between the district and KCJUHSDTA.


Fiscal Impact:

A savings of approximately \$143,411

Submitted By:

  
Linda Grundhoffer, Interim CBO

Approved:

  
Daniel R. Moirao, State Administrator



MEMORANDUM OF UNDERSTANDING

The King City Joint Union High School Teachers' Association will take four (4) furlough days during the 2012-13 school year on the following days:

~~May 16~~ *7/16/13*

May 20

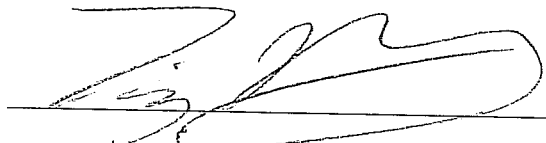
May 24

May 31

June 7 *7/7/13*

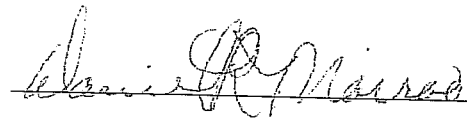
Each furlough day will save the district \$36,084.98 for a total of \$144,339.92 for the 2012-13 fiscal year. The intent of this MOU is to reduce the \$656,391.49 deficit which the District apportioned to the Association for the 2013-14 school year.

The Association agrees to ensuring that this MOU is ratified by end of business on May 3, 2013. The Association also agrees that the next negotiation session will be on April 30, 2013.

  
On Behalf of KCJUHSTA

Date

*4/24/13*

  
On Behalf of the District

Date

*4/24/13*

**PUBLIC DISCLOSURE OF COLLECTIVE BARGAINING AGREEMENT**  
in accordance with AB 1200 (Chapter 1213/1991), GC 3547.5, and CCR, Title V, Section 15449

Name of School District: SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT  
Name of Bargaining Unit: King City Joint Union High School Teachers Association  
Certificated, Classified, Other: \_\_\_\_\_

The proposed agreement covers the period beginning: July 1, 2012 and ending: June 30, 2013  
(date) (date)  
The Governing Board will act upon this agreement on: May 15, 2013  
(date)

This form, along with a copy of the proposed agreement, should be submitted to the County Office at least 10 working days prior to the date the Governing Board will take action. **Please note that school districts with a Qualified or Negative certification pursuant to E.C. section 42131 must allow the COE at least ten (10) working days to review and comment on any proposed agreement.**

**A. Proposed Change in Compensation**

Compensation	Column 1 Current Year Annual Cost Prior to Proposed Agreement  FY 2012-13	Fiscal Impact of Proposed Agreement		
		Column 2 Current Year Increase/(Decrease)  FY 2012-13	Column 3 MultiYr Agreement only: 1st Subsequent Year Increase/(Decrease)  FY 2013-14	Column 4 MultiYr Agreement only: 2nd Subsequent Year Increase/(Decrease)  FY 2014-15
1 <b>Salary Schedule</b> (This is to include Step and Column, which is also reported separately in Item 6.)	\$ 5,471,856	\$ (126,904)	\$ -	\$ -
		-2.32%	0.00%	0.00%
2 <b>Other Compensation -</b> Stipends, Bonuses, Longevity, Overtime, Differential, Callback or Standby Pay, etc.	\$ 266,817			
		0.00%	0.00%	0.00%
<b>Description of other compensation</b>				
3 <b>Statutory Benefits -</b> STRS, PERS, FICA, WC, UI, Medicare, etc.	\$ 752,713	\$ (16,507)	\$ -	\$ -
		-2.193%	0.00%	0.00%
<b>Health/Welfare Plans</b>	\$ 827,664	\$ -	\$ -	\$ -
		0.00%	0.00%	0.00%
<b>Total Compensation -</b> Add Items 1 thru 4	\$ 7,319,050	\$ (143,411)	\$ -	\$ -
		-1.959%	0.00%	0.00%
<b>Step and Column -</b> Due to movement plus any changes due to settlement. This is a subset of Item No. 1.	\$ -	\$ -	\$ -	\$ -
<b>Total Number of Represented Employees</b> (Use FTEs if appropriate)	76.50	76.50	76.50	76.50
<b>Total Compensation Average Cost per Employee</b>	\$ 95,674	\$ (1,875)	\$ -	\$ -
		-1.959%	0.00%	0.00%

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

9. What was the negotiated percentage increase approved? For example, if the increase in "Year 1" was for less than a full year, what is the annualized percentage of that increase for "Year 1"?

AN APPROXIMATE REDUCTION IN TEACHERS SALARIES OF 2.2% FOR 2012-13 ONLY

10. What was the negotiated percentage increase: On-Going  OR One-Time

11. Are there reopeners? Yes  No

12. Were any additional steps, columns, or ranges added to the schedules? (If yes, please explain.)

NO

13. Please include comments and explanations as necessary. (If more room is necessary, please attach an additional sheet.)

14. Does this bargaining unit have a negotiated cap for Health and Welfare benefits? Yes  No

If yes, please describe the cap amount.

UP TO \$10,000 TOWARD MEDICAL PREMIUMS

B. Proposed negotiated changes in noncompensation items (i.e., class size adjustments, staff development days, teacher prep time, classified staffing ratios, etc.)

NONE

C. What are the specific impacts (positive or negative) on instructional and support programs to accommodate the settlement? Include the impact of changes such as staff reductions or increases, program reductions or increases, elimination or expansion of other services or programs (i.e., counselors, librarians, custodial staff, etc.)

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

**D. What contingency language is included in the proposed agreement?**

WE ARE STILL IN NEGOTIATIONS FOR THE 13-14 YEAR

**E. Will this agreement create or increase deficit spending in the current or subsequent year(s)?**

"Deficit Spending" is defined to exist when a fund's expenditures and other financing uses exceed its revenues and other financing sources in a given year. If yes, explain the amounts and justification for doing so.

NO

**F. Identify other major provisions that do not directly affect the district's costs, such as binding arbitrations, grievance procedures, etc.**

**G. Source of Funding for Proposed Agreement:**

1. Current Year

2. If this is a single year agreement, how will the ongoing cost of the proposed agreement be funded in subsequent years (i.e., what will allow the district to afford this contract)?

GENERAL OPERATING FUNDS

3. If this is a multiyear agreement, what is the source of funding, including assumptions used, to fund these obligations in subsequent years? (Remember to include compounding effects in meeting obligations.)

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

H. IMPACT OF PROPOSED AGREEMENT ON CURRENT YEAR OPERATING BUDGET

Unrestricted General Fund

Bargaining Unit: King City Joint Union High School Teachers Association

	Column 1	* Column 2	Column 3	Column 4
	Latest Board- Approved Budget Before Settlement (As of 1/31/13)	Adjustments as a Result of Settlement	Other Revisions	Total Current Budget (Columns 1+2+3)
<b>UNRESTRICTED REVENUES</b>				
Revenue Limit Sources (8010-8099)	\$ 11,186,355	\$ -	\$ -	\$ 11,186,355
Remaining Revenues (8100-8799)	\$ 1,889,326	\$ -	\$ -	\$ 1,889,326
<b>TOTAL UNRESTRICTED REVENUES</b>	\$ 13,075,681	\$ -	\$ -	\$ 13,075,681
<b>UNRESTRICTED EXPENDITURES</b>				
Certificated Salaries (1000-1999)	\$ 5,730,871	\$ (105,576)	\$ -	\$ 5,625,295
Classified Salaries (2000-2999)	\$ 1,638,290	\$ -	\$ -	\$ 1,638,290
Employee Benefits (3000-3999)	\$ 2,438,836	\$ (13,733)	\$ -	\$ 2,425,103
Books and Supplies (4000-4999)	\$ 319,495	\$ -	\$ -	\$ 319,495
Services, Other Operating Expenses (5000-5999)	\$ 1,566,703	\$ -	\$ -	\$ 1,566,703
Capital Outlay (6000-6599)	\$ -	\$ -	\$ -	\$ -
Other Outgo (7100-7299) (7400-7499)	\$ 1,278,834	\$ -	\$ -	\$ 1,278,834
Direct Support/Indirect Cost (7300-7399)	\$ (29,707)	\$ -	\$ -	\$ (29,707)
Other Adjustments				
<b>TOTAL UNRESTRICTED EXPENDITURES</b>	\$ 12,943,322	\$ (119,309)	\$ -	\$ 12,824,013
<b>OPERATING SURPLUS/(DEFICIT)</b>	\$ 132,359	\$ 119,309	\$ -	\$ 251,668
Transfers In and Other Sources (8910-8979)	\$ -	\$ -	\$ -	\$ -
Transfers Out and Other Uses (7610-7699)	\$ 133,861	\$ -	\$ -	\$ 133,861
Contributions (8980-8999)	\$ (1,666,169)	\$ -	\$ -	\$ (1,666,169)
<b>CURRENT YEAR INCREASE (DECREASE) IN UNRESTRICTED FUND BALANCE</b>	\$ (1,667,671)	\$ 119,309	\$ -	\$ (1,548,362)
<b>UNRESTRICTED BEGINNING FUND BALANCE</b>	\$ 2,126,291			\$ 2,126,291
Pri Yr Audit Adjustmnts/Restatemnts (9793/9795)	\$ (38,462)			\$ (38,462)
<b>CURR YR UNRESTRICTED ENDING BALANCE</b>	\$ 420,158	\$ 119,309	\$ -	\$ 539,467
<b>COMPONENTS OF ENDING FUND BALANCE:</b>				
Nonspendable Amounts (9711-9719)	\$ 6,000	\$ -	\$ -	\$ 6,000
Committed/Assigned Amounts (9750-9780)	\$ -	\$ -	\$ -	\$ -
Reserve for Economic Uncertainties (9789)	\$ 544,356	\$ -	\$ -	\$ 544,356
Unappropriated/Unappropriated Amounts (9790)	\$ (130,198)	\$ 119,309	\$ -	\$ (10,889)

\* Please see question on page 7.

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

H. IMPACT OF PROPOSED AGREEMENT ON CURRENT YEAR OPERATING BUDGET

Restricted General Fund

Bargaining Unit: King City Joint Union High School Teachers Association

	Column 1	* Column 2	Column 3	Column 4
	Latest Board- Approved Budget Before Settlement (As of 1/31/13)	Adjustments as a Result of Settlement	Other Revisions	Total Current Budget (Columns 1+2+3)
<b>RESTRICTED REVENUES</b>				
Revenue Limit Sources (8010-8099)	\$ -	\$ -	\$ -	\$ -
Remaining Revenues (8100-8799)	\$ 2,539,089	\$ -	\$ -	\$ 2,539,089
<b>TOTAL RESTRICTED REVENUES</b>	\$ 2,539,089	\$ -	\$ -	\$ 2,539,089
<b>RESTRICTED EXPENDITURES</b>				
Certificated Salaries (1000-1999)	\$ 1,296,564	\$ (21,328)	\$ -	\$ 1,275,236
Classified Salaries (2000-2999)	\$ 534,495	\$ -	\$ -	\$ 534,495
Employee Benefits (3000-3999)	\$ 632,287	\$ (2,774)	\$ -	\$ 629,513
Books and Supplies (4000-4999)	\$ 521,543	\$ -	\$ -	\$ 521,543
Services, Other Operating Expenses (5000-5999)	\$ 1,043,418	\$ -	\$ -	\$ 1,043,418
Capital Outlay (6000-6599)	\$ -	\$ -	\$ -	\$ -
Other Outgo (7100-7299) (7400-7499)	\$ 292,880	\$ -	\$ -	\$ 292,880
Direct Support/Indirect Cost (7300-7399)	\$ 29,707	\$ -	\$ -	\$ 29,707
Other Adjustments				
<b>TOTAL RESTRICTED EXPENDITURES</b>	\$ 4,350,895	\$ (24,102)	\$ -	\$ 4,326,793
<b>OPERATING SURPLUS (DEFICIT)</b>	\$ (1,811,805)	\$ 24,102	\$ -	\$ (1,787,703)
Transfers In and Other Sources (8910-8979)	\$ -	\$ -	\$ -	\$ -
Transfers Out and Other Uses (7610-7699)	\$ -	\$ -	\$ -	\$ -
Contributions (8980-8999)	\$ 1,666,169	\$ -	\$ -	\$ 1,666,169
<b>CURRENT YEAR INCREASE (DECREASE) IN RESTRICTED FUND BALANCE</b>	\$ (145,637)	\$ 24,102	\$ -	\$ (121,535)
<b>RESTRICTED BEGINNING FUND BALANCE</b>	\$ 798,904			\$ 798,904
Pri Yr Audit Adjustmnts/Restatemnts (9793/9795)	\$ 3,500			\$ 3,500
<b>CURR YR RESTRICTED ENDING BALANCE</b>	\$ 656,767	\$ 24,102	\$ -	\$ 680,869
<b>COMPONENTS OF ENDING FUND BALANCE:</b>				
Restricted Amounts (9740)	\$ 656,767	\$ 24,102	\$ -	\$ 680,869

\* Please see question on page 7.

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

H. IMPACT OF PROPOSED AGREEMENT ON CURRENT YEAR OPERATING BUDGET

Combined General Fund

Bargaining Unit: King City Joint Union High School Teachers Association

	Column 1	* Column 2	Column 3	Column 4
	Latest Board- Approved Budget Before Settlement (As of 1/31/13)	Adjustments as a Result of Settlement	Other Revisions	Total Current Budget (Columns 1+2+3)
<b>REVENUES</b>				
Revenue Limit Sources (8010-8099)	\$ 11,186,355	\$ -	\$ -	\$ 11,186,355
Remaining Revenues (8100-8799)	\$ 4,428,415	\$ -	\$ -	\$ 4,428,415
<b>TOTAL REVENUES</b>	\$ 15,614,770	\$ -	\$ -	\$ 15,614,770
<b>EXPENDITURES</b>				
Certificated Salaries (1000-1999)	\$ 7,027,435	\$ (126,904)	\$ -	\$ 6,900,531
Classified Salaries (2000-2999)	\$ 2,172,785	\$ -	\$ -	\$ 2,172,785
Employee Benefits (3000-3999)	\$ 3,071,123	\$ (16,507)	\$ -	\$ 3,054,616
Books and Supplies (4000-4999)	\$ 841,038	\$ -	\$ -	\$ 841,038
Services, Other Operating Expenses (5000-5999)	\$ 2,610,121	\$ -	\$ -	\$ 2,610,121
Capital Outlay (6000-6599)	\$ -	\$ -	\$ -	\$ -
Other Outgo (7100-7299) (7400-7499)	\$ 1,571,714	\$ -	\$ -	\$ 1,571,714
Direct Support/Indirect Cost (7300-7399)	\$ -	\$ -	\$ -	\$ -
Other Adjustments				
<b>TOTAL EXPENDITURES</b>	\$ 17,294,217	\$ (143,411)	\$ -	\$ 17,150,806
<b>OPERATING SURPLUS (DEFICIT)</b>	\$ (1,679,446)	\$ 143,411	\$ -	\$ (1,536,035)
Transfer In and Other Sources (8910-8979)	\$ -	\$ -	\$ -	\$ -
Transfers Out and Other Uses (7610-7699)	\$ 133,861	\$ -	\$ -	\$ 133,861
Contributions (8980-8999)	\$ -	\$ -	\$ -	\$ -
<b>CURRENT YEAR INCREASE (DECREASE) IN FUND BALANCE</b>	\$ (1,813,307)	\$ 143,411	\$ -	\$ (1,669,896)
<b>BEGINNING FUND BALANCE</b>	\$ 2,925,195			\$ 2,925,195
Pri Yr Audit Adjustmnts/Restatemnts (9793/9795)	\$ (34,962)			\$ (34,962)
<b>CURRENT YEAR ENDING FUND BALANCE</b>	\$ 1,076,926	\$ 143,411	\$ -	\$ 1,220,337
<b>COMPONENTS OF ENDING FUND BALANCE:</b>				
Nonspendable Amounts (9711-9719)	\$ 6,000	\$ -	\$ -	\$ 6,000
Restricted Amounts (9740)	\$ 656,767	\$ 24,102	\$ -	\$ 680,869
Committed/Assigned Amounts (9750-9780)	\$ -	\$ -	\$ -	\$ -
Reserve for Economic Uncertainties (9789)	\$ 544,356	\$ -	\$ -	\$ 544,356
Unappropriated/Unappropriated Amounts (9790)	\$ (130,198)	\$ 119,309	\$ -	\$ (10,889)
Reserve for Economic Uncertainties Percentage	2.38%			3.09%

\* Please see question on page 7.

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

I. IMPACT OF PROPOSED AGREEMENT ON SUBSEQUENT YEARS UNRESTRICTED FUNDS

Unrestricted General Fund Multiyear Projection

Bargaining Unit: King City Joint Union High School Teachers Association

	2012-13	2013-14	2014-15
	Total Current Budget After Settlement	First Subsequent Year After Settlement	Second Subsequent Year After Settlement
<b>UNRESTRICTED REVENUES</b>			
Revenue Limit Sources (8010-8099)	\$ 11,186,355	\$ 11,344,741	\$ 11,585,270
Remaining Revenues (8100-8799)	\$ 1,889,326	\$ 1,886,493	\$ 1,882,400
<b>TOTAL UNRESTRICTED REVENUES</b>	\$ 13,075,681	\$ 13,231,234	\$ 13,467,670
<b>UNRESTRICTED EXPENDITURES</b>			
Certificated Salaries (1000-1999)	\$ 5,625,295	\$ 5,728,465	\$ 5,757,107
Classified Salaries (2000-2999)	\$ 1,638,290	\$ 1,646,481	\$ 1,654,713
Employee Benefits (3000-3999)	\$ 2,425,103	\$ 2,486,306	\$ 2,500,706
Books and Supplies (4000-4999)	\$ 319,495	\$ 345,176	\$ 346,440
Services, Other Operating Expenses (5000-5999)	\$ 1,566,703	\$ 1,453,132	\$ 1,474,888
Capital Outlay (6000-6999)	\$ -	\$ -	\$ -
Other Outgo (7100-7299) (7400-7499)	\$ 1,278,834	\$ 1,278,834	\$ 1,278,834
Direct Support/Indirect Cost (7300-7399)	\$ (29,707)	\$ (24,198)	\$ (18,384)
Other Adjustments		\$ -	\$ -
<b>TOTAL UNRESTRICTED EXPENDITURES</b>	\$ 12,824,013	\$ 12,914,196	\$ 12,994,304
<b>OPERATING SURPLUS (DEFICIT)</b>	\$ 251,668	\$ 317,038	\$ 473,366
Transfers In and Other Sources (8910-8979)	\$ -	\$ -	\$ -
Transfers Out and Other Uses (7610-7699)	\$ 133,861	\$ 125,000	\$ 100,000
Contributions (8980-8999) (Enter as a negative)	\$ (1,666,169)	\$ (1,609,919)	\$ (1,648,557)
<b>CURRENT YEAR INCREASE (DECREASE) IN UNRESTRICTED FUND BALANCE</b>	\$ (1,548,362)	\$ (1,417,881)	\$ (1,275,191)
<b>UNRESTRICTED BEGINNING FUND BALANCE</b>	\$ 2,126,291	\$ 539,467	\$ (878,414)
Pri Yr Audit Adjustmnts/Restatements (9793/9795)	\$ (38,462)		
<b>UNRESTRICTED ENDING FUND BALANCE</b>	\$ 539,467	\$ (878,414)	\$ (2,153,605)
<b>COMPONENTS OF ENDING BALANCE:</b>			
Nonspendable Amounts (9711-9719)	\$ 6,000	\$ 6,000	\$ 6,000
Committed/Assigned Amounts (9750-9780)	\$ -	\$ -	\$ -
Reserve for Economic Uncertainties (9789)	\$ 544,356	\$ 516,535	\$ 518,727
Unappropriated/Unappropriated Amounts (9790)	\$ (10,889)	\$ (1,400,949)	\$ (2,678,332)

WARNING: 9790 Unappropriated Amounts must be positive



SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

J. IMPACT OF PROPOSED AGREEMENT ON UNRESTRICTED RESERVES

1. State Reserve Standard

		2012-13	2013-14	2014-15
a.	Total Expenditures, Transfers Out, and Uses (Including Cost of Proposed Agreement)	\$ 17,284,667	\$ 3	\$ -
b.	State Standard Minimum Reserve Percentage for this District Enter percentage:		0.00%	0.00%
c.	State Standard Minimum Reserve Amount for this District (For districts with less than 1,001 ADA, this is the greater of Line a. times Line b. or \$61,000)	\$ 61,000	\$ 61,000	\$ 61,000

2. Budgeted Unrestricted Reserve (After Impact of Proposed Agreement)

a.	General Fund Budgeted Unrestricted Designated for Economic Uncertainties (9789)	\$ 544,356	\$ 516,535	\$ 518,727
b.	General Fund Budgeted Unrestricted Unappropriated Amount (9790)	\$ (10,889)	\$ (1,400,949)	\$ (2,678,332)
c.	Special Reserve Fund (Fund 17) Budgeted Designated for Economic Uncertainties (9789)	\$ -	\$ -	\$ -
d.	Special Reserve Fund (Fund 17) Budgeted Unappropriated Amount (9790)	\$ -	\$ -	\$ -
e.	Total Available Reserves	\$ 533,467	\$ (884,414)	\$ (2,159,605)
f.	Reserve for Economic Uncertainties Percentage	3.09%	-29480458.33%	#DIV/0!

3. Do unrestricted reserves meet the state minimum reserve amount?

2012-13	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
2013-14	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
2014-15	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

4. If no, how do you plan to restore your reserves?

We are still in negotiations will all units.

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

K. SALARY NOTIFICATION REQUIREMENT

The following section is applicable and should be completed when any salary and benefit negotiations are settled after the district's final budget has been adopted.

COMPARISON OF PROPOSED AGREEMENT TO CHANGE IN DISTRICT BASE REVENUE LIMIT

	2010-11	2011-12	2012-13	2013-14	2014-15
a. Prior-Year Base Revenue Limit (BRL) per ADA:	\$7,366.34	\$ 7,337.34	\$ 7,501.34	\$ 7,744.34	\$ 7,872.34
Plus: COLA (enter amount per ADA)	(\$29.00)	\$164.00	\$243.00	\$128.00	\$173.00
Plus: Equalization Aid (enter amount per ADA)					
b. Current-Year BRL per ADA:	\$ 7,337.34	\$ 7,501.34	\$ 7,744.34	\$ 7,872.34	\$ 8,045.34
c. Change in BRL per ADA: (b) minus (a)	(\$29.00)	\$164.00	\$243.00	\$128.00	\$173.00
d. Percentage Change in BRL per ADA: (c) divided by (a)	(0.39%)	2.24%	3.24%	1.65%	2.20%
<b>The Current-Year BRL per ADA is reduced (deficited) beginning in 2008-09.</b>					
e. Less: Deficit percentage	17.963%	20.602%	22.272%	22.272%	22.272%
f. Deficit percentage converted to dollar amount: (b) times (e)	\$1,318.01	\$1,545.43	\$1,724.82	\$1,753.33	\$1,791.86
g. Current-Year BRL per ADA with Deficit: (b) minus (f)	\$ 6,019.33	\$ 5,955.91	\$ 6,019.52	\$ 6,119.01	\$ 6,253.48
h. Change in BRL per ADA with Deficit: (g) minus (a)	(\$1,347.01)	(\$1,381.43)	(\$1,481.82)	(\$1,625.33)	(\$1,618.86)
i. Percentage Change in BRL per ADA with Deficit: (h) divided by (a)	(18.29%)	(18.83%)	(19.75%)	(20.99%)	(20.56%)
j. Change from Prior Year Deficited BRL per ADA: (g) current year minus (g) prior year		\$ (63.42)	\$63.61	\$99.49	\$134.47
k. Percentage Change from Prior Year Deficited BRL per ADA: (j) divided by (g) prior year		(1.05%)	1.07%	1.65%	2.20%
l. Total Compensation Percentage Increase (enter from Page 1, Section A, Line 5)	0.00%	0.00%	(1.96%)	0.00%	0.00%
m. Proposed agreement is within/(exceeds) change in undeficited BRL: (d) minus (l)	(0.39%)	2.24%	5.20%	1.65%	2.20%
n. Proposed agreement is within/(exceeds) change in deficited BRL: (k) minus (l)		(1.05%)	3.03%	1.65%	2.20%

**L. CERTIFICATION NO. 1: CERTIFICATION OF THE DISTRICT'S ABILITY TO MEET THE COSTS OF THE COLLECTIVE BARGAINING AGREEMENT**

This disclosure document is intended to assist the district's Governing Board in determining whether the district can meet the costs incurred under the tentative Collective Bargaining Agreement in the current and subsequent years. This certification page should be signed by the Superintendent and Chief Business Official at the time of public disclosure. The absence of one or both of the signatures should serve as a "red flag" to the district's Governing Board.

In accordance with the requirements of Government Code Section 3547.5, the Superintendent and Interim Chief Business Official of the South Monterey County Joint Union High School District, hereby certify that the District can meet the costs incurred under this Collective Bargaining Agreement during the term of the agreement from July 1, 2012 to June 30, 2013.

**Board Actions**

The board actions necessary to meet the cost of the agreement in each year of its term are as follows:

Current Year

**Budget Adjustment Categories:**

Revenues/Other Financing Sources  
 Expenditures/Other Financing Uses  
 Ending Balance(s) Increase (Decrease)

**Budget Adjustment  
 Increase/(Decrease)**

\$	-
\$	(143,411)
\$	143,411

Subsequent Years

**Budget Adjustment Categories:**

Revenues/Other Financing Sources  
 Expenditures/Other Financing Uses  
 Ending Balance(s) Increase (Decrease)

**Budget Adjustment  
 Increase/(Decrease)**

\$	-
\$	-
\$	-

**Budget Revisions**

If the district does not adopt all of the revisions to its budget needed in the current year to meet the costs of the agreement at the time of the approval of the proposed collective bargaining agreement, the county superintendent of schools is required to issue a qualified or negative certification for the district on its next interim report.

**Assumptions**

See attached page for a list of the assumptions upon which this certification is based.

**Certifications**

I hereby certify                       I am unable to certify

\_\_\_\_\_  
 District Superintendent  
 (Signature)

\_\_\_\_\_  
 Date

I hereby certify                       I am unable to certify

\_\_\_\_\_  
 Chief Business Official  
 (Signature)

\_\_\_\_\_  
 Date

M. CERTIFICATION NO. 2

The disclosure document must be signed by the district Superintendent or designee at the time of public disclosure and by the President or Clerk of the Governing Board at the time of formal board action on the proposed agreement.

The information provided in this document summarizes the financial implications of the proposed agreement and is submitted to the Governing Board for public disclosure of the major provisions of the agreement (as provided in the "Public Disclosure of Proposed Collective Bargaining Agreement") in accordance with the requirements of AB 1200 and Government Code Section 3547.5.

\_\_\_\_\_  
District Superintendent (or Designee)  
(Signature)

15-May-13

\_\_\_\_\_  
Date

\_\_\_\_\_  
Linda Grundhoffer  
Contact Person

385-0606

\_\_\_\_\_  
Phone

After public disclosure of the major provisions contained in this summary, the Governing Board at its meeting on: May 15, 2013, took action to approve the proposed Agreement with the King City Joint Union High School Teachers Association Bargaining Unit.

\_\_\_\_\_  
President (or Clerk), Governing Board  
(Signature)

15-May-13

\_\_\_\_\_  
Date

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

**SUBJECT:** Approval of Memorandum of Understanding: Early Retirement Incentive - CTA

**MEETING:** May 15, 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
- X \_\_\_\_\_ Develop/Sustain Fiscal Crisis Long-Term Solution
- \_\_\_\_\_ Ensure Board and Administrator Participation in CSBA's Masters in Governance and Other Trainings
- \_\_\_\_\_ Ensure that Facilities are Safe for Staff and Students
- \_\_\_\_\_ Ensure compliance with Education/Other Codes/Updating Board Policies and Administrative Regulations

Summary:

The South Monterey County Joint Union High School District and the King City High School Teachers' Association have reached an agreement on an early retirement incentive. If sufficient teachers participate in this incentive, there would be a cost savings to the district in hiring teachers with fewer years of experience.

Recommendation:

It is recommended that the State Administrator approve the Memorandum of Understanding with the King City High Teacher's Association regarding early retirement.

Fiscal Impact:

The overall impact would be a cost savings, conservatively estimated at about \$150,000.00

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

Memorandum of Understanding  
between the  
King City High School Teachers Association  
and the  
South Monterey County Joint Union High School district.  
For the 2012-2013 Academic year only

For any eligible employee who submits an irrevocable letter of retirement on or before noon of May 16, 2013, to take effect July 1, 2013, the District will guarantee one of the following options:

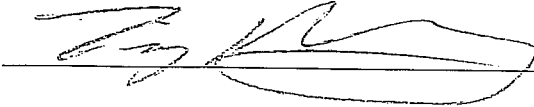
Option 1 - Any employee who qualifies for the "Early Retirement Program," Article 21, who is at least sixty (60) years old by June 30, 2013, will receive benefits through the District with the same health plan provided all Association members until age sixty-five (65) or is eligible for Medicare Coverage and will also receive \$10,000 per year for the subsequent three (3) years that can be used to purchase benefits through the District with the same health plan provided all Association members.

Option 2 - Any employee who is at least 57 years of age and has at least 10 years of service in the District by June 30, 2013, will receive benefits through the District with the same health plan provided all Association members at the rate of \$10,000 from the commencement of the retirement to age sixty-five (65) or when eligible for Medicare coverage or equivalent.

Option 3 - Any employee who has 10 years of service in the District and is sixty-five (65) years old or older as of June 30, 2013, will receive \$30,000 to be paid out over the 3 years at the amount of \$10,000 per year.

This incentive shall not apply to anyone turning in a retirement letter after noon on May 16, 2013.

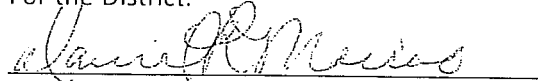
For KCHSTA:



5/7/13

Date

For the District:



Daniel R. Moirao Ed.D.  
State Administrator

May 7, 2013

Date

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

GOVERNING BOARD

**SUBJECT:** Approval of Resolution #26:12/13 Designation of  
Authorized Agent to Sign School Orders

**MEETING:** May 15,2013

**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:

Duane Wolgamott will be joining the district as the Business Manager; therefore his name needs to be added to the list of individuals authorized to sign school orders.

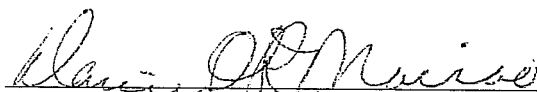
Recommendation:

The recommendation is to approve Resolution #26:12/13 Authorized Signatures.

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. 26:12/13**

**Designation of Authorized Agent to Sign School Orders**

South Monterey County Joint Union High School District, Monterey County,

ON APPROVAL BY

State Administrator Daniel R. Moirao, Ed.D., effective June 1, 2013.

IT IS RESOLVED AND ORDERED by the State Administrator that, pursuant to provisions of Education Code Section 42632 or 85232.

Daniel R. Moirao  
Shirley Laws  
Duane Wolgamott  
Claudia Arellano

Be authorized and are hereby empowered to sign any and all orders in the name of said district, drawn on the funds of said district.

IT IS FURTHER RESOLVED that this approval shall stand and that all additions and deletions shall be submitted in writing to the County Office of Education.

PASSED AND ADOPTED by State Administrator, Daniel R. Moirao, Ed.D.

I, Daniel R. Moirao, Ed.D., State Administrator, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly passed and adopted at a regularly called and conducted meeting held on said date.

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

\_\_\_\_\_  
Date

Signature of Authorized person(s):

\_\_\_\_\_  
Daniel R. Moirao  
\_\_\_\_\_  
Duane Wolgamott  
\_\_\_\_\_  
Claudia Arellano  
\_\_\_\_\_  
Shirley Laws



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

**SUBJECT:** Approval of Resolution #28:12/13 Designating  
the Business Manager as Part of Senior Management

**MEETING:** May 15, 2013

**AGENDA SECTION:**

**ACTION**

**INFORMATION**

**ACTION/CONSENT**

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**GOVERNING BOARD**

Board Goals:

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

Summary:

Under Education Code (EC) section 45100 and 45108.5 the Governing Board may adopt a resolution designating certain positions, including the Business Manager as senior management of the classified service. Under EC 45100.5(b), "Employees whose positions are designated as senior management of the classified service shall be a part of the classified service and shall be afforded all rights, benefits, and burdens of other classified employees, except that they shall be exempt from all provision relating to obtaining permanent status in a senior management position.

Recommendation:

It is recommended that the State Administrator adopt Resolution #28:12/13 designating the Business Manager as a Senior Manager in the South Monterey County Joint Union High School District.

Fiscal Impact:

No additional fiscal impact.

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. 28:12/13**

**RESOLUTION TO DESIGNATE SPECIFIED POSITION AS SENIOR MANAGEMENT  
OF THE CLASSIFIED SERVICE**

WHEREAS, Education Code sections 45100.5 and 45108.5 permit the State Administrator acting on behalf of the Governing Board to designate classified positions in this District as senior management; and

WHEREAS, employees whose positions are designated as senior management of the classified service shall be a part of the classified service and shall be afforded all rights, benefits, and burdens of other classified employees, except that they shall be exempt from all provisions relating to obtaining permanent status in a senior management position; and

WHEREAS, notice of reassignment or dismissal from a position in the senior management of the classified service shall be provided in accordance with the provisions of Education Code section 35031;

THEREFORE, BE IT RESOLVED by the State Administrator on behalf of the Governing Board of the South Monterey County Joint Union High School District that the position of Business Manager is a senior management classified position under the provisions of Education Code section 45108.5.

BE IT FURTHER RESOLVED that the State Administrator or his designee is authorized to enter into a contract on behalf of the Governing Board with the person hired into or occupying this position reflecting the status of the position as senior management for a term and compensation set by the State Administrator on behalf of the Governing Board.

PASSED AND ADOPTED by the State Administrator on behalf of the Governing Board of the South Monterey County Joint Union High School District on May 15, 2013.

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Daniel Moirao, Ed.D., State Administrator,  
South Monterey County Joint Union High School District

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

**SUBJECT:** Board Policies – Second Readings

**MEETING:** May 15, 2013

**AGENDA SECTION:**

**ACTION**

**XX INFORMATION**

**ACTION/CONSENT**

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**GOVERNING BOARD**

Board Goals:

- \_\_\_\_\_ Improve/Sustain Student Achievement through STAR Test and Other Assessment Measures
- \_\_\_\_\_ Improve School Climate and Student Discipline in Support of Teaching, Learning and Student Safety
- \_\_\_\_\_ Develop/Sustain Fiscal Crisis Long-Term Solution
- \_\_\_\_\_ Ensure Board and Administrator Participation in CSBA's Masters in Governance and Other Trainings
- \_\_\_\_\_ Ensure that Facilities are Safe for Staff and Students
- 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 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 5141.31 Immunizations (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 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 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 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
2. Establish the order in which fund balances will be spent when multiple fund balance types are available for an expenditure
3. 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



## 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 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)*

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

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) 11/1

Policy

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT

Adopted: May 15, 2013

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)

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.



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

## 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)
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.
6. Officials and employees of private schools or school systems where the student is enrolled or intends to enroll
  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)
  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 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
6. Subjects taken during each year, half-year, summer session, or quarter, and marks or credits given

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

7. Verification of or exemption from required immunizations

*(cf. 5141.31 - Immunizations)*

8. Date of high school graduation or equivalent

#### Mandatory Interim Student Records

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

1. Expulsion orders and the causes therefor

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

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

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

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

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

*(cf. 6159 - Individualized Education Program)*

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

5. Language training records

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

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

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

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

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

11. Written findings resulting from an evaluation conducted after a specified number of missed

assignments to determine whether it is in a student's best interest to remain in independent study

(cf. 6158 - *Independent Study*)

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

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

(cf. 5144 - *Discipline*)

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

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

#### Transfer of Student Records

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

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

(Education

Code 48201)

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

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

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

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

forwarded to any other district or private school. (Education Code 48918; 5 CCR 438)

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

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
4. 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





Students

Gangs

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)

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

AR 5136 Students

Gangs

Prevention and Intervention Measures

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

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

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 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 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)*



## 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>

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

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)

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

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**

Adopted: May 15, 2013

King City, California



BP 5144.1 Students

Suspension And Expulsion/Due Process

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)

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)

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.

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)

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.

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. 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

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

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

## 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)

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)

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

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.

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

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

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 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

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(3/06 3/07) 11/12